NORTHERN ILLINOIS UNIVERSITY

WILLIAM KELLEY
THE CONGRESSIONAL YEARS, 1861-1890

A DISSERTATION SUBMITTED TO THE GRADUATE SCHOOL
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE
DOCTOR OF PHILOSOPHY

DEPARTMENT OF HISTORY

BY
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DEKALB, ILLINOIS
DECEMBER, 1983

Certification: In accordance with departmental and Graduate School policies, this dissertation is accepted in partial fulfillment of degree requirements.



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TO

FLOYD, JANET, AND ROBERT NICKLAS

For their patience and their love.

Acknowledgments

The preparation of this study was aided by the cooperative personnel of numerous libraries and manuscript repositories. I am especially grateful for the generous assistance of Mr. Jerry Zwirn of the National Archives and Ms. Myrtie Podschwit of the Northern Illinois University Library.

Otto Olsen, Carl Parrini, and Carroll Moody of the Department of History at Northern Illinois University offered careful and forceful criticism and helped me to write with greater clarity and precision. I have also benefited from the general insights first offered by other historians. I owe a special intellectual debt to William A. Williams. His scholarship excited my historical curiosity at the beginning of my graduate studies, and his imagination and humility remain inspiring.

Lastly, I owe emotional debts to a good many friends, my brother Robert, and my parents. I could not have completed this manuscript without their interest and encouragement.

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What do you suppose will satisfy the soul,
except to walk free and own no superior?

Walt Whitman

PREFACE

I not only am not but never have been interested in any branch of the iron trade." Until recently, William D. Kelley's disclaimer might well have been his political epitaph. Nick-named "Pig-Iron" by his contemporaries for an unrelenting commitment to a protective tariff while serving in Congress, Kelley has the undeserved historical reputation of being a self-interested spokesman for Pennsylvania iron and steel interests.[1]

It is curious that the "real" William Kelley has been obscured by a sobriquet which his contemporaries used to chide, but seldom define, his political views. Perhaps this confusion can be explained by the enduring influence of Charles and Mary Beard's The Rise of American Civilization. The Beards' work has been a measuring rod for American historians for several reasons. It attempted the alluring task of integrating the years of civil war and national reconstruction into a general view of the span of American history. Further, it was part of a larger research project begun by Charles Beard in 1913 that focused on causation, or the how and why of history, The Beards sought to define the relationship between economics and politics. Their work revealed the vital importance of economic factors

in historical development and thus offered an important corrective to the contemporary preoccupation of American historians with military, constitutional, and political history. However, the Beards' method tended to minimize the correlation between ideas and property relations. They argued that the political programs advanced in the mid-nineteenth century by individuals and functional groups could be explained as expressions of immediate economic interest. While avoiding the more narrow form of economic determinism which reduced history to calculations of profit, their approach did not allow for the possibility that ideas which served specific interests might also exist as part of a more inclusive outlook shared by diverse and perhaps hostile social groups. For those who were taken by the Beardian model, William Kelley's consistent advocacy of a protective tariff appeared to be merely a reflection of the economic concerns of powerful industrial producers within his Congressional constituency.[2]

During the last two decades, the politics and ideology of the mid-nineteenth century have been carefully reexamined by historians. Authors such as Eric Foner, David Montgomery, Robert Sharkey, Irwin Unger, and William Appleman Williams have agreed that important differences existed within the North on policy questions such as the banking and credit system, the tariff, the role of the black American in the new nation-state, and the rights of the wage-earner in an

industrializing capitalist society.[3] In the process of revising the formidable Beard interpretation, these authors have offered new insights into the ideas and associations of leading Republican intellectuals and politicians. Yet, Kelley's Congressional career, which extended from 1861 until his death in 1890, has not been investigated in a comprehensive fashion.

My purpose is to introduce the rather extensive, but largely unnoticed record of Kelley's political thought and associations into familiar historical debates. This exercise is undertaken for several reasons. Most prior considerations of Kelley, including some of the recent "revisionist" works, have isolated one specific interest and advanced directly to a general evaluation, a practice which has revealed more about the critics than the man.[4] Second, a study of Kelley's egalitarian political ideology, particularly his consistent public defense of the ideal of equal opportunity for social mobility and economic independence, may reveal some useful insights about the relevance and changing social circumstances of democracy in America. Finally, the record of Kelley's efforts to reshape his society suggests the continuing importance of ideology in political discourse beyond the crisis decades of the 1850's and 1860's.[5]

The emphasis throughout is on Kelley's public career, although certain "personal" correspondence and events are

mentioned because they reveal or dramatize some important feature of his political life. As this is a history of Kelley's participation in the making of a new nation-state, the political and social landscape of the mid-to-late nineteenth century must also be synthesized and interpreted. However, since this work is addressed to scholars rather than to general readers, Kelley's place on that terrain will remain the primary focus, with special consideration given to the conflicts and contradictions associated with his quest for equality of opportunity within a system that virtually equated individual rights with property ownership. Kelley's entry onto the national stage was in Illinois in 1860, as the quadrennial choosing of a president captured his attention.

NOTES

[1] William D. Kelley to William C. Bryant, Feb. 11, 1873, William Darrah Kelley Papers, Historical Society of Pennsylvania, hereafter cited as KPHSP. For a sampling of this misleading view of Kelley, see Frank Carpenter, Carp's Washington (New York: McGraw Hill, 1960), pp. 24-25; Matthew Josephson, The Robber Barons (New York: Harcourt, Brace & World, 1962), p. 93; Hugh Lefler, "William Darrah Kelley," Dictionary of American Biography, eds. Allen Johnson and Dumas Malone (New York: Scribner's, 1928-1965), 5:300; James McCabe, Behind the Scenes in Washington (New York: Arno Press, 1974), pp. 211-212; C. Vann Woodward, Origins of the New South (Baton Rouge: Louisiana State University Press, 1967), p. 144.

[2] Charles A. Beard and Mary Beard, The Rise of American Civilization (New York: The Macmillan Co., 1930), intro. et passim; William A. Williams, "A Note on Charles Austin Beard's Search for a General Theory of Causation," American Historical Review, LXII, no. 1 (October, 1956), pp. 59-61.

[3] Eric Foner, Free Soil, Free Labor, Free Men (New York: Oxford University Press, 1971), chs. 3-5; David Montgomery, Beyond Equality: Labor and the Radical Republicans, 1862-1872 (New York: Vintage Books, 1972), pp. vii-xi, et passim; Robert P. Sharkey, Money, Class and Party: An Economic Study of Civil War and Reconstruction (Baltimore: The Johns Hopkins Press, 1967), pp. 290-311, et passim; Irwin Unger, The Greenback Era: A Social and Political History of American Finance, 1865-1879 (Princeton: Princeton University Press, 1968), introduction, et passim; William A. Williams, The Contours of American History (Chicago: Quadrangle Books, 1966), pp. 284-317. See also, Ira Brown, "William D. Kelley and Radical Reconstruction," Pennsylvania Magazine of History and Biography, LXXV (July, 1961), p. 329.

[4] See note 1. Tom Terrill's recent monograph on late nineteenth century tariff policy, The Tariff, Politics and American Foreign Policy, 1874-1901 (Westport, Conn.: Greenwood Press, 1973), depicts Kelley as a "rigid protectionist" without a broader developmental strategy for American industrialization. See pp. 22, 27. Allan Weinstein's Prelude to Populist: Origins of the Silver Issue, 1867-1878 (New Haven; Yale University Press, 1970) likewise suggests a rather

single-minded politician, in no small part because of his consistent reference to Kelley as "Pig-Iron." See pp. 22, 29, 34, 85-86. Weinstein does introduce Kelley's important role in the silver remonetization drive of the late 1870's but he does not consider whether or not Kelley's "soft-money" views were compatible with his tariff position. Moreover, he is not interested in Kelley's perception of the relationship between federal monetary policy and legislation concerning tariffs and internal taxes.

[5] Eric Foner (Free Soil Free Labor, Free Men), Donald Stokes ("Spatial Models of Party Competition," in Elections and the Political Order, eds. Angus Campbell et al., Ann Arbor: University of Michigan, 1966), pp. 170-178) and Walter Dean Burnham ("The Changing Shape of the American Political Universe," American Political Science Review, IIX, March, 1965, pp. 7-28, and Critical Elections and the Mainsprings of American Politics, New York: W. W. Norton & Co., 1970, chs. 1-2) have shown that the voting public in the 1850's and 1860's was highly politicized and ideologically oriented, i.e., inclined to perceive specific problems in relation to their view of what America was, and ought ot be.

CHAPTER 1

The Making of a Republican

> Liberty is not the sole idea that possesses the American mind; we habitually join equality with that word . . . To realize these ideas, or this idea--for to enjoy liberty, equality of rights must be established--is the mission of the American people.
>
> William Kelley, 1841

> We regard every man in our midst an enemy . . . who does not boldly declare that he believes African slavery to be a social, moral, and political blessing.
>
> Atlanta Confederacy, 1860

> With shouts the torrents down the gorges go,
> And storms are formed behind the storm we feel:
> The hemlock shakes in the rafter, the oak in the driving keel.
>
> Herman Melville, 1980

The Chicago Convention

When William Kelley boarded a train bound for Chicago and the Republican National Convention in the spring of 1860, he was not committed to the support of any of the leading candidates for the party's presidential nomination. He had been selected in a local party caucus as one of the delegates from Philadelphia's Fourth Congressional District in March, 1860, following the Republican state nominating convention.[1] Although the Harrisburg state convention

had instructed its delegates to vote for Senator Simon Cameron on the first Chicago ballot, Kelley opposed Cameron's nomination because he was convinced that he placed personal gain above political principle. So, he searched among the other pre-convention favorites for a candidate that shared his and his delegation's commitment to the exclusion of slavery from the territories and the erection of a high protective tariff on manufactured goods.[2]

Sometime during the early party caucuses in Chicago and before Governor Morgan of New York opened the floor for nominations on May 18, Kelley decided upon Abraham Lincoln of Illinois. He respected the darkhorse from Ohio, Benjamin Wade, for his long-held and fervent anti-slavery views. But Wade's national reputation, generally identified with anti-slavery alone, made him an unattractive candidate in the border states and the four free states which the Republicans had lost to Buchanan in 1856. Kelley felt the same about Salmon P. Chase of Ohio and William Seward of New York. Moreover, he regarded Seward, like Cameron, as unscrupulous. In addition, Kelley apparently rejected Edward Bates of Missouri, because of his weak Republican affiliation and doubtful anti-slavery views.[3]

Kelley's predisposition to support Lincoln was evident at a party rally held on May 12. That day, Kelley learned of a ruse designed by Seward's manager, Thurlow Weed, to

generate a bandwagon effect that would inflate Seward's early lead in informal delegate polls and carry him to victory during the official balloting. Weed had convinced the chairman of the evening meeting, James Nye, to recognize only pro-Seward speakers, hoping to leave the gathering of delegates with the impression that Seward's support was irresistible.

At the rally, Kelley positioned himself next to the speaker's platform and, before the first speaker could be introduced, leaped to the stage and began a passionate oration. Since his speech centered upon the dangers of slavery extension into the territories and the wrongs of the Buchanan administration, he was not shouted down. In fact, he prevailed upon his audience until "the trains that were to carry (the delegates) to their homes beyond the city were ready for the last departure" of the evening.[4]

In the fray, Kelley had proved a more resourceful manipulator than Weed. More important, in view of his reservations about Chase, Wade, Bates, and Cameron, his stand against a Seward coup had located him in the camp of the Illinois candidate. Kelley's role in subsequent convention proceedings and party caucuses is unclear, although one account suggests a positive effort to promote Lincoln's candidacy within the Pennsylvania delegation on the eve of the balloting.[5]

On May 18, Lincoln won the Republican Presidential

nomination on the fourth ballot. Lincoln's strong showing on the first vote was important, but Pennsylvania's swing to his candidacy on the second ballot created the bandwagon mood that Seward's forces had hoped to foster, and all but finished Lincoln's opposition. The delegation's timely support for Lincoln can be attributed to the Cameron organization's bid for a cabinet post for Pennsylvania after Carmeron's candicacy appeared doomed.[6]

After the Republican convention adjourned, Kelley journeyed to Springfield, Illinois, as a member of the official delegation chosen to inform Lincoln of his nomination. The delegates found their candidate in an agreeable mood. Once the Republican platform was formally presented, Lincoln attempted to engage each of his visitors in conversation. Turning to Governor Edward Morgan of New York, one of Seward's lieutenants, Lincoln asked, "Pray, Governor, how tall may you be?" "Nearly six feet three," the sullen Morgan reluctantly responded. Turning next to Kelley, whom he was addressing for the first time, Lincoln remarked, "You are a tall man, Judge. What is your height?" Six feet three," Kelley replied. "I beat you. I am six feet four without my high-heeled boots," said Lincoln. Kelley then broke the ceremonial chill that hung about the gathering. Bending in an exaggerated fashion, he responded "Pennsylvania bows humbly before New York, but still more humbly before Illinois." As everyone laughed, Kelley

added with a wry grin, "Is it not curious that I who for the last twelve years have yearned for a president to whom I might look up, should have found one here in a state where so many people believe they grow nothing but Little Giants?"[7]

An Ideologue Finds a Political Home

The exchange between Kelley and Lincoln initiated a friendship which lasted until Lincoln's death.[8] Aside from their likeness in height and frame, there was an affinity in their respective political views. This agreement is noteworthy because Lincoln's career and thought--and the folklore associated with them--dominate much of the historical writing on the 1860 campaign and contemporary Northern politics.[9] More important, since Lincoln's successful nomination indicated an acceptance by the Republican convention of the candidate's political principles and views,[10] a comparison of those beliefs with Kelley's may be useful in establishing the relationship between Kelley's thought and the programmatic consensus within the Republican party.[11]

Kelley always regarded liberty and equality as the first principles of the American republic. In 1841, as a young Democrat, he declared: "Liberty is not the sole idea that possesses the American mind: we habitually join equality with that word . . . To realize these ideas, or this idea--for to enjoy liberty, equality of rights must be established--is the mission of the American people,"[12]

Lincoln had expressed the same ideas as a Whig in 1838.

He said, "We find ourselves under the government of a system of political institutions . . . We toiled not in the acquirement or establishment of them--they are a legacy bequeathed us . . . a political edifice of liberty and equal rights."[13] Both men assumed that liberty, the citizen's moral autonomy and political independence, was found in the realm of necessity. In other words, they considered only those individuals who were self-dependent in the production and allocation of their means to life as truly free. Further, Kelley and Lincoln regarded equality as the state in which all citizens had the rights and opportunities to exercise such self-determination and autonomy. A system of private property production was the essential basis of liberty and equality as Kelley and Lincoln defined it, and the independent producer was both symbol and embodiment of that system in America.[14]

Kelley often expressed this outlook in the context of a celebration of American exceptionalism. At a Fourth of July ceremony, he invited his audience to "glance at England. The idea of her government is a graduated scale of factitious distinctions, the cement of which is . . . the hope each man feels that he may one day enter the rank above him and tower over his former neighbors." "This," Kelley declared, " is a complicated and base design! Behold . . . the poverty and degradation of her overwrought and enslaved millions on whose emaciated frames this

splendid pyramid is erected . . . we are children of a common Father, and our rights before Him, the state, and society are equal . . . we must enter our protest against all injustice, extend the hand of fellowship to the poor and lowly, and promote by our every act equality of condition among men."[15] These comments were in step with Lincoln's view that "equality in society, alike beats inequality, whether the latter be of the British aristocratic sort, or of the domestic slavery sort . . . Advancement--improvement in condition--is the order of things in a society of equals. As labor is the common burthen of our race, so the effort of some to shift their share of the burthen on to the shoulders of others, is the great, durable curse of the race."[16]

Neither Kelley nor Lincoln viewed the interests of most property holders and laborers as in co ict. In fact, like the majority of Republicans in 1860, they drew no distinction between wage-earners and the class of independent farmers, craftsmen, and other small businessmen. All were considered "laborers." And labor was the "superior" of capital, or those persons (in Kelley's words) "raised above the necessity of labor, enterprise or even thought and enabled to . . . fare sumptuously every day."[17]

Further, the ideal of equal opportunity for social mobility and economic independence was a living reality for Kelley as well as the Republican nominee. In the fall

of 1859, Lincoln flatly declared, "There is no permanent class of hired laborers amongst us." He continued: "Twenty-five years ago, I was a hired laborer. The hired laborer of yesterday labors on his own account today; and will hire others to labor for him tomorrow."[18] In later years, Kelley told a Philadelphia audience that he had "cherished the delusion" of an America largely composed of socially mobile, economically independent people all his life.[19]

In the spring of 1860, Kelley's "delusion" fairly characterized Northern society. The population was predominantly rural, with four-fifths of all Americans living in places of 2,500 or less inhabitants. Wage-earners constituted a slightly larger proportion of the total workforce than independent producers, but agriculture, manufacturing, and mining were still the domains of the individual entrepreneur, as against limited liability corporations or partnerships.[20] Yet emerging social trends were stirring sharp social and political conflicts. The possibility of rising to self-employment was rapidly receding in the large Eastern cities due to an increasing competition between producers, spurred by a growing integration of the Eastern marketplace and the introduction of labor-saving machinery.[21] Aggravating the economic woes of the industrial wage-earner in these areas was the competition from foreign-born workers who were part of the

heaviest wave of immigration in American history.[22] To Kelley and others who shared his vision of a steadily expanding republic of small producers, slavery--rather than Irish immigrants or dispossessing tendencies in Northern social relations--represented the greatest threat to the free labor ideal.

Kelley viewed slavery as a threat to the dignity and mobility of labor as early as the mid-1830's while working as a jeweler in Boston. He moved to Boston in 1835 within a year after the completion of his apprenticeship to a Philadelphia jeweler, because depressed business conditions precluded his employment in an already glutted local market for journeymen jewelers.[23] Kelley resided in Boston for almost four years. He later recalled that this sojourn provided the crucible for the formulation of his anti-slavery ideology, and was "worth . . . what the same number of years in a college might have been." As a regular participant in the city's "Lyceums and lecture-rooms," he found the "means of intercourse with her Bancroft, her Brownson, her Everetts, her Channings, her Prescotts, her Emerson" and others "at a cost that even the laboring man did not feel." Moreover, he frequented the "libraries of Boston" where he devoured "Shakespeare and Milton, Johnson and Addison, Shelley and Wordsworth" as well as the published speeches and writings of contemporary American authors and politicians.[24]

Kelley's "quick and eager mind" and his nascent anti-monopoly views[25] were noticed by the "radical wing" of Boston's Democratic organization, led by George Bancroft,[26] and Kelley was soon invited to join the Democratic opposition to the rechartering of the Second Bank of the United States. His political baptism occurred at a Democratic rally in Faneuil Hall in August, 1835. After listening to numerous speakers denounce monopoly and special privileges for private corporations, the young Kelley spontaneously leapt to the stage and declared: "I am an American citizen, a man who can earn his living by the sweat of his brow and the cunning of his good right hand--one who has come to this cradled temple of liberty to pledge himself to stem the tide of time on board the good ship Democracy."[27] Kelley later elaborated on his political awakening. He stated that it was his belief that the Bank's supporters "bartered the rights of the people" in order to preserve the Bank's privileged control over private and public credit. In his eyes, the privileged banking interests and their supporters were akin to those "self-styled superior(s)" who forced men "to stand uncovered and trembling" before them. They forcefully rejected the principle of "equal rights to equal chances for all men." Like the slave master, they kept the dead hand of the past on the further unfolding of democracy in America. Thus, Kelley's early anti-slavery views were integrated with his

antagonism toward privileged economic interests.

The sparse record of Kelley's stay in Boston in the 1830's does not indicate that he regarded the North and the South as engaged in any life or death struggle. Kelley's early political thought was a rather unoriginal fusion of political idealism and economic individualism which stressed the social fluidity of American society. He believed that the "moneyed aristocracy" and the slaveholders could be chased from power by a reforming Democratic party.[28] It was well after Kelley had returned to Philadelphia and begun the law career which helped sustain him during his long Congressional tenure that he came to consider the slavery issue in the context of potential national development.[29]

The occasion for Kelley's change in outlook was the national debate that arose with the prospect of acquiring land from Mexico in 1846. As in 1820, when Missouri applied for admission to the Union as a slave state, the slavery question, generally understood to be a state problem, was abruptly transferred to the federal government which held jurisdiction over unorganized Western lands in which the status of slavery was indeterminate. Congress became the area of combat when David Wilmot introduced a resolution to exclude slavery from any territory acquired from Mexico. The resolution was stillborn, the Senate failing to take action on the House-passed bill before the Congressional

session expired. Yet, the debate split the Democrats and Whigs along sectional lines. Kelley joined those Northern Democrats who refused to allow federal sanction for the extension of slavery into the Western territories, and rejected the contention of Southern Democrats that opposition to the Wilmot position was the test of party loyalty. Like other "free-soil" Democrats who had no faith in the alleged "law of nature" barring slavery from the West, Kelley feared the introduction of slaves in the territories would end any possibility of slavery's gradual extinction in the South and would promote class divisions in Northern society by barring the migration of free laborers.[30]

In 1848, a year after his appointment as judge to the Philadelphia Court of Common Pleas, Kelley broke from the Democratic party and joined the Free Soil Party. Judge Kelley supported Martin Van Buren against Lewis Cass, the anti-Wilmot nominee of the Democratic party, in the presidential election but returned to the Democratic fold with most of the Free Soilers in 1852. Kelley's renewed affiliation with the Democrats in the early 1850's was presumably due to the collapse of the Free Soil combination. With the disappearance of clear party lines on the matter of slavery extension following the Compromise of 1850, Free Soilers like Kelley were left without a salient issue to arouse voter support. Almost one-half of the Free Soilers of 1848 did not vote in the presidential contest, and many of the

rest fused with either the Whigs or the Democrats on the basis of local issues.[31]

Kelley's already strained association with the Democratic party was severed when party leaders engineered the passage of the Kansas-Nebraska Act in 1854. The new law explicitly repealed the Missouri Compromise line at 36° 30' and thereby opened all United States territories to slavery. For Kelley and thousands of Northern citizens, the act represented an attempt by the slaveholding oligarchy of the South "to degrade the laboring masses of the country by nationalizing slavery."[32] It was on the basis of this ideological perspective that Kelley and other anti-slavery politicians bolted the Democracy and set about organizing a "republican" organization in Pennsylvania. He could not attend the first Republican state convention in Pittsburgh in September, 1855, because his court was in session, but was active in the organization of a local Republican association. The platform of the association demanded that the federal government ensure "Life, Liberty, and Happiness to all men" by prohibiting slavery "in any of the territories of the United States."[33]

In June, 1856, the first national Republican party convention, which met in Philadelphia, adopted the sense of this resolution and nominated John C. Fremont for President. Judge Kelley campaigned extensively for the Republican candidate, traversing eight counties in the

Pathfinder's behalf, although he remained publicly aloof from the Congressional contest in Philadelphia's Fourth Congressional district in which he was supported for election by the Philadelphia Republican Association. Kelley's retiring posture toward his own campaign was consistent with antebellum political mores. The office was supposed to seek the man and not the man the office; hence, party candidates such as Kelley rallied support for their ticket and party platform and encouraged surrogates to galvanize the electorate in their behalf.

In the state election in October, Kelley was defeated by a substantial margin. He attributed his defeat to the "feeble impression" which his antislavery outlook made in precincts where anti-foreign or nativistic polemics had been the medium in which the grievances of free laborers were expressed. Kelley rejected fusion with the nativists or "Know-Nothings" who targeted predominantly Catholic immigrant groups as scapegoats for emerging economic and political tensions. In his view, a citizen who trembled "at the frown" of such intolerant groups was "as much a slave . . . as he who pales and cowers in the presence of an angry monarch."[34]

Following his electoral defeat, Kelley resigned his seat on the court and devoted his energies to the practice of law and the advocacy of the Republican anti-slavery position. He did not again seek elective office until he

accepted the Republican nomination for representative from the Fourth Congressional district in August, 1860. In the invervening years, he engaged diverse audiences in a critical discussion of the "slave power." In that process, Kelley began to develop a more sophisticated antislavery ideology that linked the dignity and achievements of free labor with certain political-economic measures.

Kelley departed from his earlier free trade conviction and came to regard a high protective tariff as essential to steady employment at home. Kelley later explained this shift in perspective as a result of his "investigation of trade statistics" and his first-hand observations of depressed business conditions in Philadelphia following the Panic of 1857. He characterized 1857 as a "good year for sheriffs . . . and capitalists who were able to pay cash at nominal prices for unproductive establishments, and hold them until happier circumstances should restore their value."[35] However, Kelley located the cause of the depression in the attempt of the Democratic party "to secure a second market by reducing our customs duties." The result, in his view, was the destruction of the "home market" without any offsetting development of overseas trade.[36]

Another influence behind Kelley's conversion was the friendship and tutelage of Henry C. Carey, a Philadelphia economist and ardent supporter of the protective system.

The two became acquainted in 1846 as members of the First Unitarian Church of Philadelphia, which was then under the direction of William Henry Furness. Kelley's early belief that the "so-called protective system gives to the proletaire . . . just such protection as the vulture gives the dove" initially discouraged a friendship with the author.[37] However, by the time their acquaintance was renewed in 1859, Kelley was inclined to view the productive labor of manufacturers, wage-earners, and farmers as endangered by the "productions of the under-paid and poorly-fed peasants of Europe and the paupers of England." "With the clear perception of this truth, he became a "protectionist" and soon developed a close and lasting friendship with Carey.[38]

Kelley's tariff position dovetailed with the protectionist sentiment embraced by his Philadelphia constituency and the Republican party platform of 1860.[39] The Republican standard-bearer was also committed to a protective tariff. Years before his rise to national prominence, Lincoln wrote that the greatest threat to productive labor was "useless labor," or "all labor done directly and incidentally" in connection with articles carried to "their place of consumption, which could have been produced in sufficient abundance with as little labor at the place of consumption."[40] In 1860, in the depressed precincts of Kelley's district and in other Eastern manufacturing centers, "useless labor" so defined was represented by the

cheap manufactures which the low American customs duties invited. Republican organizers and leaders in Pennsylvania and other industrial states observed the ruinous competition of these finished goods, or the "useless labor" of foreign producers as well as American importers and merchants, and argued that it was tolerated by the national administration and its Democratic allies in the Senate since it lessened the burden on their most powerful constituents, the slaveholders of the South.[41] As Kelley took up the protectionist standard, he likewise identified the Democratic coalition as "inimical to the good of the people." His new tariff views thus strengthened his conviction that specific grievances, such as a flood of cheap imports, could only be resolved by removing the slave power's grip on national legislation.[42]

Although one premise of Kelley's critique of the "aristocracy" of the South in the late 1850's was a celebration of the economic vigor and political culture of Northern white laborers, his audiences were always reminded of the moral dimension of the slavery controversy. "The law which declares that a man shall be held as property," Kelley said, "degrades human nature to the level of the beast, and makes the fair maiden and the growing boy mere cattle, to be sold upon the auction block." Freedom, not slavery, was the "natural condition of man."[43] Kelley's insistence on the immorality of slavery was mirrored in

Lincoln's contemporary statement: "The real issue in this controversy . . . is the sentiment on the part of one class that looks upon the institution of slavery as a wrong, and of another class that does not look upon it as a wrong . . . the Republican party . . . look upon it as being a moral, social, and political wrong."[44] Many Republican politicians did not take this high ground, and pandered to the pervasive fear among Northern voters that freedmen would endanger the status and prerogatives of white labor. However, the moral indictment of slavery was an implicit part of the Republican critique of Southern society, which upheld the natural rights of all men to freely dispose of their persons (their capacity to labor) and property in the marketplace and to be protected in those legal rights essential to such participation. This implicit Republican insistence on the immorality of slavery is important because it helped to undermine the older politics of compromise that had assumed the legitimacy of both the slave and free labor systems. As a substantial bloc of Northern voters came to accept the Republican inference that the Southern slave system was in irrepressible conflict with Northern social relations, the nationalization of the free labor system by means of a transcontinental railroad network, free homesteads, and protective tariffs became a political necessity and obligation for them. This was the case when Kelley and Lincoln met in Springfield.[45]

As Judge Kelley departed from Lincoln's residence with the Republican delegation, he turned to Carl Schurz and said, "Well, we might have done a more brilliant thing, but we could certainly not have done a better thing."[46] He was apparently confident that Lincoln's candidacy would keep the slavery question, which had become the territorial question, in sharp focus.

NOTES

[1] Micheal R. Greco, "William Darrah Kelley: The Ante-Bellum Years" (unpublished Ph. D. dissertation, Johns Hopkins University, 1874), p. 263. Greco's is the only extant biography of Kelley from his birth in April, 1814 through 1860. The study is competently researched and written, but suffers from a crude psychohistorical interpretation of the origins and development of Kelley's egalitarian political ideology. Greco explains Kelley's early enthusiasm for Andrew Jackson and the Democracy, along with his later affiliation with anti-slavery intellectuals and politicians as rooted in a compelling need for security which he never experienced as a child, but found in his association with strong-willed political leaders. See pages 33, 46-47, 53, 207-209, 222-223.

[2] For an introduction to the political views and personalities of the Pennsylvania delegation, see Erwin S. Bradley, The Triumph of Militant Republicanism (Philadelphia: University of Pennsylvania Press, 1964), ch. 2; Lee F. Crippen, Simon Cameron: Ante-Bellum Years (Oxford: Mississippi Valley Press, 1942), pp. 204-221; Reinhard H. Luthin, The First Lincoln Campaing (Cambridge: Harvard University Press, 1944), pp. 92-105.

[3] Kelley to Norman Judd, June 1, 1860, Abraham Lincoln Papers, Manuscript Division, Library of Congress, hereafter cited as Lincoln Papers, Library of Congress; E. C. Smith to Henry C. Carey, March 14, 1860, E. C. Gardiner Papers, Historical Society of Pennsylvania. On the numerous Republican aspirants and their political views, see Hans Trefousse, Benjamin Franklin Wade (New York: Twayne Publishers, 1963), ch. 9; Allen Thorndike Rice, ed., Reminiscences of Abraham Lincoln by Distinguished Men of His Time (New York: North American Review, 1888), pp. 255-256; and David Potter, The Impending Crisis (New York: Harper & Row, 1976), pp. 419-422. The four free states mentioned above were Indiana, Illinois, New Jersey, and Pennsylvania.

[4] Glydon G. Van Deusen, William Henry Seward (New York: Oxford University Press, 1967), p. 223; Rice, Reminiscences, pp. 255-256.

[5] Greco, "William Darrah Kelley," p. 270. Two of the leading contemporary accounts of the convention, Alexander McClure's Old Time Notes of Pennsylvania, vol. 1 (Philadelphia: John C. Winston Co., 1905), pp. 405-408, and Murat Halstead's Caucuses of 1860, edited by William Hesseltine and reissued as Three Against Lincoln (Baton Rouge: Louisiana State University Press, 1960), pp. 168-169, do not mention Kelley in this context.

[6] Reinhard H. Luthin, "Pennsylvania and Lincoln's Rise to the Presidency," Pennsylvania Magazine of History and Biography, LXVIII (January, 1943), p. 70; Potter, Impending Crisis, p. 429; Murat Halstead, Three Against Lincoln, pp. 161-173; Allan Nevins, The Emergence of Lincoln, II (New York: Scribner's Sons, 1950), p. 258; McClure, Old Time Notes, vol. 1, pp. 407-408.

[7] Rice, Reminiscences, pp. 255-260; Paul Angle, ed., The Lincoln Reader (New Brunswick: Rutgers University Press, 1947), pp. 278-279; Carl Schurz, The Reminiscences of Carl Schurz, II (New York: The McClure Co., 1906), p. 179.

[8] Benjamin P. Thomas, Abraham Lincoln: A Biography (New York: Alfred A. Knopf, 1967), pp. 475-476.

[9] A glance at the excellent annotated bibliography in J. G. Randall's and David Donald's The Civil War and Reconstruction (Lexington, Mass.: D. C. Heath and Co., 1969), particularly pages 769-774, will confirm the prominent place of Lincoln scholarship in the historiography of the 1860's.

[10] Potter, Impending Crisis, pp. 420-422, 427-429.

[11] The 1860 Republican platform opposed the extension of slavery into the territories and endorsed the passage of a protective tariff, a homestead act, and federal subsidization of a Pacific railroad. Lincoln was known to be in agreement with this broad policy base at the time of the convention. See Potter, op. cit., pp. 420-421, 423, 427; Reinhard Luthin, "Abraham Lincoln and the Tariff," American Historical Review, XLIX (1944), pp. 610-619; and Thomas M. Pitkin, "Western Republicans and the Tariff in 1860," Mississippi Valley Historical Review, XXVII (1940), p. 408.

[12] Kelley, "An Address Delivered at the Democratic Town Meeting, in the State House Yard, July Fourth, 1841," Library of Congress, p. 15.

[13] Abraham Lincoln, "Address Before the Young Men's Lyceum of Springfield, Illinois," January 27, 1838, in Roy P. Basler, ed., The Collected Works of Abraham Lincoln, I (New Brunswick: Rutgers University Press, 1953), p. 108.

[14] On many occasions during his Congressional career, Kelley associated liberty with private discretionary control over productive property. See, for example, Chapter 2, p. 70; Chapter 3, pp. 126-127; Chapter 4, p. 199; Chapter 5, pp., 223, 237; Chapter 6, pp. 306-307; Chapter 8, pp. 414-415; Chapter 9, pp. 467-471. This perspective was initially expressed by the revolutionary bourgeoisie in England in the seventeenth century and embraced by the Founding Fathers. The essential humanity of individuals, according to this outlook, consisted in their freedom to develop their capacities as producers at will. The criterion of full freedom was the ability to exclude others from the use and enjoyment of one's labor, and the prerequisite for this ability was the possession of productive property. See C. B. MacPherson, The Political Theory of Possessive Individualism (New York: Oxford University Press, 1972), pp. 1-4, 107-160; Karl Marx: Early Writings (New York: McGraw-Hill, 1964), pp. 12-13, 22-31.

[15] Kelley, "Address, July Fourth, 1841," Library of Congress, pp. 14-16.

[16] Lincoln, Fragment on Free Labor," September 17, 1859, in Basler, Collected Works, III, p. 462; Lincoln, "Address Before the Wisconsin State Agricultural Society, Milwaukee, Wisconsin," September 30, 1859, in Basler, ibid., p. 478.

[17] For Kelley's thought, see Kelley, "Address, July Fourth, 1841," Library of Congress, p. 13; the Congressional Globe, 39th Cong., 1st Sess., p. 550; and Kelley, Speeches, Addresses, and Letters on Industrial and Financial Questions (New York: Greenwood Press, 1969), pp. ix, xxiii. On Lincoln, see Lincoln, "Fragments of a Tariff Duscussion," Dec. 1, 1847, in Basler, Collected Works, I, p. 412, and "Speech at Indianapolis, Indiana," Sept. 19, 1859, ibid., III, pp. 468-469, 477-480. On Republican rhetoric in general, see Foner, Free Soil, Free Labor, Free Men, p. 15; and Montgomery, Beyond Equality, p. 14

[18] Lincoln, "Fragment," in Basler, op. cit., III, p. 462.

[19] Kelley, "The New Northwest," June 12, 1871, in Speeches, pp. 464-465.

[20] Montgomery, Beyond Equality, pp. 8, 26-27; Harold Vatter, The Drive to Industrial Maturity: The U. S. Economy, 1860-1914 (Westport, Conn.: The Greenwood Press, 1975), p. 3; Stuart Bruchey, The Roots of American Economic Growth, 1607-1861 (New York: Harper & Row, 1965), ch. IV.

[21] George R. Taylor, The Transportation Revolution, 1815-1860 (New York: Holt, Rinehart and Winston, 1962), pp. 270-300.

[22] Proportionate to the total population, the 2,939,000 immigrants of the period, 1845-1859, of whom the Irish constituted the largest grouping, comprised 14.5% of the 1845 total, while the 9,000,000 immigrants in the period, 1905-1914, comprised 10.8% of the U. S. population in 1905. See Potter, Impending Crisis, p. 241.

[23] Congressional Globe, 44th Cong., 1st Sess., p. 543. On the depression precipitated by Jackson's removal of public funds from the Second Bank of the United States, see Arthur N. Schlesinger, Jr., The Age of Jackson (Boston: Little, Brown, and Co., 1945), p. 103; and Bray Hammond, Banks and Politics in America (Princeton: Princeton University Press, 1967), pp. 412-438.

[24] Congressional Globe, 38th Cong., 1st Sess., p. 773.

[25] Greco, "William Darrah Kelley," p. 64. Kelley wrote a Philadelphia correspondent that "a charter should not be granted unless the benefit the company confers on the public over-balances the evil effect it produces upon individual enterprise." Kelley to Henry S. Patterson, Feb. 7, 1836, Kelley Family Papers, Columbia University.

[26] Greco, op. cit., p. 58; Schlesinger, Jr., Jackson, pp. 159-165.

[27] J. Donald Cameron, "Memorial Addresses on the Life and Character of William D. Kelley," Misc. Doc. No. 229, House of Representatives, 51st Cong., 1st Sess., p. 70.

[28] Kelley, "Address, July Fourth, 1841," Library of Congress, pp. 4, 7.

[29] Although popular in Boston's political and intellectual circles, Kelley continued to struggle for financial security as a skilled artisan. Through his associations with the city's Democratic leaders, he was introduced to Philadelphia's Democratic postmaster, Col. James Page, who

invited him to read law in his office in late 1838. Kelley immediately accepted the invitation. See Greco, "William Darrah Kelley," pp. 81, 84-85.

[30] Kelley recalled his "free-soil" roots in 1856. See Kelley, "An Address at Spring Garden Hall, Philadelphia, Sept. 9, 1856," Library of Congress, pp. 3-10; Potter, Impending Crisis, ch. 3.

[31] Kelley to Lincoln, Nov. 10, 1860, Abraham Lincoln Collection, State Historical Society of Illinois (microfilmed copies of correspondence deposited in the Lincoln Papers at the Library of Congress); Greco, "William Darrah Kelley," p. 145; Michael E. Holt, The Political Crisis of the 1850's (New York: John Wiley and Sons, 1978), ch. 4, pp. 105-106, 129. The Compromise of 1850 achieved a territorial settlement without settling the question of whether Congress could exclude slavery from unorganized western lands. See Potter, pp. 113, 142, 228.

[32] Potter, op. cit., p. 171; Kelley, "An Address at Spring Garden Institute, Philadelphia, Sept. 28, 1864," Library of Congress, p. 24.

[33] Greco, "William Darrah Kelley," pp. 228-229.

[34] Michael Holt, Forging a Majority: The Formation of the Republican Party in Pittsburgh, 1848-1860 (New Haven: Yale University Press, 1969), pp. 176-177; George Mayer, The Republican Party, 1854-1966 (New York: Oxford University Press, 1967), pp. 40-47; Greco, "William Darrah Kelley," pp. 136, 231-236.

[35] Kelley, Speeches, p. xxiii.

[36] Ibid., pp. ix, xxiii.

[37] Kelley to Thompson Westcoll, n.d. (1842?), Autograph Collection, Historical Society of Pennsylvania; Greco, "William Darrah Kelley," pp. 168, 249.

[38] Kelley, Speeches, p. xxiii.

[39] Greco, William Darrah Kelley," p. 247; Potter, Impending Crisis, pp. 423-242.

[40] Lincoln, "Fragments of a Tariff Discussion," Dec. 1, 1847, in Basler, Collected Works, I, p. 412. On the Illinois hustings and in the House in the 1840's, Lincoln emphasized the benefits of a high tariff. During the

Chicago convention and the subsequent presidential campaign, he privately assured leading Republicans of his preference for a protective tariff, while resisting any public appeals so as to secure the support of free-soilers with "free trade" views learned within Democratic ranks in the 1840's and the 1850's. See Luthin, "Lincoln and the Tariff," pp. 613-614, 617-618.

[41] William Dusinberre, Civil War Issues in Philadelphia, 1856-1865 (Philadelphia: University of Pennsylvania Press, 1965), p. 35; Foner, Free Soil, Free Labor, Free Men, pp. 174, 176; Potter, Impending Crisis, p. 391; Holt, Forging a Majority, p. 243.

[42] Greco, "William Darrah Kelley," pp. 252-253.

[43] Kelley, "An Address Delivered at Girard Ave., Philadelphia, Oct. 3, 1856," Library of Congress, pp. 3-6.

[44] Lincoln, "Seventh and Last Debate with Stephen Douglas at Alton, Illinois," Oct. 15, 1858, in Basler, Collected Works, III, pp. 312-313, 315.

[45] Foner, Free Soil, Free Labor, Free Men, pp. 69-72, 261-262, 290-291, 296.

[46] Schurz, Reminiscences, II, p. 188.

CHAPTER 2

The Early War Years

> The war is not waged . . . for any purpose of . . . overthrowing or interfering with the rights or established institutions of [the] States.
>
> Crittenden Resolution, 1861

> Neither confiscation of property, political execution of persons, territorial organization of states or forcible abolition of slavery should be contemplated for a moment.
>
> Gen. George B. McClellan, 1862

> We are carrying on the war on peace principles.
>
> William Kelley, 1862

From the presidential campaign of 1860 through the summer of 1862, Kelley was engaged in a wide-ranging political debate concerning America's identity as a nation. With most Republicans, Kelley groped in search of practical means that might restore national unity and promote social mobility. He was armed with a political creed, affirming "equal rights to equal chances for all men,"[1] but his thinking on such issues as emancipation, taxation, and military strategy was initially fragmented. Kelley's letters and speeches during this period of crisis suggest an inner movement of thought and sentiment toward a more coherent and radical vision of America's future. In a sense, the

frame of that vision came before the picture. Kelley painted the fabric as secession and civil war helped to crystallize his developing consciousness of America's social potentialities.

The 1860 Election

The candidacies of 1860 offered American voters concrete choices on the primary issue of slavery extension. John Bell of Tennessee was nominated with Edward Everett of Massachusetts by the Constitutional Union Party, a loose coalition of nativists and former Whigs that hoped to defuse the slavery issue by taking the evasive course of standing on the Constitution, however it might be construed. The Democratic candidate, Stephen Douglas, who held strong convictions about the powers granted by the Constitution for the resolution of the "domestic concerns of a territory," likewise hoped to remove the slavery issue from the national arena. As he interpreted the Constitution, Congress could neither prohibit nor protect slavery in the territories. The slavery issue, Douglas argued, was a local question, to be resolved by local representative bodies. Douglas's perspective was acceptable to the large Northern delegations and a bare majority of the Democratic convention delegates. However, most of the Southern Democrats demanded a federal commitment to the protection of slave property. When Douglas's views were

written into the party platform, the Southern group broke from the party and nominated John C. Breckinridge of Kentucky for President.[3]

Finally, there was Lincoln, who ran on a platform which affirmed the right of Congress to exclude slavery from the territories, an unconstitutional stand in light of the Dred Scott decision. Spurning "popular sovereignty" and the politics of drift, Lincoln and Breckenridge offered no quarter in the contest to define the constitutional and social contours of the West and, thereby, the nation.[4]

Kelley traversed Pennsylvania "from the Ohio line to the Delaware" in behalf of Lincoln's candidacy. Many of his public addresses were delivered at rallies sponsored by local Republican associations to "ratify" Lincoln's nomination and to advance his antislavery views.[5] Kelley's avid support for the Republican candidate soon created the popular impression that he was the "personal exponent" of Lincoln's "views and wishes."[6] When pressed by James Harvey, the conservative editor of the Philadelphia North American, to answer the charge, Lincoln denied it.[7] Yet, it is not surprising that such an impression existed. Although Lincoln was loath to speak during the campaign for fear of misrepresentation, his antislavery views and Kelley's were widely disseminated in the state, and it is unlikely that the similarity in their political perspectives went unnoticed.

In August, Kelley accepted the Republican nomination for Representative from the Fourth Congressional district.[8] He now eschewed the custom of allowing the office to seek the man and worked his district with the help of friends William Furness and James and Lucretia Mott. Furness, the Unitarian minister who introduced Kelley to Henry Carey in 1846, was also a leading anti-slavery activist in Philadelphia. From the late 1830's, he had advocated the immediate and unconditional abolition of slavery by means of moral suasion, that is, the conversion of slaveholders and non-slaveholders alike to the view that God created all men in his image. Yet, by 1860, he was convinced that anti-slavery sermons, petitions to legislatures, and selective voting for the mainly negative purpose of pressuring candidates to accept or reject the principle of human equality were insufficient to the task of eradicating slavery.[9] He chose, instead, to seek the abolition of slavery primarily by political means, namely, the election of Republicans like Kelley who would use the Constitution and federal power to oppose slavery extension by force, if necessary.[10] The Motts were Quakers who regularly attended Furness's services but were more notable as organizers and leaders of the Pennsylvania Anti-Slavery Society. Politically, their course had paralleled Furness's, moving from a strategy of moral suasion to one of political coercion, in lieu of any conversion by slaveholders and their allies to the

abolitionist position.[11]

Kelley's popularity among Philadelphia abolitionists derived from a combination of personal ties and political commitments. His second wife, Caroline Bartram Bonsell,[12] had been raised in the household of Isaac and Elizabeth Pugh, who were friends of the Motts and members of Furness's Unitarian congregation. Caroline's aunt, Sarah Pugh, was Lucretia Mott's closest friend and a member of the executive committee of the Pennsylvania Anti-Slavery Society. The Philadelphia chapter of the Society met regularly at Sarah Pugh's home, and during their courtship in the 1850's Caroline and Judge Kelley often accompanied Isaac and Elizabeth Pugh to the informal gatherings. After his marriage to Caroline in October, 1854, Kelley helped organize public lectures and forums in behalf of the Society, including annual informational "fairs" promoted by the organization's women.[13]

During his unsuccessful campaign for a Congressional seat in 1856, Kelley voiced moral sentiments that tallied with those embraced by Philadelphia's abolitionists, demonstrating that his sympathetic association with the Society was prompted by other considerations than family loyalty. "Democracy reverences man as man," he declared. "Democracy believes not only in the rights of man to own himself but believes it to be the duty of government to protect the poor and the weak, and to secure to every child born into this beautiful world equal chances before the State and in

society.[14] However, in 1856 and again in 1860, Kelley refrained from any endorsement of the abolitionist demand that slaves should be freed immediately, unconditionally, and without expatriation or compensation to the owners. Underlying this abolitionist demand was the assumption that politics was a branch of morals. For many abolitionists, the reformation of white Americans' attitudes toward blacks through provocative agitation was essential before laws effecting abolition could be trusted to work primarily to the benefit of the slave. Kelley's early political activity and his tactical focus on the Congressional prohibition of slavery extension suggest that he assumed political decisions would end slavery and establish the social conditions in which the race issue could be resolved.[15] By 1860, the Motts and Furness apparently had come to share Kelley's faith in the morally lifting capacity of the anti-slavery political movement.

Kelley was also joined on the stump by Francis P. Blair, Jr., a principal organizer of the Republican party in Missouri and a candidate for Congress from the state's First District. The two had met at the Chicago convention in May, and Kelley had accompanied Blair on a brief Midwestern tour in behalf of the Republican tariff and antislavery planks in July.[16] Their political friendship was presumably struck on the basis of a shared revulsion toward aristocratic institutions or social relations which

denied opportunities for economic self-sufficiency. Blair condemned the "colossal aggregation of wealth invested in negroes" and chastised the Democratic party for being "as servile a tool of the oligarchy as are the negro slaves themselves."[17] However, unlike Kelley, Blair did not view the issues of slavery extension or emancipation as moral concerns. In fact, Blair was openly racist. He abhorred the "slang about negro equality," and denounced any emancipation schemes that did not contemplate the colonization of freedmen. The question for Blair was whether or not the slave system was as productive and socially fluid as the free labor society of the North. Blair concluded that rational men would concede the "evident superiority of free-labor."[18] When Blair and Kelley addressed a Philadelphia audience on the evening of October 2, 1860, both based their antislavery argument on a free labor appeal.[19] Kelley reportedly tailored his comments to Blair's focus and received an enthusiastic response. Kelley's constituents, who had been so taken with the Democrats' nativistic appeals in 1856, had now warmed to the Republican attack on slavery for degrading the white laborer. The Wigwam crowd cheered the Republican hopefuls and chanted "Lincoln, Curtin, and Kelley" long after Kelley and Blair had spoken.[20]

"Curtin" was the Republican candidate for governor, Andrew Curtin, whose organization was competing with

Pennsylvania Senator Simon Cameron's for control of the statehouse. The struggle between Curtin and Cameron was acrimonious because it revived memories of their bitter contest for one of the states' Senate seats in 1855.[21] Kelley disavowed any formal connection with either state Republican faction but clearly preferred that Lincoln work with Curtin's staff, viewing Cameron's "clique" as bent on personal aggrandizement rather than on the promotion of egalitarian political principles.[22] Apparently, he was unaware that Lincoln was working with members of both organizations while maintaining an appearance of neutrality in order to avail himself of all possible support.[23]

As the state election approached,[24] Kelley assured Lincoln that all was well in the Keystone state.[25] The state's Democrats were weakened by an inability to unite the Douglas and Breckinridge camps behind a single state ticket and by the divisive tactics of the nominal Democrat, John Forney. As editor of the Philadelphia Press, Forney had been President James Buchanan's journalistic mouthpiece in the mid-1850's, but he broke with the President in 1858, denouncing his "weak, incompetent, and corrupt" policies. By mid-1860, he was privately committed to the success of the Republican party's state and national ticket, and had organized a fifth-column against the Democrats. Forney used his political clout to subvert the state committee's efforts to unite the party; after

the state elections he undermined the Democratic challenge by promoting a separate Douglas slate against the "fusion" ticket of the state committee.[26] Kelley's association with Forney apparently developed after the outbreak of war, when the editor converted his paper into a "daily administration organ."[27] In mid-1865, the two men joined forces in the campaign for full political rights for the freedmen, and in later years they shared a commitment to a greenback-based currency system in opposition to a return to specie payments under the national banking structure established during the war.[28]

On October 9, both Kelley and gubernatorial candidate Curtin scored impressive victories, and the Republicans gained a substantial majority in the Pennsylvania legislature.[29] Soon after the state election Kelley wrote Lincoln: "the political skies are bright and serene hereabouts." He anticipated a Republican victory in November, as did the state Republican leadership,[30] and his optimism was well-founded. In the November canvass Lincoln carried Pennsylvania with 57 per cent of the popular vote, while collecting all of the electoral votes in the eighteen free states with the exception of the three votes he lost to Douglas in New Jersey. The substantial Republican victory in Pennsylvania can be attributed to the effectiveness with which Kelley and other party spokesmen galvanized local political sentiment--in this case, support for a

protective tariff--into a broader antislavery commitment. The state Democracy had posed as the party of protection and its gubernatorial candidate supported the Morrill tariff bill pending in Congress. However, the state's Republican coalition and the Republican press ridiculed the Democrats' protectionist position in a convincing manner by reminding Pennsylvania voters that the pro-slavery Buchanan administration had opposed any modification of the low Tariff of 1857, and that the dual Democratic platforms of 1860 had made no commitment to upward tariff revisions.[31] Kelley reportedly beat the tariff drum with great enthusiasm in the closing weeks of the fall campaign, and his efforts to integrate this issue with a broader antislavery perspective in Philadelphia's urban wards were apparently effective.[32]

Pennsylvania state politics continued to be a subject of immediate concern for Kelley and the national Republican leadership in the months that followed. The occasion for Kelley's anxiety was the effort by Simon Cameron to collect the political debt which Lincoln incurred at the Republican convention in Chicago. On the eve of the nominations, Lincoln's adviser, David Davis of Illinois, had disregarded the candidate's admonition against making deals that would bind him and promised Cameron a cabinet position if Pennsylvania gave its support to Lincoln.[33] When Kelley learned that Cameron's political friends were

pressing his claim upon the President-elect, he warned Lincoln that a "well-concerted effort" was underway to "mislead" him about the "sentiment" of Pennsylvania's Republicans regarding Cameron. Kelley wrote: "the cardinal feature of your amiable character is integrity, and the true men of this state await your selection of cabinet officers in the undoubting faith that none but men of unsullied name will be called by you." Then, putting flattery aside, he gently made his plea: "Chosen first from the ranks of the people there is an abiding faith that Springfield, Harrisburg, and Albany and other state capitals will be left by you to provide for the hordes that infest them, that having no friends to reward nor enemies to punish, you will not call to your immediate councils men whose lives have been passed in the financial and political intrigues of a state capital." With obvious reference to Cameron, Kelley added that he preferred to have Pennsylvania without cabinet representation than to see a post offered to a man "devoted to no party, but sharing the advantages of victory let it crown what banner it might."[34]

Apparently, the strong opposition of Kelley and other Republicans "wholly outside of Pennsylvania" to Cameron's appointment[35] initially convinced Lincoln that the Pennsylvania Senator might use the patronage of a cabinet post " for his own private gain."[36] However, as Kelley suggested to Lincoln on January 7, Cameron's "superior prominence"

barred the nomination of others for a Pennsylvania cabinet post.[37] The Senator's continuing pressure[38] and the aggressive solicitation of his friends in the Pennsylvania Republican organization moved the President-elect to offer the position of Secretary of War to Cameron before Lincoln's two-week tour of the Republican heartland ended in Washington, D. C. on February 23.[39] In less than a year, Cameron would "taint" the Lincoln administration, as Kelley feared, by his allegiance to "jobbing politicians."[40]

While Kelley and other Republican leaders engaged Lincoln in a house debate over his cabinet selections, a secession movement gained ground in the South. By 1860, Southern voters had been schooled by every medium of Southern expression, from pulpit to party convention, in the doctrine of secession as a minority safeguard if a sectional party controlling the national government threatened Southern political and property rights. Lincoln's victory was interpreted by pro-slavery ideologues, politicians, and editors as a proper cause forsecession because they perceived the Republican non-extension plank as a threat to slavery as well as the widely-accepted constitutional dogma which held that state governments rightfully exercised jurisdiction over property relations. Despite considerable disagreement among Southern voters as to whether the time had come for secession, secessionist leaders in individual states were able to push through formal secession

ordinances. Following South Carolina's call for a convention within a week of the presidential balloting, partisans carried the secession movement by emphasizing the lack of compromise gestures from the Republicans and by exhorting an electorate confused and excited by the recent election to place the defense of South Carolina's economic and political rights above allegiance to the Union.[41] Hence, in a very general sense, the breakdown of the First Republic came as a resolute and powerful minority convinced Southern voters that secession was the proper course of action to defend sectional rights. In a more profound sense, the secessionists triumphed by riding the pervasive apprehension that the imminent rule of the Republican party would be coercive, and would materially alter the slave labor system which was the center of social, economic, and political life in the South.[42]

Kelley viewed secession a subversion of popular government. With the survival of the Union in jeopardy, he was aroused to a defense of national authority that presaged a later and more elaborate constitutional justification for federal intervention in state affairs.[43] If Southern state governments defied the verdict of 1860 and threatened to resist legislation that might be passed by the victorious Republican party, then, Kelley reasoned, the federal government was obligated to impose order and enforce the law "by force if necessary."[44]

The Case for Total War

When disunion became a reality across the South in mid-April, 1861, the Republicans were obliged to interpret the crisis and define the party's immediate aims. William Kelley located the origins of the peril in the "treason" and "treachery" of "misguided, ambitious, and recklessly dishonest" Southern legislators and Congressmen. If his words represent him accurately, Kelley suggested that these men had pushed their secessionist policy on a Unionist majority, and thereby cast the "enormous burdens" of war on loyal citizens in both sections. The Philadelphia press agreed with his distinction between secessionist politicians and most Southern voters, condemning the "would-be oligarchs" of the South for denying "political equality" if it threatened "to put power really in the hands of the majority."[46]

In fact, Kelley may have expected the supposed mass of loyal Southerners to repudiate the secessionists. When news of South Carolina's legislative steps toward disunion reached Philadelphia, he assured Lincoln that the "madness of the South" was transitory. He added that the strife would be settled by Northern "commercial and financial operations," suggesting that a healthy economic prod was all that was necessary to startle the mass of Southern loyalists into action.[47]

As the firing on Sumter dashed any hope for voluntary reconstruction from within the South, Kelley struggled to

define the cause of the Union. In rushing to the defense of the federal government, Kelley had entered a political context in which the Constitution was a crucial focus. The wave of indignation against Southern secession in the North reflected a shared sense that the national covenant, whose spirit and letter were represented by the Constitution, had been betrayed. Most Northerners eagerly identified their cause with the defense of the Constitution and the Union as they stood. To attack slavery, which was sanctioned by the Constitution, was to undermine that document. Kelley was sensitive to this prevalent Northern view. While condemning slavery on moral grounds and defending its exclusion from the territories, he publicly pledged himself to the Republican party's defense of slavery in the states where it existed.[48]

Kelley's early adherence to the constitutional compact was more than a concession to the powerful force of Northern public opinion. While serving as a judge in Philadelphia's Court of Common Pleas in the 1850's, Kelley avoided any frontal assault on constitutional passages respecting slavery. He heard several cases involving the Fugitive Slave Act,[49] which enforced the constitutional provision that a "person held to Service or Labour in one state . . . escaping into another . . . shall be delivered up on Claim of the party to whom such Service or Labour may be due."[50] Kelley decried the Fugitive Slave Act as a "license

enabling the 'slave power' to kidnap Northern blacks" but he never questioned the constitutional obligation of federal officials to enforce it. Judge Kelley's tactic of resistance to the enforcement of the controversial measure was legally unassailable. He used his authority over courtroom procedure to assist defense attorneys in discrediting the testimonies of federal marshalls seeking criminal convictions against whites who allegedly aided fugitive slaves.[51] Thus, it appears that, as a matter of principle, Kelley was inclined toward a strict interpretation of existing constitutional provisions in the antebellum period.

During the first months of civil war, Kelley developed a more liberal interpretation of constitutional authority. As the exigencies of war moved military commanders and the Northern public toward a broader conception of the unionist cause, Kelley came to regard the Constitution as a source of strength in advancing his long-held political ideals. During the Thirty-seventh Congress, he struggled to forge practical political measures expressing his equalitarian aspirations for both white and black labor. The process was attended by an intellectual turmoil which was most acute when Kelley dealt with the problem of the social integration of freedmen.

Anti-Slavery Politics and the Requirements of Victory

Kelley travelled to Washington in May, 1861, and promptly "fixed" himself for the coming session of Congress. He found a suite of rooms on F Street and arranged to dine at Willard's Hotel, two blocks from the White House.[52] It may have intrigued the Pennsylvanian to know that the spot in which he took his morning and evening meals was once the site of a peace conference that favored compromise of the Republican stand against slavery extension.[53] Kelley's early correspondence with his wife, Caroline, indicated an energetic determination to wrestle with the difficulties facing the Republican government of the North. Certainly, some of his enthusiasm was owing to the general excitement he left behind in Philadelphia. Although divided in their sympathies during the winter secession crisis, the city's residents overwhelmingly forsook their Southern partners in business and commerce after the fall of Fort Sumter. No Philadelphia merchant was less conciliatory than Kelley's father-in-law, Isaac Pugh, a prosperous wallpaper manufacturer before secession. Pugh suffered bankruptcy because of the Southern repudiation of debts owed to his firm. However, he never supported territorial compromise during the winter crisis and, after the outbreak of hostilities, advocated total war upon the legal status of slavery.[54]

Philadelphia's Protestant clergy were among the first

to welcome the use of force to restore the Union. As their text on the Sunday following the outbreak of war many chose Joel 3: 9-10: "Proclaim ye this among the Gentiles: prepare war, wake up the mighty men, let all the men of war draw near, let them come up. Beat your ploughshares into swords, and your pruning hooks into spears, let the weak say, I am strong." And the "Star Spangled Banner" and "Hail Columbia" were heard in place of religious hymns.[55]

As the Speaker's gavel opened the House proceedings on Independence Day, 1861, Kelley was surrounded by men of varying political abilities and beliefs. Since Kelley's developing vision of America's future was mainly elaborated during House debates, it may be instructive to distinguish his place in the Republican political panorama.

On the major issues of the summer of 1861--the question of limiting the future expansion of slavery and the problem of defining the means necessary to restore peace--Kelley was ideologically situated between the moderate Republican majority and the radical Republican camp. The moderates firmly opposed slavery extension and viewed coercion of the South as a painful but necessary duty of the national government that might involve some social reconstruction of the Union. However, most moderate Republicans at this time viewed the Constitution as binding in detail. They may have presumed that the institution of slavery in the rebel states would be a casualty of the war, but they were inclined to

think that the Congress was severely constrained in dealing with the peculiar institution where it existed. Where the results of institutional engineering were less controversial in human terms, as in the case of transcontinental railroads and protective tariffs, the Republican majority did not think Congressional action was so circumscribed by constitutional limitations.

Kelley joined the moderates in support of the Chicago platform of slavery exclusion and internal improvements. He was likewise uncertain about the legitimate area of Congressional action in undermining the institution of slavery. At a glance, his position was significantly different from the demands of the radicals, which included Congressional abolition of slavery in the rebel area and some national action to remove the legal and substantive disabilities laid upon black persons in the loyal states.[56]

Kelley later commented on his initial political differences with the radicals. He suggested that he feared the unity of the Republican coalition was endangered by appeals for abolition so long as the majority of Northern voters had faith in Southern unionism and did not regard emancipation as necessary to the survival of Northern values and social relations.[57] Kelley's explanation understated his early constitutional scruples and did not elaborate upon his personal affinity with the radical emphasis on liberty and equality. The dismal record of

Northern arms and the President's use of the "war power" soon broadened Kelley's view of constitutional restraints, and encouraged his political identification with radical Republicans such as Thaddeus Stevens, Owen Lovejoy, George Julian, and John Covode.

The Republicans furthest removed from Kelley's political perspective were Eastern conservatives such as Senators Edgar Cowan, Jacob Collamer, William Pitt Fessenden, and John Ten Eyck, and Representatives James Hale, Benjamin Thomas, Charles Train, and Charles Delano. Generally, these men opposed the territorial expansion of slavery but rejected any constitutional arguments supporting either executive or legislative interference with slavery where it existed. More important, in terms of the later debates over the political-economic shape of the restored Union, Eastern conservatives and their most powerful constituents--the leading merchants, shippers, and bankers of the Northeast--sought to reconcile the nationalizing aims of the Republican majority with the continuing social precedence of the pre-war Northern commercial and financial elite. This meant they opposed high protective duties and government issues of paper money.[58]

As the Thirty-seventh Congress convened, Kelley moved easily among Republican leaders in the Capitol. He found "a world of interest in the movements and personnel of the military" and used his political favor to gain several

audiences with General McDowell, who was then busy assembling a Union army around Washington.[59] Kelley also appears to have been a regular visitor at the White House.[60] He played only a modest role in the formal debates of the Thirty-seventh Congress, however, probably because of the combined pressures of party discipline and established House procedures. Republican House leaders such as Speaker Galusha Grow and Ways and Means Committee chairman Stevens responded to the press of events in a traditional way: they employed the gag rule, the previous question,[61] and their party influence to restrict debate to those members whose prestige or well-known views would serve the prompt passage of legislation supported by the majority party's caucus.[62] Generally, Kelley was accorded fair treatment for a junior member. He was called on to offer supportive comments on major Republican bills before the House, presumably because of his eloquent oratory and his loyal defense of the party platform of 1860. Yet, in the summer session and during the key slavery and financial debates of the second session, Kelly and other aspirants to a long-standing Congressional career were often ignored by "old hands" such as Stevens and Grow.[63]

Kelley's first opportunity to speak at length regarding the progress of the war and the duties of the Republican Congress was on January 31, 1862, during the House discussion of the President's state of the union message. The

war had not ended quickly and Kelley indicated he was tiring of the restrained, constitutional statecraft he had initially supported. The focus of his remarks was the President's exercise of unprecedented and, at times, extra-constitutional powers to suppress the rebellion, including the suspension of the writ of habeas corpus in numerous localities and the raising of an army without Congressional authorization.[64] Kelley warmly supported Lincoln's actions in the face of a passionate assault by House Democrats, no doubt enlivened by the numerous arrests of Democratic editors and publishers. Moreover, he justified the President's initiatives as constitutional, although they represented an interpretation of the Constitution that under the pressure of war had moved beyond the traditional notions of limited national power. Kelley depicted Lincoln as a "conservative man," but not in the sense of one who "goes through the world as the oarsman does his voyage, looking ever at the land he has passed, never at that which he is passing, or the point toward which he is moving." The "truly conservative man," in Kelley's view, was one who would "preserve the Constitution," even if it meant leaving the "ruts of routine."

Kelley then expressed his hope that, as the President moved to reestablish the "supremacy" of the Constitution, "the army called into being by his words [would] crush out every iniquity which that instrument tolerates under its

broad provisions." Lest his colleagues interpret his veiled response to the "inequity" of slavery to mean he was calling for a "war of emancipation," Kelley covered with the observation that the military liberation of slaves was merely one "means" to "deprive the enemy of their resources and to bring the services of every loyal man to the standard of his country." As if aware that this unsolicited disclaimer only confirmed his identity as a man bent on the "Africanization of American society and labor," Kelley became even more cautious and proceeded to a brief incantation of his own doubts about the prospects for a biracial society. In the process, he revealed a sentimental racial prejudice which was hinged on the prevalent stereotype that pictured blacks as innately suited to live in tropical settings.

"The negro is the creature of the tropics," Kelley stated. In the name of "peace and justice," he continued, the slave "made free by the crimes of his master" must be allowed to settle in "Liberia," or "parts of our country in which the black man alone can live and labor." Kelley's digression ended abruptly with the admission that it opened "a wide field for discussion." While endorsing a strategy which abided racial segregation, his "separatism" did not express any rationale for the subordination of the freedman who did not "find his way to the tropics." In fact, Kelley suggested before closing that blacks were

capable of creating "cities, towns, schools, universities, and churches" on a par with any created by whites in temperate climes.[65] In this regard, Kelley was somewhat in advance of the President, who was likewise wrestling with the reciprocal problems of slavery and racism. As late as his annual message to Congress in December, 1862, Lincoln suggested the wisdom of colonization and offered a plan for federally compensated emancipation which would leave room for white control over the freedmen through apprentice systems of labor.[66] Thus, although Kelley placed himself in a situation which makes it possible to argue that he was intentionally pandering to the anti-black sentiments of the chamber, it may be more precise to say that he was struggling to reconcile long-held philosophical beliefs with practical problems of social adjustment which he had never rigorously considered until the war began.

Kelley's acceptance of the President's early and extraordinary application of executive power under the mantle of constitutionalism was apparently buttressed by the indecisive Northern military effort. Kelley was particularly unhappy with the pause that followed McDowell's defeat at Bull Run.[67] While a stunned Northern public riveted its attention upon reports of troop movements in the hope of another Northern offensive, the grandest exhibition of Union military strength for the balance of the year was the marching and counter-marching of the Army of the Potomac

on the fields around Washington. In part, Kelley acknowledged, the autumn lull was necessary. The "exhibition and skillful exercise of overwhelming power" essential for any successful forays into the South required a well-disciplined and logistically sound army. This was a time-consuming task in light of the uncoordinated flood of volunteers entering the Capitol in July and August. In addition, a reorganization and an expansion of the limited officer corps of the spring was necessary to command the expected 500 regiments, and this too, would take time.[68]

Aside from the legitimate delays attendant to the raising of a large volunteer army, the excessive caution of the army's high command was, in Kelley's view, another reason for the lack of "evidence of determined war." Without naming the army's new commander, George McClellan, he criticized the "generals at the head of the several columns of the Army" for the "want of spirit" in the North's military strategy. But, most important, he pointed out a political disability which hindered decisive action. As yet, there was no consensus in the Republican party or among its constitutents that either the human or material resources of the South were legitimate spoils of war. Any action taken against slave or real property in the border states or in the Confederacy had been considered a violation of the legal and conceptual rights of the states under the Constitution. Moreover, the Republicans had

forsworn such action in the Crittenden Resolution and in Lincoln's message to Congress in July.[69] After nine months of "inaction," Kelley declared, the "enthusiasm of the people" of the North was nearly drained.[70]

When Congress debated the President's management of the Trent affair in January, 1862,[71] Kelley suggested a new military strategy. In a cleverly reasoned speech, he juxtaposed the administration's peaceful foreign policy with its seemingly pacific posture toward the South. According to Kelley, the assertion of pro-slavery Democrats such as Clement Vallandigham of Ohio that the United States was humiliated by the Trent settlement was motivated by a desire to discredit the administration and thereby weaken the Northern war effort. Further, he argued, the polemical thirst for war with England shown by men on both sides of the aisle revealed a blatant disregard for war's "wastefulness" and violation of the most worthy human pursuits. Kelley praised the President and his cabinet for their recognition of the fact that war was "as dire a calamity that can befall a people," since it appealed to the men of the country "to abandon the hopes of life and civic duties, and engage in the work of destruction."

Yet, "terrible as it is," Kelley stated, "[war] has its laws." Unless it prosecutes a war with "spirit" and military skill a government will find it invites a disregard for its sovereignty. This was the course of the

Lincoln administration, in Kelley's view. He said, "we are carrying on the war on peace principles . . . Our men . . . are not led where they might hurt anybody . . . When it was necessary to plant a small force on the soil of South Carolina, the commander to whom the expedition was confided humbly apologized for having invaded [its] soil." "Our generals," Kelley concluded, "must learn that these are not the piping times of peace," and "that one of the first laws of war requires a belligerent to cut off all the resources of his enemy." Obviously frustrated with the results of eight months of waiting, Kelley coaxed the administration in a friendly but firm manner to move away from the politics and methods of limited warfare. He feared that before the Republicans had "achieved a victory" they will "have reached bankruptcy."[72]

At the time of Kelley's speech, the Republican majority in Congress, while moving toward a stronger anti-slavery position,[73] was still reluctant to challenge slavery within the Confederacy. Most Republicans, including Lincoln, clung to the belief that a strong, pro-Union sentiment existed in the South and opposed a general policy of emancipation that would invalidate slavery's constitutionally privileged position, and therefore alienate supposed Southern unionists, particularly in the Border states.[74] The Republicans accordingly moved first against slavery in the District of Columbia, where federal authority was

unchallenged. A Senate-passed bill[75] was considered by the House in the committee of the whole in early April, 1862. On the following day, the House quickly moved to a vote under Stevens' parliamentary whip and passed the bill without a single dissent from the Republican ranks.[76]

Kelley supported the bill, which included provisions for the colonization of the District's freedmen. His flirtation with the concept of colonization in January had now been translated into a tangible proposal. Kelley again supported the federally subsidized, voluntary colonization on June 3, 1862, as the House debated a bill authorizing the President to establish formal diplomatic relations with the "republics of Haiti and Liberia." In his remarks on the diplomatic bill, Kelley indicated that he was motivated by a concern that the vexing slavery and racial issues could not be peacefully resolved without some provision for the voluntary emigration of freedmen.

Kelley read from a letter written by an officer of the Sixty-ninth Pennsylvania regiment, then serving in Virginia. He interpreted the officer's observations on the racial arrogance among Southern whites as evidence of the dim possibilities for the humane treatment of ex-slaves in the South. In addition to the deleterious Southern conduct he reported, Kelley pointed to the "prejudices of the vulgar and ignorant" of the North, especially Democratic politicians, as cause for anxiety over the prospects

of peaceful social integration. As one possible solution to the race problem, he encouraged private efforts to settle ex-slaves in Haiti and Liberia, which he described as independent governments, "molded on our own," and exhibiting a "hardy enterprise" that disproved the myth of the black man's inability to govern himself.[77]

Kelley eschewed any further public advocacy of the voluntary emigration of freedmen after his June speech. Perhaps the colonization fever subsided because of the failure of widely publicized expeditions to Haiti under James Redpath's direction in the summer of 1862, owing to mismanagement by private sponsors, disease and death among unacclimated colonists, and to hostility that developed between the immigrants and the native Haitians.[78] While the record offers no evidence to ascertain the precise timing of his conversion, it is clear that Kelley's perspective on black citizenship had been transformed. Thereafter, he was an unequivocal advocate of full political and civil rights for the freedmen.[79]

As Kelley and the Congress wrestled with the question of emancipation and other confiscatory legislation, the war was pushing Union commanders and Northern opinion toward a redefinition of military policy. By late spring, 1862, the Northern strategy of maneuver against real and imagined armies in the East had reaped few victories and yielded many casualties. In the West, the more decisive

military achievements did not shatter the presumably weak Confederate rebellion. Instead, a crushing rebel counter-attack occurred at Shiloh, Tennessee, on April 6-7, 1862.

Far from clutched in a "death struggle," as the New York Times declared after the Northern victories at Forts Henry and Donelson,[80] the Southern forces massed a surprise attach at Shiloh in which war's "last terrible results" abounded. As the frightening casualty lists from forty-eight hours of fighting crept into newsprint, Northern communities abandoned their faith in Southern unionism and recognized the seriousness of the war. Kelley's earlier admonition that military and civilian policymakers were "too generous" in their respect for the South's real and human property became a more general refrain thereafter.[81]

About one month after the Shiloh battle, Kelley and his aroused Republican colleagues moved to implement the party's convention promise to exclude slavery from the territories. On May 8, a bill was introduced by Representative Owen Lovejoy to accomplish this aim, and thereby complete the Republican assault on slavery where federal jurisdiction was considered paramount. Kelley defended the bill in orthodox Republican fashion: "Slavery is a local institution, belonging to the State and under the supreme control of the people of the State: but as to territory it is otherwise . . . if we acquire territory of which freedom is the law at the time of the acquisition.

Congress cannot, nor can the people of the territory . . . establish slavery therein." As he closed his speech, Kelley also drew attention to a new and controversial argument developed to justify emancipation in the rebel states. The premise of this new conception was that state rebellion was "State suicide," thus reducing the state to a "territory over which the power of the United States extends." If this notion was accepted by the Republican majority and the Court, then, Kelley argued, the Congress--under the provisions of Article 4, Section 2 of the Constitution--might legally "interfere with slavery in the several states as we have known them." Although drawn to this idea, Kelley admitted that his mind was "not yet settled."[82]

Kelley's "state suicide" concept can be considered a refinement of the rationale he offered in January for the federal expropriation of slave property in the South. He declared then that the "constitution, laws, ordnances, or institutions of any state" must not be permitted to "stand in the way of the supremacy, entire and perfect, of the Constitution" over the American domain. If necessary to the suppression of the Southern rebellion, Kelley suggested, the constitutionally-sanctioned legislative authority of Congress should be used along with the war powers of the Executive to broaden traditional constitutional theory and practice.[83] Later, Kelley would join those who rationalized

federal intervention in Southern civil affairs as an obligation flowing from the Constitutional clause guaranteeing a republican form of government to each state.[84] For now, he was apparently content to emphasize the notion that an expansion of federal power was both necessary and constitutionally justifiable in the present emergency.[85]

The Concurrent Redefinition of the Union

While agitating for total war against the South, Kelley was aware that the federal government's antebellum revenue system lacked sufficient elasticity to support a limited war, let alone the burgeoning logistical demands of the Union forces.[86] During the summer of 1861, he puzzled over the "financial question." However, as in the deliberations on slavery, Kelley was accorded only a modest role in the discussion of fiscal policy in the Thirty-seventh Congress.

Kelley early cautioned his colleagues to reject the passage of "spasmodic legislation" that failed to provide "enduring credit" for the Northern war effort.[87] Yet, Treasury Secretary Salmon Chase and the majority of Republicans anticipated a brief and successful struggle to restore the Union. Consequently, in July, 1861, the Republican Congress enacted a financial package based upon a relatively narrow tax base and a modest loan program.[88]

By the end of the year, the financial footing erected

in mid-summer had crumbled. On December 10, Secretary Chase's annual report announced to Congress that the federal government's expenditures had run far ahead of early estimates. The report laid the blame on the requirements of an army that had grown beyond the original estimate of 300,000 by a quarter of a million men. In order to put the government's finances on a sounder basis, the Secretary recommended a mild tax increase and a reorganization of the nation's banking system that featured a bond-based currency which would induce bankers to subscribe to large issues of government securities. Another possibility that was mentioned, but not recommended, was an increased circulation of treasury notes, including interest-free demand notes in small denominations which would compete with bank notes in the payment of public dues.[89]

Within a few days of Chase's report and before legislation could be introduced to meet the Union's financial exigencies, it was learned that the British cabinet demanded an apology from the federal government for the removal in early November of two Confederate emissaries, Mason and Slidell, from the British steamer Trent. Word of the British action raised the spector of a second war. In financial circles, the threat of war and the impossibility of selling Union war bonds in previously receptive English money markets led to a sharp decline in security prices and a run on specie reserves. The hoarding of

specie caused a rapid depletion in bank reserves and encouraged representatives of the largest New York banks, the pivot of the United States credit system, to approve the suspension of all payments in gold and silver on December 30. This action forced the Treasury to suspend coin payments for redemption of Treasury notes that were payable on demand.[90]

As the financial debate began, a feeling of desperation hung over the proceedings.[91] Kelley noted that caution had become an expensive virtue and feared that the nation was on the verge of bankruptcy. Though he did not elaborate upon a financial remedy, he objected to the inflationary aspects of irredeemable treasury notes.[92] Yet, in view of the resistance of major Northeastern bankers to the terms of Chase's national banking scheme,[93] the issue of such notes as interest-free legal tenders promised a more immediate source of government revenue. Moreover, the government issue of paper currency was generally regarded by Republican Congressmen as less inflationary than the unrestrained issue of irredeemable notes by Northern state banks.[94]

On February 24, Kelley and the Republican majority in both houses passed a legal tender bill authorizing the issue of 150 million dollars worth of non-interest-bearing United States notes that were legal tender in payment of all public and private debts. In addition, the legal

tenders or "greenbacks" were made exchangeable with the 6 per cent bonds which became known as 5-20's; they matured in twenty years but were redeemable at the government's pleasure after five years.

In view of the important role which Kelley played in the post-war financial drama that attended the issue of how to redeem these and subsequent issues of greenbacks, his support for the legal tender act deserves further attention. In its final, amended version, the bill authorized the Secretary of the Treasury to sell bonds at market, rather than par value for coin to pay interest on notes received on deposit at the Treasury, and to pay the interest on government bonds in gold. These clauses favored the larger Northeastern banks that handled most of the government loans. As Thaddeus Stevens suggested during the House debate, they made "two classes of money--one for the banks and brokers, and another for the people."[95] Kelley would harp on Stevens' theme after the war, arguing that interest payments in coin were supported by heavy taxes that squeezed productive labor, especially small industrial entrepreneurs whose cash sales were already threatened by greenback contraction.[96] However, in 1862, Kelley raised no objection to the coin interest rider. Unfortunately, aside from his comments on the social implications of government fiscal policy in the 1830's,[97] the record is silent on Kelley's currency views before this time. In lieu of any contemporary

evidence to determine his exact motives in supporting the original greenback legislation, it is assumed that Kelley's financial perspective was as yet rudimentary, and that his vote was consistent with his early identification with the moderate Republican majority.

As the first winter of war ended, Kelley was drawn into debate on one of the most controversial measures of the Thirty-seventh Congress: the Second Confiscation Act.[98] The bill that was finally enacted was the result of a six-month debate which waxed and waned most dramatically about the issue of the sanctity of private property. In his comments during the House discussion, Kelley demonstrated his commitment to private discretionary control over productive property. While an earnest supporter of federal initiatives to liberate slave property, he was likewise resolute in his belief that certain "due guards" should be established to protect slaveowners from the draconian seizure of their real property. He recommended that the condemnation of property take place in federal courts.[99] The Act of July 17, 1862, conformed to this approach. Although its original version authorized the immediate confiscation of the property of Confederate civil officers and a similar forfeiture after sixty days' warning of the property of all other rebels, it was amended in its final stages to require proceedings <u>in rem</u> in all cases.[100]

In other words, a court judgement based upon a

hearing of relevant evidence was necessary before any property was forfeited. Since such proceedings were time-consuming, enforced by local officials, and held only in areas where federal civil courts were operating, there was little chance that any extensive confiscation of "real" property would take place.[101] Kelley's stand on confiscation was thus more truly "conservative" than his position on federal interference with slavery in the Confederate states. Equally important, Kelley distanced himself from the radical demand for rebel land to destroy the slaveowning oligarchy and to establish a substantive basis for black equality. In the wartime discussion of confiscation measures, and during later Congressional debates over proposed federal land grants for propertyless laborers in the 1870's and 1880's,[102] Kelley never condoned the process of compensating certain groups with private property.

Before Kelley escaped the heat and political tensions of the Capitol in the summer of 1862 he also participated in a series of debates concerning what contemporaries called "internal improvements." As with the assault on slavery in the District of Columbia and the Western territories, these deliberations pushed the Union further in the direction of a unified nation-state, based upon a single free labor system and enhanced federal supremacy.

Kelley was one of the warmest supporters of the Pacific Railroad Act. Like the Homestead bill and the

tariff, a transcontinental railroad bill was endorsed by the Republican party platforms and had been the subject of considerable agitation in the 1850's.[103] The measure created a federal corporation, the Union Pacific Railroad Company, pledged to the construction of a railway westward from Omaha, Nebraska to a rendezvous with the Central Pacific pushing eastward from California. To aid the construction of the road, the Congress donated 6,400 acres of public land for each mile of track and made the Union Pacific the beneficiary of federal bonds worth millions of dollars.[104]

Early in the House deliberations on the measure, Kelley urged its passage as a military necessity and, more important, as a means to establish the United States in "its proper position among the nations of the world." Kelley declared: "the railroad is the river produced by modern science. We can carry these streams over mountains and across valleys, and they will be followed by towns and cities along the plains. From this great stream rivulets will flow, so that in Nevada, Utah, Colorado, Washington, Oregon, Nebraska, and Kansas, American civilization will spring up and the land teem with life. We can by this means and this alone cement the two coasts of our country, and make the East and the West parts of a well-united nation . . . ." And when the American political economy was integrated in this fashion, Kelley added, "the enterprise which characterizes the American people would bring

us into intimate commercial relations with Japan, China, and the whole East, would give a stimulus to the productive power of the country such as it can derive from no other source. Then the influence of America would be felt indeed."[105]

Kelley reported his speech to Caroline on April 10, and proudly sent along a copy.[106] His remarks were interesting not only for their personal significance but as an expression of the assertive self-consciousness that had characterized American political thought from the earliest years of American independence. Along with James Campbell and other proponents of the first transcontinental railroad, Kelley also reintroduced familiar assumptions about the requirements of American democracy and prosperity.

Throughout his Congressional career, Kelley considered economic expansion into the undeveloped West as the key to preventing social conflict in older settled areas. In his view, the fields and mines opened by railroad construction and other government-sponsored projects would provide a "constant refuge for the surplus labor of our Eastern states." The "laborer of one year" could thereby "find himself at the end of a year or two an independent farmer upon the world's great commercial highway."[107] Many of Kelley's contemporaries shared this view, which rested on the conviction that the system of competitive capitalism could function effectively only if economic opportunities

constantly expanded.[108] Kelley located the cause for this economic imperative in the constraints which privileged economic interests placed on social mobility and economic independence. In the 1830's, Kelley identified the supporters of the Second Bank of the United States as the unfettered villains.[109] By the late 1850's, Kelley had come to view the "slave power" as the oligarchy responsible for dispossessing tendencies in the East.[110] In each case, he located the source of exploitation in a realm outside the relations between employer and employee.[111] This externalization of evil may have expressed a genuine belief in the still untested capacity of the free labor system to foster mobility and social harmony in a national framework. In any case, it was an intellectual bias which characterized Kelley's thought and Republican rhetoric for years to come.[112]

In addition to the Pacific Railroad bill, Kelley supported the passage of legislation that would dedicate a substantial portion of the public domain to the aid of independent producers. On June 17, he joined fifty-six other House Republicans in approving a Senate bill to grant public lands to states which established colleges for the purpose of teaching "such branches of learning as are related to agriculture and the mechanical arts."[113]

Kelley's support for the act was consistent with his long-standing belief that the keystone of a political

democracy was equal access to the "trough of knowledge." Kelley's struggle to refine his rudimentary formal education while working as a jeweler in Boston in the 1830's presumably heightened his awareness of difficulties faced by workingmen who sought to "cultivate their minds."[114] In 1850, he criticized the elitist theory and practice of American education. "If the lot of the child is cast in extreme poverty," he said, "it is assumed that . . . his life is to be so simple and subordinate that he will have [no] ideas or sentiments to express." But, he added, "the precious child of the rich was expected to be a candidate for the professions." For such children, "a college course--the classics, mathematics, logic, history, mental philosophy, [and] access to well-stored libraries inviting to the profitable employment of learned leisure--is thought sufficient." In later years, Kelley's critique of American education reflected a growing anxiety about the permanence of class divisions. He came to see, along with many labor reformers, that the long hours of work endured by American labor denied most Americans the opportunity to engage in educational activities that made them more effective citizens.[115] Yet, in 1862, neither the prospect of rigid class relations nor the possibility that federal aid for mechanical arts alone might help preserve the social distinctions he censured were uppermost in his mind. The flush of enthusiasm that infected his speech on the Pacific Railroad

bill and his earlier call for a more aggressive military strategy indicate a growing faith that Republican-sponsored federal legislation would develop and ensure a more egalitarian society.

Kelley was also "fully committed to the homestead (bill) in heart and mind." "I am pledged to support it," he declared when the bill was introduced in December, 1861. Kelley added: "Every constituent I have who has ever heard me on the stump, or discussed the question of a land policy in private with me knows it."[116] He regarded the bill as a vital means for the preservation and expansion of independent households.[117] Yet, in its final form, the act had several deficiencies which tended to encourage the monopolization of public lands by investors and established agricultural interests. It failed to provide means to get poor families to the public lands or extend long-term credit to cover the enormous expenses of the first year. Moreover, since the patents were not cancelled if transferred to persons other than the original patentees and their heirs, many tracts could be accumulated by land-loan companies, speculators, and other investors who used hirelings to acquire, then transfer, individual titles under the commutation clause of the act. These defects were soon exploited to the extent that only a fraction of the public lands went to bona fide homesteaders, and these tracts were

usually of inferior fertility and removed from transportation networks.[118]

Kelley did not anticipate such a perversion of the original intent[119] of the bill. More important, in terms of Kelley's conception of American development, was his romantic belief in homestead legislation as an effective antidote to class antagonisms in the East. Until his death in 1890, he disregarded the mounting evidence of the concentration and enclosure of cultivable western land.[120]

Finally, Kelley joined the Republican majority in enacting a new tariff bill and a broad-based system of internal taxation. On June 23, the House and Senate approved an omnibus tax bill which revised the income tax provisions of the internal revenue act of August, 1861, established an Internal Revenue Bureau in the Department of the Treasury, and enlarged the tax burden of Northern citizens by over 100 million dollars annually.[121] This huge excise fell heavily on productive labor, taxing the manufacturers' raw materials and finished products, including the "spiritous and malt liquors and tobacco" which were a major item in the laborer's annual consumption.[122] Kelley apparently approved the measure as a wartime necessity, but later worked diligently for its repeal after the military phase of reconstruction ended.[123]

About two weeks after the passage of the tax bill, Kelley likewise voted for an upward revision of the Morrill

Tariff of 1861. The Tariff of 1862 raised the average of all duties to thirty-seven per cent and nearly cut the 1861 free list in half.[124] This protective framework was the heart of the home market system which Kelley considered essential to social and political harmony in the postwar decades.[125]

Thus, in the Thirty-seventh Congress, Kelley played a vocal but subordinate role in wartime Republican initiatives that sometimes presaged, and at other times consciously precipitated fundamental changes in the political economic contours of the Union. By mid-summer, 1862, he and his party colleagues stood at the crossroads between the Republic of the Founding Fathers and a unified nation based on a free labor system. In the ensuing Congress, Kelley's fervent commitment to civil equality and his considerable polemical skills would help him to fashion a more significant role in the unfolding revolutionary drama that opened with the greatest expropriation of property that the world had ever seen.

NOTES

[1] See Chapter 1, p. 16.

[2] See Chapter 2, pp. 47. 54-55, 66-67.

[3] On the Constitutional Union Party, see Potter, Impending Crisis, pp. 416-417. For the views of the Douglas and Breckinridge factions, see the Congressional Globe, 35th Cong., 2nd Sess., p. 1246; Damon Wells, Stephen Douglas, The Last Years, 1857-1861 (Austin: University of Texas Press, 1971), ch. 6; and Potter, Impending Crisis, pp. 171-173, 340-341, 408-413.

[4] The Dred Scott decision declared that the Congress could not restrict slavery in the territories, but did not explicitly take a position as to whether territorial legislatures could do so. This decision "reversed the place of slavery and freedom in the American system. It made freedom local--an attribute of those states which abolished slavery, but not of the United States; it made slavery national, in the sense that slavery would be legal in any part of the United States where a government had not abolished it." See Potter, Impending Crisis, pp. 291, 293, and the contemporary analysis of Frederick Engels, The Civil War In the United States (New York: International Publishers, 1971), pp. 62-64. On Lincoln's politics, see Randall and Donald, Civil War and Reconstruction, pp. 131, 133; Allan Nevins, Emergence of Lincoln, II, chs. 7-9; Richard C. Bain, Convention Decisions and Voting Records (Washington, D.C.: The Brookings Institution, 1960), pp. 67-72.

[5] Kelley to Norman Judd, June 1, 1806, Robert Todd Lincoln Papers, Library of Congress.

[6] See Lincoln's letters to J. Harvey, June 6 and September 27, 1860, in Basler, Collected Works, IV, pp. 73, 122.

[7] Lincoln to J. Harvey, September 27, 1860 and Lincoln to George Prentice, October 29, 1860, ibid., pp. 122, 134-135.

[8] Greco, "William Darrah Kelley," p. 279.

[9] Furness, "Christian Duty. Three Discourses Delivered In the First Congregational Unitarian Church of Philadelphia, June 4 and June 11, 1854" (Philadelphia: Merrihew and Thompson's Steam Power Press, 1854), p. 8. Without detailing the factional disputes that developed among abolitionists or exploring the diverse historical interpretations of the distinctions between Garrisonian and Anti-Garrisonian factions, it may be stated that Furness's antislavery strategy and sincere belief in racial equality conformed to the political approach and theoretical orientation of most American abolitionists in the pre-war decades. See Aileen Kraditor, Means And Ends In American Abolitionism (New York: Vintage Books, 1970), pp. 5-10, 16, 27, 158-159.

[10] Furness's conversion from a strategy that focused on educating public opinion to one primarly oriented toward election of antislavery but not necessarily abolitionist politicians was presumably influenced by his association with Charles Sumner. According to Elizabeth Geffin, Philadelphia Unitarianism (Philadelphia: University of Pennsylvania Press, 1961), pp. 229-232, and Michael Greco, "William Darrah Kelley," pp. 213-215, Senator Sumner convalesced at the pastor's home in Philadelphia following the assault by Congressman Brooks of South Carolina in the spring of 1856. Greco suggests that Furness was profoundly shaken by the incident and, thereafter, moved toward the view that forceful political means were necessary to effect abolition in a growing climate of political intolerance and violence.

[11] The Motts might be termed "radical" abolitionists, in the sense that they viewed abolition as part of a transformation of American society that would include the establishment of civil and political equality for women. See Louis Filler, The Crusade Against Slavery, 1830-1860 (New York: Harper & Row, Publishers, 1960), pp. 35, 66; Kraditor, Means and Ends, pp. 8-9, 39-62, 155.

[12] Kelley's first wife, Harriette Tennant, died during childbirth in 1847. Hariette and William had two daughters, Isabella and Hariette. See Greco, "William Darrah Kelley," pp. 123, 189.

[13] Florence Kelley, "My Philadelphia," The Survey, 57 October, 1926), pp. 52-53.

[14] William Kelley, "An Address Delivered at Girart Ave., Philadelphia, October 3, 1856," Library of Congress, p. 3.

[15] On Kelley's early politics, see Chapter 1, pp. 13-22. With respect to the immediatist position of the abolitionists, see Kraditor, Means and Ends, pp. 29-31, 121, 216. During the Civil War, as the requirements of the Union military forced Northern whites to seriously grope for some solution to the inseparable problems of slavery and race relations, Kelley's faith in the enlightening power of the law and an untapped tolerance and compassion shared by most Northern whites was further evident. During the debate on the conscription bill in February, 1863, in which the use of black troops was a pivot of discussion, Kelly declared that once the federal government had been freed from the control of the "Cowboys . . . in the South . . . and a few false craven creatures in the North" (i.e., since 1861) the country had steadily moved with "undying faith and dauntless courage in the cause of justice and mercy." See Congressional Globe, 37th Cong., 3rd Sess., p. 1271, Chapter 1, pp. 11-24.

[16] Kelley to Caroline Kelley, July 29, 1860, KPHSP; William E. Smith, The Francis Preston Blair Family in Politics (New York: The Macmillan Co., 1933), p. 490.

[17] Congressional Globe, 35th Cong., 1st Sess., pp. 1283-1284.

[18] Foner, Free Soil, Free Labor, Free Men, pp. 63, 271.

[19] Smith, Blair Family, p. 499.

[20] New York Times, Oct. 5, 1860; Greco, "William Darrah Kelley," p. 280. The text of Kelley's speech has been lost.

[21] Since the state legislature chose the Senators from Pennsylvania, offers of political favor and the collection of political debts both within and across party lines were encouraged. In the 1855 election, both Curtin and Cameron stooped to bitter, personalized attacks to wheedle votes, and left political scars that were almost as compelling as the allure of patronage and the prestige of being the top party official in Pennsylvania. See Bradley, Militant Republicanism, pp. 37-45, 82-85; Frank B. Evans, Pennsylvania Politics, 1872-1877 (Harrisburg: The Pennsylvania Historical and Museum Commission, 1966), pp. 6, 104; and Dusinberre, Civil War Issues, p. 99.

[22] Kelley to Lincoln, August 7, 1860 and Kelley to Normal Judd, August 8, 1860, Lincoln Collection, State Historical Society of Illinois.

[23] In early August, Lincoln sent David Davis to Philadelphia to investigate the feud and establish a working relationship with the Cameron organization. See Lincoln to John Pomeroy, August 31, 1860 and Lincoln to Alexander K. McClure, September 6, 1860, in Basler, Collected Works, IV, pp. 103-104, 112-113.

[24] Until 1874, Pennsylvania was an "October state," holding its state elections on the second Tuesday of October while electing candidates for national office at the same time as the rest of the nation. See Evans, Pennsylvania Politics, pp. 6, 104; Bradley, Militant Republicanism, pp. 24-26.

[25] Kelley to Lincoln, August 7, 1860, Lincoln Collection, State Historical Society of Illinois.

[26] Luthin, "Pennsylvania and Lincoln's Rise to the Presidency," p. 75; Bradley, Militant Republicanism, pp. 35, 51, 80, 91; Dusinberre, Civil War Issues, pp. 79, 99.

[27] Forney to Simon Cameron, November 2, 1862, Simon Cameron Papers, Library of Congress.

[28] See Chapter 4, pp. 158-159, and Chapter 7, p. 349.

[29] Benjamin Perley Poore, The Political Register and Congressional Directory, 1776-1878 (Boston: Houghton, Osgood & Co., 1878), p. 478; Philadelphia North American, Oct. 11, 1869; Philadelphia Public Ledger, Oct. 10, 22, 1860; Dusinberre, Civil War Issues, pp. 100-101.

[30] Kelley to Lincoln, October 18, 1860, Lincoln Collection, State Historical Society of Illinois. Alexander McClure, Republican state committee chairman, confided to Lincoln that the contest was "altogether over in Pennsylvania." See McClure to Lincoln, October 15, 1860, Lincoln Papers, Library of Congress.

[31] Luthin, "Pennsylvania and Lincoln's Rise to the Presidency," pp. 78-81; Bradley, Militant Republicanism, pp. 85-86, 90; Greco, "William Darrah Kelley," p. 280; W. Dean Burnham, Presidential Ballots (Baltimore: Johns Hopkins Press, 1955), pp. 246-256; M. Holt, Forging a Majority, p. 276; Luthin, "Lincoln and the Tariff," pp. 621-624.

[32] Greco, "William Darrah Kelley," pp. 278, 280.

[33] Nevins, Emergence of Lincoln, II, p. 257; Potter, Impending Crisis, p. 428.

[34] Kelley to Lincoln, Nov. 29, 1860, Lincoln Collection, State Historical Society of Illinois.

[35] Lyman Trumbull, Lincoln's close friend and political adviser from Illinois, wrote the President-elect that "the probable appointment of Mr. Cameron to the office of Secretary of the Treasury meets the decided opposition of our trusted friends in the Senate." Trumbull to Lincoln, Dec. 31, 1860, Lincoln Papers, Library of Congress.

[36] Lincoln to Chase, Dec. 31, 1860 and Lincoln to Cameron, Jan. 3, 1861, in Basler, Collected Works, IV, pp. 168-170.

[37] Kelley to Lincoln, Jan. 7, 1861, Lincoln Collection, State Historical Society of Illinois.

[38] On the basis of false information "leaked" by Cameron's associates, the New York Herald announced on January 8 that Cameron had been nominated for a cabinet post. This political salvo was followed by the visit of John P. Sanderson, one of Cameron's closest advisers, in Springfield to plead the Senator's case. See Greco, "William Darrah Kelley," p. 289; and Lincoln to Cameron, January 13, 1861, in Basler, Collected Works, IV, pp. 174-175.

[39] Lincoln, "Remarks," Jan. 24, 1861, in Basler, op. cit., pp. 179-180; Potter, Impending Crisis, pp. 560, 562.

[40] Kelley to Lincoln, Jan. 7, 1861, Lincoln Collection, State Historical Society of Illinois. See Chapter 3, pp. 100, 132-133.

[41] David Potter, Lincoln And His Party In the Secession Crisis (New Haven: Yale University Press, 1942), pp. 2, 3, 5, 45, 208-217; Potter, Impending Crisis, pp. 500-502. The secessionists skillfully maintained the emotional focus on right and duty by minimizing the spectre of war and by avoiding popular referenda that invited a protracted and deliberate discussion of secession. The degree of collaboration among secessionists--which was high--and the disparate results of the winter campaigns in the lower and upper South are ably discussed in Potter's Impending Crisis, ch. 18.

[42] The coming of the Civil War is a broad topic concerned with the general needs and requirements of the North and the South. The question of whether these

distinguishing features were in reality as different as contemporaries believed has been widely debated. Much of the recent research centers on economic and social criteria such as per capita income and profits, and implies an agreement in the organizing principles and requirements of the North and South. Alfred H. Conrad and John R. Meyer's "Slavery As an Obstacle to Economic Growth in the United States," The Journal of Economic History, XXVII December, 1967), pp. 518-531, and Robert Fogel and Stanley Engerman's Time On the Cross (Boston: Little, Brown, 1974), ch. 6, are examples of this work. In contrast, Eugene Genovese's The Political Economy of Slavery (especially the introduction, chs. 1, 10, and the closing note) contends, correctly I think, that the South was a pre-capitalist civilization tied to Northern capital and an international capitalist marketplace by bonds of commodity production. Genovese maintains that economic questions such as the profitability of slavery to slave-breeders and slaveowning producers must be considered in the context of broader social and political relations. In the case of the South, he argues that production was subordinated to the political and cultural needs of the leading slaveowners who controlled Southern politics and social relations. The greater part of profits was therefore directed into channels that reinforced a slave society, such as the accumulation of slaves, rather than industrial plant and equipment. Thus, while on a strictly economic level the continuing capitalization of labor may have been profitable, it necessarily restricted the investment funds required for a diversified regional development. The long-term tendency of this pre-capitalist system was toward economic stagnation and a sharp disparity in income between slaveowning and non-slaveowning whites. This tendency is confirmed in Vatter's Drive Toward Industrial Maturity (ch. 1) and Douglas Dowd's "Slavery As an Obstacle to Economic Growth in the United States: A Comment," The Journal of Economic History, XXVII (December, 1967), pp. 531-538. As Genovese shows, the ruling class of slaveowners gradually perceived a remedy to these secular trends and their attendant political ills in the acquisition of Western land to sustain an exhaustive agriculture and intraregional slave trade. Since this remedy was in conflict with the material needs and political outlook of the Northern majority, a general crisis--of social classes and the civilizations they were struggling to build--ensued. Maurice Dobb's Studies In the Development of Capitalism (New York: International Publishers, 1968), offers an unsurpassed introduction to the problem of periodizing societies.

[43] See Chapter 2, pp. 47, 53-54, 62-63.

[44] Greco, "William Darrah Kelley," p. 292.

[45] Kelley to Lincoln, April 29, 1861, Lincoln Collection, State Historical Society of Illinois. The Philadelphia North American, a Republican organ, actually welcomed war as the most effective means of integrating the nation within a political-economic framework of "self-reliant industry." North American, June 22, 1861.

Kelley's position on secession and compromise dovetailed with the approach of the Republicans who met in the lame duck session of Congress during the winter of 1860-1861. The Republican representatives never cast a majority of their votes in either house for any proposal that offered a territorial compromise. This Republican response was shaped by the President-elect. Lincoln not only opposed compromise on the question of extending slavery; he used his substantial influence to arrest the compromise movement in Congress. See Lincoln to Lyman Trumbull, Dec. 10, 1860, in Basler, op. cit., pp. 149-150, and Potter, Lincoln and His Party, p. 186; K. Stampp, And the War Came (Baton Rouge: Louisiana State University Press, 1950), pp. 129-137.

[46] Philadelphia Public Ledger, June 7, 1861. The editor of the Philadelphia Daily Evening Bulletin also condemned Southern secessionists for acting without the "ascertained consent of the people." See the Bulletin, April 8, 1861.

[47] Kelley to Lincoln, November 29, 1960, Lincoln Collection, State Historical Society of Illinois. Lincoln and most Republican leaders shared Kelley's skepticism about the prospects for success of the secessionist movement as well as his unrealistic hope for a Southern-induced reconciliation. See Potter, Lincoln and His Party, pp. 235-238; and Stampp, And the War Came, p. 183.

[48] Greco, "William Darrah Kelley," pp. 267, 278. The Republicans in Congress were likewise aware that Northern public opinion had rallied to the Union as a shield against anarchy, rather than the champion of social and political regeneration. In the Crittenden Resolution of July, 1861, the Republican majority declared that the objective of the war was to "defend and maintain the supremacy of the Constitution," under which slavery was fully legal. See the Congressional Globe, 37th Cong., 1st Sess., pp. 222-223. For an introduction to the study of the Constitutional Unionism that stirred the Northern response to secession and war, see William Barney, Flawed Victory (Praeger Publishers, 1975), pp. 44-50.

[49] Under the provisions of the federal fugitive slave law of 1850, federal marshalls and their deputies might summon any citizen to help in catching black persons accused of being fugitives. The alleged fugitive was denied any right to a jury trial; in fact, his case might be removed from judicial tribunals and tried by a commissioner appointed by a federal court. Since the testimony of the alleged fugitive was not admitted, and a fee of $10 was granted to a commissioner for each person delivered to a claimant ($5 was allowed when the alleged fugitive was set free), black defendants had short shrift. Moreover, free blacks without adequate public support against claims that they were fugitives were in danger of being consigned to slavery. See Potter, Impending Crisis, p. 131.

[50] Constitution, Art. IV, Sect, Paragraph 3.

[51] Greco, "William Darrah Kelley," pp. 203, 211-212, 224.

[52] Kelley to Caroline Kelley, May 12, 23, 1861 and July 6, 1861, KPHSP.

[53] The Peace Conference consisted of 132 delegates from 21 states, and met from Feb. 4 to Feb. 27, 1861. The Conference's compromise plan was rejected by the Republican-controlled lame duck session of the 36th Congress. See Potter, Impending Crisis, pp. 546-547.

[54] Kelley, "My Philadelphia," p. 53. On Kelley's relationship with Pugh, see Chapter 2, p. 36.

[55] Winnifred Mackay, "Philadelphia During the Civil War, 1861-1865," Pennsylvania Magazine of History and Biography, 70 (1946), pp. 14-16.

[56] Leonard P. Curry, Blueprint For Modern America (Nashville: Vanderbuilt University Press, 1968), pp. 14-15, 29-30.

[57] Congressional Globe, 37th Cong., 2nd Sess., p. 549.

[58] Another conservative bloc consisting largely of Republicans from the Old Northwest was more receptive to such nationalizing measures as wartime necessities. However, they opposed any emancipation schemes without colonization provisions and resisted legislation that mitigated the civil and legal disabilities of black persons in the loyal and border states. See Curry, op. cit., pp. 16-17, 30, 79-80, 89-90, 149-162, 187-190.

[59] Kelley to Caroline Kelley, May 12, July 6, 1861, KPHSP; T. Harry Williams, Lincoln And His Generals (New York: Alfred A. Knopf, 1952), pp. 19-20; Colin Ballard, The Military Genius of Abraham Lincoln (New York: World Publishing Co., 1952), pp. 49-50; Kelley to Caroline Kelley, May 12 and July 6, 1861, KPHSP.

[60] Kelley to Caroline Kelley, July 6, 1861, KPHSP.

[61] The gag rule limited speeches to one hour, with the option of an extension by the Speaker if no objection was made by a hostile member. The member in charge of a measure could move "the previous question" and if the motion was carried it was followed immediately by a vote on the bill under discussion. See W. R. Brock, An American Crisis (New York: Harper & Row, Publishers, 1966), p. 56.

[62] Ibid., pp. 55-57; Curry, Blueprint, pp. 24-29.

[63] For example, see the Congressional Globe, 37th Cong., 2nd Sess. pp. 213-214, 1593, 1770.

[64] Lincoln feared that the constitutional theory and practice of limited national government which was favored by many Congressmen would hamstring the Congressional response to war, as it had restricted the federal response during the secession winter. He thus turned to the relatively untapped powers of the President as commander-in-chief, postponing the call for a special session of Congress until he had made forthright provisions for a Northern army and the security of the Capital. On April 15, the President called on the states to commit 75,000 militiamen to the aid of the federal government, an act which revealed an extraordinary reading of the Constitutional provision giving Congress the power "to provide for calling forth the Militia to execute the laws of the Union, suppressinsurrections and repel Invasions." On May 3, he again challenged the letter and traditional reading of the Constitution by enlarging the regular military forces, and in the weeks that passed further defied the traditional interpretation of Congressional authority by sanctioning the payment of unappropriated Treasury funds for government contracts to unauthorized individuals. Moreover, Lincoln proclaimed a blockade of Confederate ports on April 19, and expanded his order on April 27, although the act was clearly tantamount to a declaration of war in international law and thereby pre-empted the war-making power of Congress. He also took advantage of the ambiguity in the Constitution as to whether Congress or the President could suspend the writ of habeas Corpus when he exercised the right of suspension in numerous localities,

including the vital Northeastern corridor between New York City and Washington, D. C. As a result, military officers arrested, tried, convicted and executed the sentences imposed by military commissions on numerous individuals suspected of treasonous activity. See Lincoln, "Proclamation Calling Militia and Convening Congress," "Proclamation Calling for 42,034 Volunteers," Lincoln to Cameron, June 8, 1861, Lincoln to George McClellan, June 10, 1861, "Proclamation of a Blockade," Lincoln to Winfield Scott, April 27, 1861, "Proclamation Suspending Writ of Habeas Corpus in Florida," Lincoln to Scott, July 2, 1861, in Basler, Collected Works, IV, pp. 331-332, 338, 346-347, 353, 364, 395, 400, 419; Constitution, Article 1, Section 8, nos. 11, 12, 15, Section 9, no.2; William B. Hesseltine, Lincoln's Plan of Reconstruction (Chicago: Quadrangle Books, 1967), pp. 37-38; Randall and Donald, Civil War And Reconstruction, p. 305.

[65] Congressional Globe, 37th Cong., 2nd Sess., pp. 594-596.

[66] Lincoln proposed a constitutional amendment encouraging emancipation by state action with federal compensation to owners. He stressed the fact that such emancipation could be "by degrees," and would save the freedmen "from the vagrant destitution which must largely attend immediate emancipation in localities where their numbers are very great." See Lincoln, "Annual Message to Congress, Dec. 1, 1862," in Basler, Collected Works, V, pp. 530-531.

[67] In mid-July, McDowell, who did not welcome an offensive with green troops, was ordered by Lincoln to lead an army of fresh volunteers from Washington into Virginia. The expedition was conceived by the President who saw an opportunity to breach the state's defenses, take Richmond, and end the war. On July 21, McDowell was outmaneuvered and his army was thrown into an undisciplined retreat. See T. Harry Williams, Lincoln, pp. 19-23.

[69] Congressional Globe, 37th Cong., 2nd Sess., p. 214, 222-223; Lincoln, "Message To Congress In Special Session," July 4, 1861, in Basler, Collected Works, IV, pp. 423, 435, 439; Barney, Flawed Victory, p. 57; T. Harry Williams, Lincoln, pp. 46, 51, 55. The only substantial military campaign in the late summer and fall illustrated this problem. John Fremont, the Union commander of the Western Department comprising the states of Missouri, Kentucky, and Tennessee, was charged with the task of raising an army in Missouri, suppressing disloyal political and military groups,

and rallying political support in an area where slave-labor was legal and substantially in evidence. His command was harassed by guerilla bands and regular troops which loomed larger than life in his mind, and in response Fremont issued a proclamation establishing martial law across Missouri. He also ordered the confiscation of all real and personal (e.g., slave) property of Missourians engaged in insurrection. Lincoln immediately asked Fremont to modify his order by rescinding the parts concerning the summary punishment of civilians caught in hostile paramilitary actions and the section regarding slavery. The President's action was taken on the grounds that Fremont had overstepped his authority by setting political policy--a policy which did not yet reflect the sense of the Congressional majority or the sentiments of most Northern whites. Congress's halting confiscation measure of August 6, 1861, which Kelley supported, freed only those slaves engaged in the service of hostile military groups. On the Fremont affair, see Nevins, War For the Union, I, ch. 16, pp. 331-341; T. Harry Williams, Lincoln, pp. 34-41; and Lincoln to John C. Fremont, Sept. 2, 1861, in Basler, op. cit., p. 506. Concerning the opinion of diverse Northern publics regarding military emancipation in 1861, see the Congressional Globe, 37th Cong., 1st Sess., pp. 341, 434; and Nevins, op. cit., p. 370.

[70] Congressional Globe, 37th Cong., 2nd Sess. p. 594.

[71] See Chapter 2, pp. 64-65.

[72] Congressional Globe, 37th Cong., 2nd Sess., pp. 213-221.

[73] In August, 1861, the Republican Congress passed a half-way measure of confiscation which forfeited owners' claims to the labor of slaves engaged in hostile military service. The slow dismantling of slavery continued in March, 1862, when the Congress expressly forbid Union commanders to return fugitive slaves to their masters. See the Congressional Globe, 37th Cong., 1st Sess., p. 415, and Randall and Donald, Civil War and Reconstruction, p. 372.

[74] Barney, Flawed Victory, p. 57.

[75] The Senate bill abolished slavery in the District, provided for compensation adjudicated by an Executive-appointed board of commissioners, and appropriated funds for the colonization of those freed blacks who volunteered to emigrate. Congressional Globe, 37th Cong., 2nd Sess., pp. 1522-1523, 1526.

[76] Ibid., pp. 1613, 1648-1649. The moderate Republican press objected to the Congressional rejection of gradual emancipation, but praised the bill's commitment to compensation and colonization. Lincoln took the same position in a message to Congress announcing his approval of the bill. New York Times, April 1, 1862; Lincoln "Message to Congress," in Basler, Collected Works, V, p. 192.

[77] Congressional Globe, 37th Cong., 2nd Sess., pp. 2527-2528.

[78] James McPherson, The Negro's Civil War (New York: Vintage Books, 1965), pp. 77-89.

[79] On January 16, 1865, he demonstrated his commitment to a biracial society by introducing an amendment to a reconstruction bill that would enfranchise "all male citizens of the United States who may be able to read the Constitution thereof." Congressional Globe, 38th Cong., 2nd Sess., p. 281. See Chapter 3, pp. 128, 133-137.

[80] New York Times, February 17, 1862.

[81] Congressional Globe, 37th Cong., 2nd Sess., p. 214; T. Harry Williams, Lincoln, pp. 60, 85-85. In his memoirs, Grant--the Union commander--wrote that at the time of the Shiloh bloodbath "it had been the policy of our army--certainly of that portion commanded by me--to protect the property of the citizens whose territory was invaded without regard to their sentiments, whether Union or Secession. After this, however, I regarded it as humane to both sides to protect the persons of those found at their homes, but to consume everything that could be used to support or supply armies." Ulysses Grant, Personal Memoirs of U. S. Grant (New York: Century Co., 1895), p. 304. Grant's conversion coincided with General David Hunter's move to wage total war in the Department of the South, comprising the coastal regions of South Carolina, Georgia, and Florida. See Nevins, War For the Union, II, p. 116; New York Times, May 21, 1862.

[82] Congressional Globe, 37th Cong., 2nd Sess., p. 2049, Appendix, p. 129, Article 4, Section 2 states: "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states."

[83] Congressional Globe, 37th Cong., 2nd Sess., p. 594.

[84] Ibid., 38th Cong., 2nd Sess., pp. 281-286.

[85] Lovejoy's bill received unanimous Republican support in both houses. See the Congressional Globe, 37th Cong., 2nd Sess., pp. 2069, 2769.

[86] By Independence Day, 1861, the federal government's current revenue amounted to less than twenty-five per cent of its rapidly increasing expenses. Income from customs duties, the government's chief revenue source, was inelastic and grossly inadequate, and was actually declining under the provisions of the high Morrill Tariff passed by the Republican-controlled lame duck session of the 36th Congress. Further, no income tax existed and the government's borrowing was from a hodgepodge of 1600 state banks. See Wesley C. Mitchell, A History of the Greenbacks (Chicago: University of Chicago Press, 1903), pp. 9-15; Randall and Donald, Civil War and Reconstruction, p. 287.

[87] Congressional Globe, 37th Cong., 1st Sess., p. 273.

[88] Secretary Chase was authorized to borrow up to 250 million dollars through the issue of bonds maturing in twenty years at 7 per cent interest at par, and treasury notes bearing 7.3 per cent interest over three years or 3.65 per cent interest over one year. In addition, the Congress imposed a direct tax on the states apportioned on the basis of population, increased import duties, and levied an income tax for the first time in American history. Salmon P. Chase, Report of the Secretary of the Treasury, Senate Exec. Docs., 37th Cong., 1st Sess., No. 2 (1112), p. 6; Mitchell, Greenbacks, pp. 16-19; Randall and Donald, Civil War and Reconstruction, p. 334; Currey, Blueprint, pp. 151-158; Congressional Globe, 37th Cong., 1st Sess., pp. 61, 147, 202-205, 395-405.

[89] Salmon P. Chase, Report of the Secretary of the Treasury, Senate Exec. Docs., 37th Cong., 2nd Sess., No. 2 (1112), pp. 5-20.

[90] Mitchell, Greenbacks, pp. 37-43; Nevins, War For the Union, I, p. 384; Albert S. Bolles, The Financial History of the United States From 1861 to 1885 (New York: D. Appleton and Co., 1894), pp. 34-36. Within ten days of the receipt of the British note, the Lincoln administration and Whitehall had worked out a face-saving agreement whereby England would withdraw its demand for an apology in exchange for an American declaration that the seizure of Mason and Slidell was made without official sanction. See Randall and Donald, Civil War and Reconstruction, pp. 360-362; Salmon P. Chase, Inside Lincoln's Cabinet, the Civil War Diaries of Salmon P. Chase, David Donald, ed. (New York: Longmans, Green and Co., 1954), pp. 54-55.

[91] Sharkey, Money, Class, and Party, pp. 36-46.

[92] Congressional Globe, 37th Cong., 2nd Sess., p. 214.

[93] Sharkey, op. cit., pp. 30-35.

[94] Curry, Blueprint, p. 182; Fritz Redlich, The Molding of American Banking: Men and Ideas (New York: Hafner, 1951), II, p. 95.

[95] Congressional Globe, 37th Cong., 2nd Sess., pp. 900-902, 929, 939; Charles Dunbar, Laws of the United States Relating to Currency, Finance, and Banking, from 1789 to 1896 (Boston: Ginn and Co., 1897), pp. 163-166.

[96] See Chapter 4, pp. 191-195, Chapter 7, pp. 351-353, 357.

[97] See Chapter 1, p. 16.

[98] The First Confiscation Act of August, 1861, provided for the seizure of only such property as was used in "aid of the rebellion." Randall and Donald, Civil War and Reconstruction, p. 283.

[99] Congressional Globe, 37th Cong., 2nd Sess., p. 1770.

[100] Ibid., pp. 3383, 3400.

[101] Randall and Donald, Civil War and Reconstruction, p. 285. The expropriation of slave property under the conditions of the act was intended to be more thoroughgoing. The emancipating clause declared that "all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid . . . thereto . . . being within any place occupied by rebel forces and afterwards occupied by the forces of the United States . . . shall be forever free . . ." Further, it empowered the President to authorize the enlistment of black troops and establish funding for the voluntary emigration of freedmen. Curry, Blueprint, p. 99; Basler, Collected Works, V, p. 435.

[102] See Chapter 5, pp. 233-235, Chapter 9, pp. 470-471.

[103] Congressional Globe, 37th Cong., 2nd Sess., pp. 2905-2906; Bain, Convention Decisions, p. 67.

[104] Congressional Globe, 37th Cong., 2nd Sess., pp. 1577-1580.

[105] Ibid., pp. 1593-1594.

[106] Kelley to Caroline Kelley, April 10, 1862, KPHSP.

[107] Congressional Globe, 39th Cong., 1st Sess., p. 2204.

[108] William A. Williams, The Roots of the Modern American Empire (New York: Vintage Books, 1970), pp. xii-xvii, 6-25, et passim.

[109] See Chapter 1, p. 16.

[110] See Chapter 1, pp. 17-24.

[111] However, neither the loan policies of the Second Bank's directors nor the restrictions on industrial investment maintained by the slave power's grip on national policymaking were most responsible for the Northern social conditions that provoked expansionist sentiment in the antebellum period and beyond. The proximate cause of the secular decline in independent households and the periodic economic crises of the North was the unequal social relationship between employer and employee. The "free labor" or competitive capitalist society of the North in the mid-nineteenth century comprised a large and expanding class of persons who by varying means had been divorced from any control over productive property (see Chapter 1, p. 13). The propertyless status of these producers forced them to seek employment from others who exercised control over the means of production and subsistence. This relation in turn allowed propertied citizens to derive an income based on the unequal exchange of wages (a fractional part of the value labor created) for control over the entire product and its value. Yet, as a result of this social arrangement, the total value of the commodities in circulation always exceeded the purchasing power of labor. Thus, there was an ever-present possibility of inadequate demand for any particular commodity, and therefore of insufficient revenue to enable the North's employers to maintain production. The continual expansion and circulation of commodities was, in this sense, one logical remedy to economic stagnation, regardless of where contemporaries such as Kelley located the causes of the system's ills. For an early, and still the best analysis of the political economy of expansion in a competitive capitalist society, see Karl Marx, Theories of Surplus Value (Moscow: Progress Publishers, 1968), II, pp. 18, 468, 505. See also, Maurice Dobbs' Studies, pp. 219, 292, 299.

[112] Walter LaFeber, The New Empire (Ithaca: Cornell University Press, 1968), pp. 15-16; Henry Nash Smith, Virgin Land (New York: Vintage Books, 1950), ch. XIX. See, for example, Kelley's comments on Jan 3, 1867, Congressional Globe, 39th Cong., 2nd Sess., p. 261.

[113] Congressional Globe, 37th Cong., 2nd Sess., pp. 2769-2770. The Land-Grant College Act did not encourage all states to offer quality university education. Nevertheless, its original intention to provide small producers and wage-earners with access to professional and advanced academic studies was realized in many cases. Curry, Blueprint, p. 245.

[114] See Chapter 1, p. 15.

[115] Kelley, " Characteristics of the Age: An Address Delivered Before the Linnaean Association of Pennsylvania College, at the Annual Commencement, Sept. 18, 1850." Library of Congress, pp. 12-14; Congressional Globe, 42nd Cong., 2nd Sess., p. 103; ibid., 46th Cong., 1st Sess. pp. 1156-1157; Montgomery, Beyond Equality, pp. 237-238.

[116] Congressional Globe, 37th Cong., 2nd Sess., p. 137.

[117] See Chapter 2, p. 70.

[118] Congressional Globe, 37th Cong., 2nd Sess., pp. 39-40; Fred Shannon, The Farmer's Last Frontier (White Plains, N. Y.: M. E. Sharpe, Inc., 1973) pp. 51-58.

[119] Shannon, in The Farmer's Last Frontier (pp. 52,54), concludes that the Republican majority intended that the real beneficiaries of the Act should be skilled laborers or struggling independent producers.

[120] See Chapter 9, pp. 443-444.

[121] Congressional Globe, 37th Cong., 2nd Sess., pp. 1194-1205, 2873-2877.

[122] James Blaine, Twenty Years of Congress (Norwich, Conn.: Henry Bill Publishing Co., 1886), p. 433.

[123] See Chapter 6, p. 282, Chapter 9, pp. 456-457.

[124] Congressional Globe, 37th Cong., 2nd Sess., p. 3268; Sidney Ratner, American Taxation: Its History As A Social Force in Democracy (New York: W. W. Norton and Co., 1942), p. 78.

[125] See, for example, Chapter 6, pp. 277-278, and Chapter 9, pp. 452-454, *et passim*.

CHAPTER 3

The Debut of An American Revolutionary

> The dogmas of the quiet past are inadequate to the stormy present.
>
> Abraham Lincoln, 1862

> Would you realize what Revolution is, call it Progress; and would you realize what Progress is, call it Tomorrow.
>
> Victor Hugo, 1862

> We are in the midst of a revolution . . . turn your vision to the front; for tomorrow, and tomorrow, and tomorrow again will come, and each day will bring new conditions and new duties; and the man who is not ready to confront the morrow is not fit to legislate for the leading nation of the world.
>
> William Kelley, 1864

> If we fail here, to our timidity, arrogance, prejudice, or pride of color will be justly attributable the conversion of . . . our democracy into an aristocracy.
>
> William Kelley, 1865

The period 1863 to 1869 has generally been treated as an era of intense political conflict, heightened by the tensions and terrors of armed conflict between Americans. These were also years of revolutionary change in the social circumstances and political culture of the United States. During the heat of the struggle, Kelley was part of a small but vocal minority of political radicals inspired by

the opportunity to create a society that conformed to their ideals. These men advanced a humanistic vocabulary of liberty that emphasized individual dignity but retained a secure relationship with broader social realities. Kelley's guiding vision remained a republic based on free labor, or labor with equal opportunities for social mobility and economic independence. By the last year of the war, Kelley would be committed to the incorporation of four million black men and women within that political-economic framework as equal participating citizens.

The Second Republic

By mid-1862, the demands of military strategy had converged with the personal wish of Kelley and most leading Republicans, including Lincoln, for the abolition of slavery and the enrollment of freedmen in the Union army.[1] In July, Kelley confidently wrote Caroline that the "services of negroes will no longer be rejected. The Administration and the offices of the Army have stepped forward to the position I assumed in my December and January speeches."[2]

Kelley had in mind his declaration that the rebellion could be crushed only if the Union deprived the slave power "of their resources," and brought "the services of every loyal man to the standard of his country, although his skin should not be colored like our own."[3] However,

he was aware that an executive proclamation emancipating the slaves in rebel territory would appear as a desperate measure of a frustrated war effort unless an "exhibition of warlike spirit" reinvigorated popular support for the Republican government.[4] The obvious failure of McClellan's peninsula compaign in Virginia and the militant Democratic demands to end the war by restoring the Union with slavery intact had raised a pall of despair over Northern political discourse.[5] The Army of the Potomac was now, in Kelley's view, the key to the fall elections, and Republican victory was the "only possible means" of saving the republic he had been active in creating.[6]

General Lee and the Richmond authorities were not reluctant to offer the Union forces an opportunity to win a politically crucial victory. After Lee and Jackson outmaneuvered and defeated the Union Army at the second battle of Manassas Junction in late August, 1862, Lee again took the initiative and invaded the North.[7] Kelley enrolled in the Philadelphia militia units organized to repel the expected invasion of Pennsylvania. During the subsequent major engagement at Antietam Creek in September between Lee's army and McClellan's larger forces, he was stationed in Hagerstown, Maryland, some miles to the rear of the fighting. In the morning after Lee's forces were driven from their stony ground by McClellan's field commands, Kelley wrote Caroline of his experience. He had

spent the night on duty in a courthouse converted into a hospital to attend to some of the 9500 wounded Union soldiers.[8] One of his "comrades" fainted as the wounded, "suffering terribly," were brought in. Kelley admitted he had been concerned that he, too, was not "fit for such duty," but claimed he "went at it like an expert." Sometime in the night, he administered some "brandy and water" to a young man whose wounds were being dressed. As the boy encountered Kelley's glance, "his face lighted up [and] he exclaimed 'Why Judge Kelley, don't you know me? I live with Mr. Smith the one-eyed man about five miles up the Haverford road!'" The soldier's elation at meeting a familiar face in such ghastly surroundings was apparently shared by Kelley. And, as he closed his letter, he noted that he was relieved when the "sound of fighting" had ended.[9]

Kelley presumably remained with the Union forces in northern Maryland as Lee retired unmolested toward Virginia. Although McClellan failed to exploit the opportunity to destroy Lee's army,[10] the strategic results at Antietam were sufficient to encourage Lincoln's issuance of the Preliminary Emancipation Proclamation. On September 23, the Northern press carried the President's decree which declared that on January 1, 1863, "all persons held as slaves within any state" whose people "shall then be in rebellion against the United States [were] thenceforward

and forever free."[11] The decree would have several important effects. In every piece of Southern territory that passed under Union military control, the army was bound to "recognize and maintain the freedom" of black laborers. Further, the proclamation would encourage slaves who learned of its provisions to escape whenever it became feasible.[12] Finally, it committed the federal government to the expropriation of slave property where it was most firmly rooted. Despite contemporary criticism at home and abroad which claimed it would have no lasting, positive effect because it did not affect slaves in the border states and portions of the South already within Union lines, the proclamation clearly doomed legal slavery. The cause of the Union was firmly identified with the extension of freedom. Moreover, in terms of military strategy, Union commanders were given political sanction to strip the Confederacy of its basic labor supply and use it in behalf of the Union war effort. Finally, ex-slaves soon demonstrated a courageous self-reliance to hostile Northern whites which won them a grudging respect. Once proffered, freedom was not voluntarily relinquished by ex-slaves even in the face of possible starvation, mistreatment by federal troops, or retaliation by Southern rebels.[13]

Kelley visited the President in early October and discussed the Emancipation Proclamation as well as McClellan's fitness to put the order into force. He noted

McClellan's Democratic affiliations and argued that his prestige and power as commanding general gave him unusual opportunities to propagate his rival political views. Kelley's suggestion that Lincoln should review his military appointments on political grounds was not novel. The Army of the Potomac was divided into political factions and each group was inclined to assess command decisions in political terms.[14] Kelley's preference for a commander who would vigorously enforce the President's proclamation was significant as evidence of an increasing impatience with men and measures impeding the final eradication of slavery.

Kelley further warned that McClellan's friends were encouraging the President's Democratic opponents in Pennsylvania by blaming Lincoln for the failure of McClellan's Virginia campaign. This indictment was familiar to the President. On July 23, Kelley had written Lincoln that McClellan's political associates were "spreading sedition" in Philadelphia through their criticism of the administration's military policy. In Kelley's opinion, McClellan's dismissal would weaken the Democratic opposition in the closely contested Pennsylvania canvass by tarnishing the attractive public image of the General. And, Kelley argued, Republican success in Pennsylvania would enhance the prospects for a Republican Congressional victory in November, which he considered crucial to the emancipation cause.[15]

According to Kelley's later account, Lincoln's response was sympathetic but he expressed no plans to remove the General because his retention would preserve the prestige of the "civil power" within the Army of the Potomac.[16] Kelley may have hoped for a different reply, one which conformed to his own preference for a more radical general in charge of the Eastern army. The campaign in Philadelphia was turning on the issue of McClellan's leadership as much as on the Emancipation Proclamation, and Kelley was forced to defend the President's seemingly contradictory policy of defending an opponent of emancipation at the head of the government's main vehicle for the expropriation of slave property. He dutifully obliged. In addition, he stressed the Proclamation's declaration of war on the South's slave property system and urged the enrollment of freedmen in the Union army and navy. Kelley's constituents apparently found his campaign and the President's decree hard to swallow. In the closest election of his Congressional career, he won by a narrow margin of 828 votes.[17] The Administration's policies did not fare as well on a statewide level, however. Pennsylvania Democrats, who had gained control of the state legislature in October, split the Congressional places. The same, or worse results attended the campaigns in Ohio, Indiana, New York, New Jersey, and Illinois as Democrats won the day. In the next Congress, the Presdent could count on only 101 solid supporters against 77

anti-Administration men.[18]

Although the Republican setback was serious, Kelley probably found some solace in the fact that the Democrat-controlled Pennsylvania legislature would block Simon Cameron's bid for a Senate seat.[19] Nevertheless, Cameron retained his pre-eminent rank within the state Republican organization[20] and, as William Kelley would discover, remained in a powerful position to challenge his critics.[21]

As the third session of the Thirty-seventh Congress convened in December, Kelley was far less concerned with Pennsylvania politics than with the legislative responsibilities that attended the executive proclamation of emancipation. The Congressional debate on the confiscation of slave property opened with a consideration of the emancipatory measures outlined in Lincoln's annual message of December 1, 1862. In the message, the President had proposed a package of constitutional amendments linking colonization with federally-compensated emancipation by state action. His colonization plan was apparently designed to allay Northern racial fears; the other amendments legitimized emancipation beyond the war and encouraged restoration of the Union through mutual reconciliation rather than congressionally dictated terms of peace. The message closed with the pledge that the soon to be issued Emancipation Proclamation would not be stayed by the recommendation of this complex scheme. Moreover, Lincoln

warned the Congress and all Americans that "mere catch arguments" claiming large numbers of freedmen "would injure and displace white labor" were erroneous, and of no value in "times like the present."[22]

Kelley assumed the floor on December 19, after a week of debate in which Lincoln's Emancipation Proclamation and proposed amendments were variously condemned, praised on the grounds of military necessity, and touted as first moves toward the treatment of the South as a conquered territory.[23] Kelley's remarks on black capabilities and his neglect of the President's schemes for colonization and compensated emancipation suggest Kelley's arrival at a more radical position on the related questions of abolition and race relations. Kelley began by applauding Lincoln's emancipation decree. The Proclamation, he began, "has been the subject of invective and denunciation and it has been said that no man in the country, save the President of the United States, believes it will promote peace." "Has not the question as to whether four millions of stalwart people shall labor for us or for those with whom we are at war some importance, and a direct bearing on the issue?" he asked. "Will its solution, if it transfer them from one side to the other, have no influence upon the power of the rebellion?" "I believe," he stated, "with the President, that it will." His only criticism of the President's proclamation, he added, was "that it was not,

like the lightning, to take instant effect."

Kelley also joined Lincoln in urging a harmonious reception of the freedmen, claiming that to do less would violate the democratic spirit and Christian doctrine idealized by Northern society. "The political sentiment of the whole North is that of individualism and equality," he said. "In the church and Sunday school, Christianity enforces while it refines and exalts the doctrines inculcated in the secular school: thus the religious sentiment adds its greater power to the political." The teacher, he continued, says "These poor are as good as you," while the minister says "These blind and lame and halt are the children of your Father, and inasmuch as you do kindness to them, you perform your duty to Him." "Time and Providence," he concluded, "are conspiring with man to put an end to . . . this institution that, from the early settlement of the country down to the present time, has produced more of discord than all other causes combined."[24]

Before closing, Kelley reminded the Congress that secession had followed an ideological and political crisis in which debate had ranged over the meaning of the phrase, all men are created equal. This concept implied the immorality of racial discrimination, he suggested, so its practice demanded more than a pragmatic acquiescence in the severing of slavery's chains. The slaves' "advent to freedom" entitled them to the "hope" of other Americans:

to "read and write" and draw "moral precepts and power from the same sources" whites consulted. "They are capable of all that ennobles man," he declared, "irrespective of the color of (their) skin."[25]

While advocating the principle of equality, Kelley stopped short of an endorsement of full political rights for the freedmen. He believed the "baneful influence of slavery" had "closed the ears" of many to pleas for equal justice, particularly in the border states where "poverty and crime prevail with the Negro . . . in undue proportion." However, he avoided Lincoln's conclusion that such racial hatred made "deportation" a justifiable design. Kelley was confident that when offered the stimulus of "hope," or civil equality, freedmen both within and outside the military would inspire "tones of praise and hallelujah" from formerly hostile white citizens.[26]

Kelley's impromptu speech apparently "drew down the galleries."[27] But such forceful rhetoric could have little practical effect on the eve of the holiday adjournment. Moreover, the attention of most Northern citizens was then riveted on the latest Union disaster in the field: Burnside's blunder at Fredericksburg.[29] The high Union desertion rate which followed the carnage continued during the mud march that Burnside hoped would bring another, more positive encounter with Lee, and raised alarm throughout the North.[92] When Congress reconvened after the Christmas

recess, Kelley and his Republican colleagues took steps to remedy this depletion of Union strength.

On January 12, Thaddeus Stevens introduced a bill to require the President "to proceed immediately to raise, equip, and organize one hundred and fifty thousand soldiers, persons of color of free African descent, to serve for five years unless sooner discharged by the Government."[30] Lincoln's final emancipation proclamation of January 1, 1863, had sanctioned the enrollment of freedmen in the armed services "to garrison forts, positions, stations, and other places, and to man vessels of all sorts." Now Stevens, Kelley and other antislavery ideologues pressed for their use in combat. Although the prevailing Northern sentiment had not only questioned the ex-slave's ability to fight, but contended that he could not be trusted by other soldiers, the recent desertions and difficulties in recruiting volunteers had temporarily broken down this prejudice.[32] Kelley defended the bill as a "humane and wise provision for hastening the settlement of the war." As a future citizen of "a civilization transcendently above the highest known elsewhere," the black man "should share the dangers and the sufferings of this war," he said. The enlistment of black troops, he continued, would aid the President in reestablishing the "supremacy of the power of the United States over all its territory," because history had proven that "on the battlefield" the "downtrodden

race" had never failed to display its "terrific courage."

As he concluded his remarks, Kelley recalled his experience at Antietam. There, while gazing at the "Milky Way," carbine in had, he was swept by the sense that "the providence of God" was behind the Republican cause. He felt that the "beneficent institutions" of the North were heaven-inspired and should thus be maintained and extended throughout the country "at whatever cost." Except, he added, at the cost of the freedmen's dignity. Kelley noted the racial arrogance implied by suggestions in the Congress and the Northern press to recruit blacks for less pay because they were accustomed to "fewer comforts than white men."[32] If black Americans were encouraged, on the grounds of military necessity, to "cement with their blood and raise . . . anew by their courage the great temple of American freedom," they deserved the same wages and training as whites. To offer the freedmen less would, in Kelley's view, defy providence by tarnishing the "grandeur" of the country.[33]

Most of Kelley's colleagues agreed that black soldiers were a military necessity, but declined to support his recommendations for equal treatment. In the final version of the measure passed in early February, black troops were to receive only $10 per month while white volunteers received $13. Moreover, as enlistments followed, black soldiers were usually regarded as inferiors, and segregation

was the general rule in camp and battle.[34] Yet, free Northern blacks and Southern freedmen enthusiastically responded to the call. By the war's end, nearly 186,000 had been in uniform. Of these, over one-third, nearly 69,000, died from battle wounds or related diseases. In contrast, the losses among white Union troops were about 13 per cent of the total number of soldiers enrolled.[35]

Kelley was not confident that the voluntary enlistment of black men would offset the recent depletion of Union ranks due to battle, disease, and desertion, or adequately refit the 300 veteran regiments of "nine-months' men" who enlisted under Lincoln's August, 1862 call and could return home in May.[36] His desire to rapidly "regain possession and control" in the "so-called seceding states" and establish the "supremacy" of the "forms and vital principles" of the Republican political-economic program might require "the lives of the grandest and most delicate by thousands."[37] Thus, when a conscription bill was debated in February, he offered his warm support.

"While it was hoped that there was some lurking patriotism among the controlling minds of the South," Kelley stated, a draft was unnecessary. But "what was then is not now. Since then two hundred thousand of our brave countrymen sleep their last sleep in Southern soil . . . We cannot have indemnity for the past, but we demand and

will have security for the future." Conscription and all other "powers of the Government," he added, should be exercised to establish such security, which in Kelley's view meant nothing less than a total transformation of Southern social relations.

In the course of his remarks, Kelley observed that numerous men on the floor questioned the constitutionality of a draft. In response, he argued that the bill was consistent with the war powers of the President, but, more important, was justified by the march of history. "The events of this era are under the management of no man or set of men. It is to the music of the spheres that the patriot army and the country march. I hail . . . the era of a new and higher birth for man and for society." In this peril, he declared, Republicans should not be timid when they were accused of making a "revolution."[38]

This was, indeed, what the Republicans were doing, although only a minority including Kelley, Stevens, Sumner, Wade, Lovejoy, and Julian self-consciously described their aims as revolutionary. Their revolution conformed in a general way to all "modern" revolutions, from the English "Civil War" of the seventeenth century to the present. It was an extraordinary historical event, characterized by (a) the massive transfer of claims to a legal form of productive property from one social class to another; (b) the competition of influential mass movements and the

exclusive ideologies they espouse; (c) the use of controversial and perhaps extra-legal methods; and (d) radical changes in institutional development effected as a consequence of a transfer of power within the state apparatus from representatives of one social class to a new dominant class or coalition of classes.[39] Through the Confiscation Acts, the Emancipation Proclamation, and the initiatives of Union military commanders, Republican policymakers had expropriated the slave property of Southern slaveowners without compensation. In legal terms, the effect of this confiscation was the transfer of control over the labor power of approximately four million persons from the slaveowners to the slaves themselves.[40] In political terms, forced emancipation raised the prospect of revolutionary change in the social bases of Southern political power, by opening debate on the merits of political fusion between the freedmen and the coalition of independent producers, entrepreneurs, and wage-earners in whose interest the Republican party was organized and sustained.

Leading Republicans perceived the massive transfer of legal claims to productive property as essential to the preservation of a society and a world view that were antithetical to the material needs and guiding political orientation of the Southern ruling class of slaveowners.[41] Moreover, in behalf of their vision of the good society,

and as a consequence of their control over the legal and constitutional powers of the state, Kelley and the Republican majority had made radical changes in the nation's fiscal, monetary, and educational institutions, and reconstructed investment patterns toward continental development[43] and away from the development of Atlantic markets.[43] And they had sanctioned constitutional innovations such as Lincoln's extraordinary reading of executive power in the first months of the war.[44]

Kelley's reference to the Republican "revolution" was thus in line with the measures and events of the previous year.[45] His political interpretation of the present as a revolutionary struggle was not as inclusive as the textbook version offered above. His particular rhetorical focus was the struggle for liberty and political equality. What is important, however, is that Kelley believed he was participating in a revolution. For the balance of the war, he avowed this interpretation of contemporary events.[46]

While Kelley and his colleagues pushed the conscription bill through the House, the chamber also attended to a matter which revealed class conflict in the North between the older financial and mercantile elite and the revolutionary coalition of industrial and agrarian producers. The immediate focus of this conflict was the need for a form of credit with a stable value in routine business transactions. None of the over $200 million of state bank

notes then in circulation could legally be accepted in payment to the government, and specie payments had been suspended. Moreover, in view of the recent military setbacks the value of the legal tender notes or greenbacks, which were dependent on the popular conception of the nation's credit, had depreciated. The accompanying rise in the gold premium had been matched by a rise in the general price level, intensifying the strain on the Treasury's capacity to finance a successful war effort.[47]

In early January, Kelley commented on the precarious state of the Northern finances. "Under the necessities of the case," namely the pressing military demands upon the Treasury, "we have made a large issue of paper money," Kelley observed. This policy was "wisely" taken, he added, although the variable purchasing power of the irredeemable greenback currency had encouraged businessmen to overextend their credit in order to avoid large balances of depreciated bills. Kelley feared an abrupt end to these inflationary conditions if the Northern armies brought the war to a successful end in the expected spring offensive. He thus favored a "system" that would "provide in advance" means to prevent a financial and commercial "revulsion."[48]

Kelley did not detail his conception of an alternative monetary system. Even if he was prepared to do so, and there is no evidence that he was, such remarks would have been ruled out of order because the current debate was

confined to the subject of the existing bankruptcy laws.[49] When the House finally took up the question of monetary reform in mid-February, 1863, the focus of debate was a national banking plan developed by John Sherman's Senate Finance committee.[50] As in the financial debates of the previous sessions of the Thirty-seventh Congress, the main arguments were delivered by Republican leaders or House members with longer service and greater prestige than Kelley.[51] However, since Kelley later became a prominent opponent of the national banking scheme, preferring instead a system of greenbacks interconvertible with government bonds,[52] the main outline of the Sherman bill and the social forces involved in its consideration deserve brief attention.

Under the provisions of the Sherman plan, banks that qualified for national charters were to issue notes (secured by United States bonds) that were legal tender and could be received by the government for public dues. In addition, such banks were authorized to serve as public depositories of Treasury funds.[53] The strongest opposition to the bill came from the commercial and financial leaders of New York and other seaboard cities of the Northeast. They recognized that the bill implicitly challenged their financial supremacy by establishing rival sources of credit outside the pool of savings accumulated in Northeastern textile and commercial centers. In addition, this elite

feared that a loose supervision of the note security requirements would lead to the proliferation of unsound banks of issue, thereby undermining the integrity and profitability of note issue.[54] Their unwillingness to support the government's financial policy was reminiscent of their reluctance in 1861 to purchase the government's securities at par gold prices and their consequent suspension of specie payments.[55] As yet suspicious of a financial policy establishing alternative repositories of government-secured investment funds, the leading Northeastern bankers and merchants lobbied extensively for the defeat of Sherman's plan.[56]

When the National Banking bill which passed the Senate on February 12, 1863, reached a vote in the House, Kelley was one of its supporters. Again, it is difficult to evaluate Kelley's financial position. The major supporting speech was given by the moderate Republican Elbridge Spaulding of New York, who stressed the long-term advantages of the banking scheme, namely, the institution of a market for United States bonds and the rationalization of the heterogeneous currencies of state banking systems. Others, such as Republicans Fenton of New York and Alley of Massachusetts, were apparently more impressed by Secretary Chase's opinion that the bill was a military necessity.[57] If Kelley was inclined to defend either position, or some other, he did not indicate as much. He

may have been chastened by the House leadership's stringent and successful pressures to bring the bill to a quick vote. Or, more likely, his fervent interest in destroying the slave power "at whatever cost" and his early identification with the moderate Republican leadership on economic matters[58] made him receptive to the Treasury Secretary's emphasis on a stable currency while the survival of the Republic was at stake.

In the flurry of political activity during the winter of 1862-1863, Kelley found solace in writing his wife and family.[59] In his note of February 15, Kelley mentioned that he had been "really homesick" and, seeking a distraction, had visited the President who "beguiled" him for a time.[60] Apparently, Kelley was one of the President's "most frequent evening visitors" during the war years.[61] Their early political affinity had blossomed into friendship, and Kelley remained Lincoln's "sometimes troublesome but always devoted friend" and political ally until his death.[62]

The Congressional adjournment in early March, 1863, cast Kelley adrift from national policymaking until the opening of the Thirty-eighth Congress the following December. In the interim, he corresponded with Lincoln and his Secretary of War, Stanton, pressing his views on the national crisis and promoting the enlistment and training of black troops. Moreover, during the spring and

summer he was personally involved in the raising of black regiments from the Philadelphia area.

In 1863, the total population of free black men of military age in the North was about 54,000. Of all the free states, only Pennsylvania, New York, and Ohio could possibly raise regiments of full strength.[63] Upon his return to Philadelphia in late March, Kelley organized a citizens' committee under the auspices of the Union League to pressure the Lincoln administration for official authorization to assemble three regiments of black soldiers.[64] In early April, he took advantage of his close relationship with Stanton[65] to personally solicit the Secretary's assistance in authorizing the regiments. Stanton apparently complied with Kelley's request, but state and local officials were at best indifferent to the radical idea of black troops and declined to execute the Secretary's orders.[66]

The issue was settled in June. In early May, Lee and Jackson foiled Hooker's spring offensive at Chancellorsville, then turned northward through the Shenandoah Valley toward Pennsylvania with the hope of victories that would force negotiations for peace. When Confederate movements became known in early June, Kelley and his committee, with Stanton's assistance, prevailed upon local officials to open a training camp for black recruits.[67] It was not until July 1, as the battle of Gettysburg began, that the

first of these black Pennsylvania soldiers were mustered into active service.[68]

When news of Meade's victory at Gettysburg reached Philadelphia, Kelley helped organize a rally to encourage further enlistments. On July 6, he became the first elected official in Philadelphia's history to join black leaders in addressing a meeting of black citizens. The enlistment rally was held in National Hall. Kelley was joined by the young abolitionist and fellow Philadelphian, Anna Dickinson, whom he had met in Hartford, Connecticut, on March 24, 1863, at a Republican rally. The two were, in Kelley's words, "buoyant with hope" that black men would "spring to arms" and "march to the higher destiny that awaited (their) race."[69] Kelley stated that the invasion by the "insolent aristocracy" of the South had created an historic opportunity. "After two hundred years of unmitigated oppression," he declared, "Providence has opened the way for the Africo-American to prove his manhood to the world, and command the respect and gratitude of those of his fellow citizens whose cupidity and prejudice have enslaved and degraded him." He urged his audience to seize the opportunity to serve in the Union ranks so that "speedy victory" might be secured, and the "manhood, freedom, and honor" of the "Africo-American" acknowledged.

In closing, Kelley urged the white soldiers of Pennsylvania to extend the "broadest, fullest sympathy" to

black soldiers and their families.[70] Unfortunately, the Pennsylvania "colored regiments" which went South in 1863 and 1864 discovered that few Union soldiers and officers were inclined to heed Kelley's call. While accepting the use of black volunteers as a military necessity, in part because the practice might reduce the number of white troops and thus the number of white casualties, many if not most Union men viewed the freedmen with suspicion and contempt. In the North, the arming of free black men alarmed white supremacists who viewed the enrollment of blacks as another step toward racial equality. Anti-administration Democrats often exploited this resentment to discredit the Republican military effort.[71]

In the summer of 1863, Democratic editors and politicians pursued other Republican prey as well. The conscription act which Kelley had warmly defended met with rabid denunciations that played to both the racial and economic fears of Northern white wage-earners. Condemning the "fanaticism" of men like Kelley who urged Northerners to embrace the freedmen with "sympathy" and "respect," New York Democrats raised the spector of liberated blacks flocking North to fill the jobs of draftees. Such provocative claims were mixed with condemnations of the conscription act's controversial provision for a $300 commutation fee,[72] and the Administration's war record. Federal attempts to enforce the conscription act met

widespread resistance, nowhere more so than in the notorious New York draft riot, which directed its violent fury particularly against the city's blacks.[73]

Kelley regarded the New York draft riot of July 13-15 as a mortal threat to the revolutionary aims of the Republicans. He rejoiced that the New York rioters were "terribly suppressed by the prompt use of well-directed grape and cannister." A similar disturbance might have occurred in Philadelphia except for the advance preparations of local authorities who organized additional police units and "several well-placed batteries." Kelley was relieved by the calm, for his friends had assured him that his recruitment efforts would have made him "one of the first, if not the first victim" of any Philadelphia rioting.[74]

While immersed in the local enlistment campaign, Kelley remained in contact with other Republican leaders. In June, 1863, he exchanged letters with Schuyler Colfax, a Republican Congressman from Indiana. The subject of their correspondence was the Emancipation Proclamation, in particular, Lincoln's views on the edict. During the winter session of Congress, Kelley had assured his House colleagues that the President would never "quicken the pulses" of blacks by promising "freedom," then tell them, after the expected Northern victory, "you are slaves again and incapable of being free."[75] Colfax wrote that the

President had confided to him that he "never had the slightest idea of ever withdrawing (the Proclamation), partially or wholly." But, Colfax suggested, Lincoln was aware that, as a war measure, the Proclamation would probably be declared inoperative by federal courts after the war ended.[76]

While somewhat reassuring, Colfax's letter touched upon the looming matter of post-war race relations. The Union victories at Gettysburg and Vicksburg may have encouraged Kelley to contemplate the political tasks of the peacetime era, particularly the pressing legal and social questions attending the existence of four million freedmen in the South, where local governments recognized few if any rights of person or property for free blacks. While Kelley pondered the future, he and his family suffered one of several, severe personal losses. On August 14, eleven-month old Marian suddenly died. She was the second Kelley child to die in this bewildering manner. The first duaghter, Elizabeth, had died in 1859 at the age of two. Three more children, as yet unborn, would die from respiratory ailments.[77] Kelley handled his grief by burying himself in party activities during the fall statewide elections. For Caroline there were no pressing duties to distract; as a result, the blow was especially "terrible."[78]

"We Are Unfolding a New Page in National Life"

In the first session of the Thirty-eighth Congress which convened on December 7, 1863, Kelley and his Republican colleagues struggled to define a plan of reconstruction for the Confederate states. In this debate, two related issues were most prominent: the problem of creating a practical alternative to the rule of the Confederate slaveholding oligarchy, and the question of what social and political rights the freedmen would be accorded.

Kelley prepared for the House debate on reconstruction during the holiday recess and by the second week in January was ready to deliver extended remarks on the subject.[79] The impetus for his speech was the President's "Proclamation of Amnesty and Reconstruction" announced in his annual message to Congress of December 8, 1963.[80] In that proclamation, Lincoln had recommended a plan predicated on the Constitutional obligation of the United States to "guarantee to every State . . . a Republican Form of Government.[81] The President's approach made uncompensated emancipation a precondition of readmission and disqualified all Confederate "civil or diplomatic officers" and all "military or naval officers . . . above the rank of colonel in the army or of lieutenant in the navy" from participation in the reconstruction of state governments. Further, the proclamation did not expressly promise a pardon for

these officials once loyal state governments were established. Finally, Lincoln proclaimed that if ten per cent of a state's qualified voters in 1860, excepting the aforementioned officials, would take a loyalty oath affirming allegiance to the Union, accept "all proclamations of the President . . . having reference to slaves," and "re-establish a State government which shall be republican," the state could apply to the Congress for readmission.[82]

Kelley did not have an opportunity to comment on the President's plan or present his speech on the proper aims of Republican reconstruction in the South until May. Henry Winter Davis's select committee on the rebellious states submitted a relevant bill, H. R. No. 244, in January but the discussion of a freedmen's bill held precedence until late March.[83] During April, the reconstruction debate was dominated by formal speeches such as those by Democrat Samuel Cox and Republican James C. Allen which were primarily concerned with the possibility that Lincoln's ten per cent plan might create "rotten boroughs" perpetuating his national power in future elections.[84] When Kelley gained the floor on May 3, he broke with the Republican critics of Lincoln's scheme, claiming to be "in perfect consonance" with the President.

In fact, Kelley's expressions of loyalty obscured his somewhat different approach to Southern reconstruction. He preferred a program initiated under the auspices of a

civilian governor appointed by the Congress, and he opposed Lincoln's predilection for a military governor, unspecified in his Proclamation but understood on the basis of the approach he sanctioned in the "pacified" states of Louisiana and Arkansas.[85] Kelley feared that the decisions of a military governor might be overturned after the hostilities ceased. In addition, he preferred an extended period of reconstruction which would allow "restless and aspiring people" from "the green hills of Vermont" or "the industrious villages of Massachusetts or other northern states" to settle in the South and, apparently, help the loyal freedmen establish the "civilization" that prevailed in the North.[86] In short, Kelley looked forward to a period of revolutionary change in the South and he promoted a political strategy that would encourage such a transformation to unfold under the careful scrutiny of Congress. Although he had rejected the "state suicide" idea in the spring of 1862, he now embraced the concept that the seceded states had reverted to the status of territories. Apparently, he expected the more moderate Northern public to accept this extension of plenary federal power in the occupied regions because of the conduct of the "semi-barbarous" South and the sweeping federal emancipation of the previous year.[87]

Kelley did not emphasize his differences with the President. He was probably sincere in his praise of

Lincoln's ten per cent plan as an "admirable" one, conditioned by a "public exigency," namely, the popular demand for a speedy end to the war.[88] Kelley implied that the President's scheme was too conservative, but acknowledged it was probably consistent with his reading of the attitudes of the diverse Republican coalition. Moreover, he lauded Lincoln's apparent interest in holding Republican voters in sufficient harmony to maintain the party's prestige and power in the "election pending." As evidence of this alleged concern for balance, Kelley cited Lincoln's admission that the authority to readmit representatives from the seceded states rested "exclusively" with Congress. He apparently felt that this acknowledgment demonstrated an agreement in principle between the President's ideas and those of the Republican majority in Congress, despite differences of opinion as to the constitutional status of the rebellious states and the proper procedures for their eventual readmission.[89]

A significant group of party loyalists including Thaddeus Stevens, Horace Greeley, Henry Winter Davis, and Benjamin Wade disagreed with Kelley and regarded Lincoln as bent on the executive usurpation of Congressional authority. Moreover, they viewed the lack of any guarantees for the rights of Southern Unionists and freedmen in Lincoln's plan as evidence of a weak commitment to egalitarian social and political measures. Their dissent was

later expressed in an abortive movement to dump Lincoln in favor of a "more vigorous" candidate in the fall presidential canvass. But in the spring of 1864, this faction focused its efforts on the passage of the Wade-Davis bill.[90]

The measure appealed to the radicals and most Republican Congressmen for several reasons. It dispelled an ambiguity in Lincoln's plan, namely the validity of Confederate debts, by repudiating all rebel debts. In addition, it allayed concerns about the return of unpardoned whites by postponing reconstruction until the majority of a state's citizens swore an oath of loyalty, thereby presumably establishing a powerful loyal electorate. Finally, the bill offered the further "guarantee" of extending the writ of habeas corpus to freedmen so as to provide a legal defense against involuntary servitude.[91]

The Republican Congress eventually passed the Wade-Davis bill with Kelley's support.[92] Kelley's vote was consistent with his belief in the need for further political guarantees against the machinations of ex-Confederates but cannot be counted as a rebuke to Lincoln. He recognized that both the President and the bill's supporters shared a commitment to civil equality for Southern Unionists and freedmen. Moreover, he correctly observed that both Lincoln's proclamation and the Wade-Davis plan effectively disfranchised the ruling elite of the Confederacy, which was largely representative of the antebellum slave-owning

class.[93] As he suggested in his May 3 address, Lincoln's minimal approach represented a tactical decision intended to rally Southern support and appease a war-weary Northern electorate.

The House debate on various outlines for Southern reconstruction was lengthened and complicated by the concurrent discussion of the rights and needs of the freedmen. By 1864, the Republicans had established a detailed policy for recruiting able-bodied black males, but had not developed a comprehensive plan for dealing with the majority of freedmen who were ineligible for military duty. Many ex-slaves had hired out to private individuals who leased captured or abandoned plantations from the federal government, but had met with uneven and sometimes cruel treatment in the conditions and terms of employment. Others had found no means of support except for the charity of Union regiments or missionaries representing Northern-based freedmen's aid societies. This condition reflected the fact that many Republicans had no genuine interest in the welfare of black persons, except insofar as they served the military requirements of victory. To a lesser degree, it was also the result of a lack of any tradition of federal responsibility for individual social welfare.[94]

Kelley was an early advocate of an institutionalized program of support for the freedmen, managed by the War Department. In January, 1863, he urged his colleagues to

"give to them wages and train them to the habits of freedmen." Such training consisted, in his view, of regular association with white citizens in homes, schools, and places of employment. Kelley did not elaborate on the means necessary for effecting such fellowship. He merely expressed his hope that the "women in the North" would teach the "race of negroes . . . that there are figures and that there are letters and words represented by them."[95]

When Representative Thomas Eliot of Massachusetts introduced a detailed plan for the relief, settlement, and education of ex-slaves early in the Thirty-eighth Congress, Kelley offered a more thoughtful analysis of the freedmen's needs and aspirations. Eliot's bill called for the creation of a bureau of emancipation within the War department which would establish guidelines for the support and employment of freedmen, supplement the relief efforts begun by military commanders, and commission agents to generally represent the interests of freedmen in local disputes.[96] Kelley spoke in favor of the measure on February 23, 1864.

He began by acknowledging the "pain and anguish" that the "ever recurring changes" of the previous two years aroused in many Americans. He urged the people of the North to regard these changes as the "source of hope and aspiration" for he believed they would "bring the order of society into harmony" with the "great eternal laws of justice, right, and truth." "We are in the midst of a

revolution," Kelley declared, "and it is no answer to the demand for a bureau to say that there has never been a Freedmen's Bureau before." "Legend and tradition" were no guide; each day brought "new conditions and new duties."[97]

The duty of the hour was to eradicate slavery and to secure freedom "to the people who have been its victims." In Kelley's view, all free men, white and black, had been victimized by the institution of slavery. The freedmen's bureau would remedy this condition in several important ways. It would encourage the employment of otherwise idle laborers in the production of foodstuffs and cotton on abandoned lands, thus bringing order and subsistence to the chaos of the South while laying the foundation for a prosperous home market. "The people of the North . . . need the commodities yielded by (the Southern) territory," Kelley argued, and "Pennsylvania and New England will not complain if these four million people who have been non-consumers of their products shall send each fall and spring to buy the products of their workshops."

But, "pecuniary advantage" was not the only, or the best argument in behalf of the bill, Kelley stated. "Humanity, the spirit of the nineteenth century, and Christian civilization demand its immediate passage." The "sober, industrious, and skilled" freedman needed only "guidance, fair play in the battle of life . . . fair wages for a fair day's work . . . and a right to invest his savings in the

land of the country" to acquire the "sense of proprietorship" and thirst for the "pleasures and power of science, literature, philosophy, and . . . religion" that were the foundation of liberty in America.[98] In Kelley's view, the sense of "calling" or a belief in the dignity of labor shared by most Northern whites[99] was already an important part of the slaves' culture. If encouraged by their liberators to concentrate this faith toward the aim of material advancement and social mobility, the freedmen would both broaden the marketplace and strengthen the ranks of "productive" labor. In this way, Kelley argued, the possibilities of independence for the "poor white man" would be enhanced.[100]

During debate on the freedmen's bill, Kelley's sense of the freedmen's destiny as self-supporting citizens was out of tune with the prevailing sentiments of his party colleagues. Only a bare majority supported temporary relief; some defended the measure on the basis of the morally and socially mischievous view that blacks required special treatment because of congenital inferiority.[101] On March 1, 1864, the House passed the bill by a vote of 69 to 67.[102] In the Senate the bill was modified and strengthened by its manager, Charles Sumner, who succeeded in winning the passage of amendments attaching the bureau to the Treasury department, which was already supervising abandoned lands with a sizeable contingent of special agents. The revised bill passed the Senate on June 28, but

the Congress adjourned before a committee of conference could be formed to work out a compromise on the differing versions.[103]

As the Congress discussed the rights and future social prospects of the freedmen, Kelley and other radical Republicans moved to give the institution of slavery a "decent burial." In order to "preclude the possibility" of its "resurrection," Kelley supported a constitutional amendment which would abolish slavery or involuntary servitude and close the door to legislative initiatives that would subvert the free labor premise of the Republican party.[104] A bill offering such an amendment, S. No. 16, was discussed intermittently during the late winter and early spring of 1864. It was adopted by two-thirds of the Senate on April 8, and neared a House vote on June 15 when Kelley spoke in its behalf.[105]

He began with a rebuttal to Democratic Representative Robert Mallory who had praised "African slavery" and demanded that the Congress "stand by the Constitution as our fathers made it."[106] Kelley stated that the "framers of our government" were "good men and were wise in their day and generation . . . ." "But," he added, "all wisdom did not die with them, and we are expiating in blood and agony and death and bereavement one of their errors--the unwise compromise they made with wrong in providing for the toleration and perpetuation of human slavery,"

"Slavery," Kelley continued, was the "efficient cause of every national evil we have endured." "It commenced a war upon the dignity of labor and the freedom of conscience and thought; it inspired and gives physical power to the rebellion we are crushing at such fearful cost of vigorous life." "Let us protect our posterity against the possibility of a recurrence of these fearful evils," he declared. "Let justice to all men be our aim. Let us establish freedom as a permanent institution, and make it universal."[107] As with most of his radical colleagues,[108] Kelley assumed that the triumph of the principles of free agency and equal opportunity--the "virtues" of the free labor society he extolled--would establish the ideological basis for harmony among propertied and unpropertied citizens after the war. And he never relinquished this conviction, although in the post-war years certain dominant groups within the triumphant Northern coalition reduced the opportunities for social mobility and economic independence through the unlimited exercise of their legal prerogatives as free producers.[109]

Although the amendment was approved by the Senate, neither Kelley's rhetorical eloquence nor the general Republican commitment to a free labor society could sway the necessary two-thirds of the House to approve the measure on June 15.[110] Its defeat did not signal a Republican retreat from abolition, however. A large majority

of Republican congressmen supported the proposed amendment, and the debate and vote indicated a growing Republican disposition to seek guarantees for Southern compliance with free labor principles, even if it meant interference with domestic institutions that were traditionally considered matters of state jurisdiction.[111]

Yet, Kelley was distressed that the "Republican members of the Senate and House" were "not willing to act upon the truth that man is man in spite of complexional differences." He was not worried about Lincoln, however. Kelley wrote an abolitionist friend, Caroline Dall,[112] that the President needed no "argument" to convince him of this truth, and would "avoid the necessity of taking a backward step" to mollify the forces of "reaction."[113]

Kelley's anxiety had other sources as well. Grant's costly spring campaign against Lee in northern Virginia and the dissent of leading Republicans such as H. W. Davis, Benjamin Wade, and Horace Greeley from the President's reconstruction plans had weakened popular support for the Lincoln administration and encouraged Democratic "peace" candidates.[114] The public mood turned darker still as Confederate general Jubal Early and 12,000 rebels made a daring sweep around Grant's forces and, on the tenth and eleventh of July, bombarded Washington's fortifications. By the thirteenth, Early had concluded that the city's defenses were too formidable to assault. As Union

reinforcements arrived, his units recrossed the Potomac and withdrew into the Shenandoah valley.[115] On that day, Kelley wrote Caroline of the Washington gloom. The city might fall, he stated, but the country would "reclaim it at whatever cost." "Justice, truth, right, and mercy are attributes of God with which slavery is at war," he added. "He will not give it the victory."[116]

When the brief Washington siege was lifted, Kelley returned to Philadelphia to begin his campaign for re-election and advance the Republican "cause" as a pamphleteer and speaker for the Philadelphia Union League.[117] There is no evidence that Kelley was involved in the late summer intrigues to dump Lincoln. His oblique critique of the President's reconstruction plans in May indicated, if anything, an enduring respect for the President's handling of public opinion and a firm belief in his commitment to civil equality for the freedmen. Moreover, Kelley's correspondence with Caroline Dall suggests that Lincoln had privately "acknowledged" the legitimacy of "negro citizenship."[118] He thus had ample reasons to support the incumbent, and apparently did so without serious reservation.

In early October, Kelley met his Democratic opponent, Robert Northrup, in a series of public debates. By this time news of Sherman's capture of Atlanta and Sheridan's conquest of rebel elements in the Shenandoah valley had reinvigorated popular support for the administration and

the Republican program. Kelley accordingly took the offensive, focusing on the Democratic platform's defeatist call for a "cessation of hostilities" and its plea for restoration of the Union with the rights of Southern states "unimpaired."[119]

During the last evening of debate at West Philadelphia Hall on October 7, Kelley declared that the war would not be over until "every acre" of Southern territory was "under military rule," and Southern state governments had been "reorganize[d]" so that "the free institutions of America" were secured "for all time."[120] When accused by Northrup of fighting a "negro war" he responded that reconstruction of the Union under a unified property system was the issue of the war, and he defended the use of black troops as a necessary means to that end. Acknowledging the passions which his opponent had aroused "against the negro," Kelley did not demand full equality for the nation's newest free laborers. Instead, he heralded the contribution of the freedmen to the Union's defense and stated his hope that the new republic would henceforth deserve recognition as the "land of the free."[121]

In the election that followed, Kelley received over 58 per cent of the vote, an improvement over his scant margin of victory in 1862.[122] His spread may have been greater if not for the active support which Simon Cameron and his political allies in Philadelphia gave Kelley's

opponent. Cameron's contrariety was apparently prompted by his determination to exact satisfaction for Kelley's refusal to cooperate in an earlier movement to expunge the resolution of censure passed in the House after Cameron's dismissal as Secretary of War.[123] Kelley was reported to have stated that any efforts to rescind the Cameron censure would be "to stir foul matter" and "produce a stench." Cameron was initially supported in this campaign of vengeance by Philadelphia's postmaster, Cornelius Walborn, who urged postal employees to oppose Kelley's reelection. However, at Kelley's urging, Lincoln intervened to disarm Walborn and chasten Cameron.[124]

The President and the Republican party scored impressive victories in all the Union states except Kentucky, New Jersey, and Delaware.[125] On November 14, Kelley traveled to Washington to congratulate Lincoln and present him with a medallion from his Philadelphia "friends." The gold relief featured the heads of Lincoln and George Washington under Scotch crystal. After presenting the medallion, Kelley reminded Lincoln that it was Washington's personal wish that his slaves be free. He added, with obvious political intent, "in those days to ask that the slaves be made free was to ask that he be made a citizen." According to Kelley, Lincoln discerned the friendly gibe and expressed his agreement.[126]

The issue of black citizenship soon occupied the

attention of both men. Kelley's first opportunity to address the question in the national forum of the House came in January, 1865, shortly after the lame duck session of the Thirty-eighth Congress began. The occasion was the consideration of James Ashley's reconstruction bill which conformed in most important respects to the Wade-Davis bill of 1864.[127] Kelley's remarks reopened the formal Congressional debate on the aims and methods of Southern reconstruction with an inspired, revolutionary vision of events to come.

Kelley attained the floor by moving that the bill's suffrage provisions, affecting only "white male citizens of the United States," be amended to include "all other male citizens of the United States who may be able to read the Constitution thereof."[128] He then proceeded with a prepared speech. "In seasons like this," he began, "an age on ages telling, the feeblest man in whom there is faith or honesty is made to feel that he is not quite powerless, that duty is laid on him too, and that the force that is in him ought to be expressed in . . . a way to promote some end seen or hoped for." His interest was to establish the claims which might be made by the "victorious party." There were two, in Kelley's opinion: "indemnity for the past and security for the future." The former "we cannot hope to obtain," he said, because Confederate money was worthless and the conquest of Southern

territory merely "reestablished the boundaries of our country." However, Kelley added, "security for the future" was "accessible," and required "the making of no experiment, the entering upon no sea of political speculation." The process would involve the implementation of "three or four simple dogmas which the founders of our Government proclaimed to the world." The "dogmas" Kelley chose were drawn from the Declaration of Independence. They included the notions that "all men are created equal," that "governments derive their just powers from the consent of the governed," and that "whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."[129]

Kelley then outlined his plan for the realization of these political precepts. First, the rebellion must be broken "by arms." Next, the "wicked and heartless traitors who have involved us in this war" must be disqualified from political participation and their debts repudiated. Then, Kelley proposed, the right of suffrage must be extended to all loyal citizens, regardless of race.[130] He defended the last and most controversial point by citing Jefferson's criteria for suffrage in a proposed amendment

to the constitution of Virginia: "among men who either pay or fight for their country no line of right can be drawn." "The question," Kelley declared, "is not whether each man is fitted for the most judicious performance of the functions of citizenship, but whether the State is not safer when she binds all her children to her by protecting the rights of all and confiding her affairs to the arbitrament of their common judgment."[131]

Kelley did not detail the procedures to be followed in organizing loyal state governments. His purpose was to define the "general propositions" which, if accepted, might conquer the "spirit" of the rebellion as surely as "laws and constitutions" might conquer its power.[132] "Conciliation, compromise, and concession" had been "abundantly tried," in Kelley's opinion, and their result had been "agitation, strife, war, and desolation." The "past has gone forever," he said; the task was to "shape the future," to unfold "a new page in national life" that conformed to the egalitarian sentiment of the Declaration.[133]

Kelley's speech apparently "produced a profound sensation." His amendment to the Ashley bill "startled" the majority of his Republican colleagues who were as yet uncommitted to black suffrage and disinclined to speak on the volatile question.[134] Further discussion of the bill was promptly postponed for several weeks as Republicans and Democrats alike considered the merits and implications

of the suffrage issue.[135] Before the discussion was tabled, Kelley responded to a question which would be asked repeatedly by opponents of black suffrage in the years to come: did he favor "equality between the races" or "regard negroes as equal to the white man?" Kelley took a civil libertarian position. "I could not possibly regulate the equality of men," he said. "I cannot make my colleague so moral or intelligent as a man of darker complexion who is more moral and intelligent; nor could I degrade my colleague to the level, in morals and intelligence, of the colored man who is less moral or less intelligent than he." "But," he concluded, "I want no senseless rule that allows a fool or a scoundrel to vote if he be white, and excludes a wise and honest man if he be black."[136]

In the weeks that followed, Kelley's Republican colleagues could not reach a consensus on a plan of Southern reconstruction, largely because of the controversial question of the role of freedmen in the process. Moreover, the overwhelming impression that Lee's army and other Southern units were "doomed" probably encouraged some to delay any action until the precise conditions of Southern society could be ascertained.[137] In this atmosphere of caution, the Congress refused to seat representatives of Louisiana's "reconstructed government."[138]

One of Louisiana's claimants, A. P. Field, apparently considered Kelley's views on black suffrage, which were

not condoned by the revised Louisiana constitution, both incendiary and influential in the state's exclusion.[139]

On Friday evening, January 20, in the dining room of the Willard Hotel, Field confronted Kelley. "Why do you keep us out in the cold? Why don't you admit us, like a man?" he asked. After Kelley politely answered that the decision was not his to make, Field pressed him further: "Why do you not come up like a man and toe the line?" Remaining in his seat, Kelley responded in a firm but controlled tone, "Judge Field, if you will inquire of my friends, you will find I am in the habit of toeing the mark; of marching up to the line." Frustrated but indecisive, Field uttered an "oath" and left the room, swearing to Kelley, "you shall feel me for that."

In about twenty minutes, Kelly also left the dining room and, after spotting Field in the hall, moved toward an exit. Field saw Kelley and ran toward him. He seized Kelley's collar and swung a knife he had produced from his coat. Kelley deflected the blow with the back of his left hand, but the knife sunk to the bone. As Field made another effort to strike him he was restrained by a Union officer who had been dining with Kelley. Shortly thereafter, Field was arrested.[140]

The Field assault had no lasting impact on Kelley's political career or the course of public debate, although it made a sensational splash in the newspapers and briefly

occupied the attention of the House.[141] However, it served to confirm Kelley's fear that the "spirit" of the rebellion was still very much alive. If egalitarian "habits" of social intercourse were to be respected, he reasoned, prompt Congressional action that would constitutionally eradicate slavery and establish political liberties for the freedmen was imperative. Kelley consequently focused his attention on two relevant measures then pending in Congress--the thirteenth amendment and a freedmen's bureau bill.

On the morning of the Field assault, Kelley wrote Caroline that he was serving on the committee of conference appointed to resolve the differences in the freedmen's bill debated by both houses at the close of the previous session.[142] The compromise developed by the committee called for the creation of a bureau under the War department, obligated to recognize land leases established by agents of both the War and Treasury departments. In most other respects, the package was similar to the bill's initial version, which authorized agents to "watch over the execution of laws, proclamations, and military orders of emancipation, or in any way concerning freedmen," to ensure that the ex-slave was treated as a "freedman" in local courts, and to "superintend" the leasing of "abandoned real estate" controlled by military commanders to freedmen.[143]

The conference measure repeated a major weakness in the original bill: aside from an appropriation for the salaries of bureau agents no appropriation was ordered for routine expenses such as the costs of legal investigations and no funds were authorized for the management or expansion of acreage under bureau control. On February 9, Kelley was one of 64 House members who carried the bill against 62 opposing votes. The Senate approved the measure without a roll call on March 3.[144]

While the conference committee on the freedmen's bill was deliberating, Kelly and 102 Republicans, along with 17 Democrats, passed the thirteenth amendment.[145] Kelley wrote Caroline that its passage was an "immense stride in civilization."[146] In order to mark its significance for his young son, Will, he gathered signatures from "all the members of both houses" who voted for the bill. Yet, as the Thirty-eighth Congress neared an end, he was aware that there were many "questions pending," and each was "fraught with enduring consequences."[147] And he assumed that Lincoln would be an important figure in the settlement of those "questions."

Kelley remained in Washington after Congress adjourned "to attend to affairs" and, presumably, follow the close of the war at first hand.[148] On March 15, he paid a social call on the President hoping to "talk about 'Caesar Augustus.'"[149] Reading and discussing Shakespeare was a

favorite pastime of Lincoln's[150] and the play "Julius Caesar" (Kelley was mistaken in his designation) had a passing relevance to that day, the Ides of March.[151] However, Lincoln was out as Kelley arrived. The next and last time he saw the President was in the first week of April, as Lee's starving army was surrounded by Grant's forces following a desperate strategic escape from the Richmond seige.[152] Before that meeting, he passed an hour "in close and friendly intercourse" with Andrew Johnson, who "referred very kindly" to Kelley's speech of February 10 recommending black suffrage.[153] It is not known what Kelley and Lincoln discussed.

On Good Friday, April 14, the President was mortally wounded, and died the following morning. Kelley drew a lesson from "this mournful incident." With a characteristic allusion to divine intervention in the Republican cause, he later stated that "the time had come when . . . a judge was to be substituted for a loving leader." Kelley hoped the new President would "demand that the law in its severity be enforced against those who have lived so long in bloody violation of the law--human and divine."[154]

NOTES

[1] Nevins, War For the Union, II, pp. 163-165; George Julian, Political Recollections, 1840-1872 (Chicago: McClurg & Company, 1884), p. 222. On Kelley's long-standing opposition to slavery see Chapter 1, pp. 15-24.

[2] Kelley to Caroline Kelley, July 15, 1862, KPHSP.

[3] Congressional Globe, 37th Cong., 2nd Sess., p. 596.

[4] Kelley to Lincoln, July 23, 1862, Lincoln Collection, State Historical Society of Illinois. This was Lincoln's view as well. As Kelley suggested to Caroline, the President had concluded that an emancipation proclamation was a "military necessity." See Gideon Welles, Diary of Gideon Welles (New York: W. W. Norton & Co., 1960), I, p. 70. However, he deferred to his Cabinet's view that an impressive Northern military victory was first necessary to give the vital impression that the Republicans were dealing from strength. See Basler, Collected Works, V, p. 337n.

[5] Nevins, War For the Union, II, pp. 163-166.

[6] Kelley to Lincoln, July 23, 1862, Lincoln Collection, State Historical Society of Illinois.

[7] Nevins, War For the Union, II, pp. 185, 215. Lee intended to open a new base for recruits and provisions in the northern Shenandoah Valley.

[8] The Union also claimed 2,010 killed and 1,043 missing. The Confederate casualties were as great. Of the 130,000 men from both armies committed to the battle, 21,000 had been slain or wounded. Nevins, War For the Union, II, p. 225.

[9] Kelley to Caroline Kelley, September 18, 1862, KPHSP.

[10] McClellan's main elements, reinforced and vastly outnumbering the Confederates, did not move in the direction of the strategic retreat of Lee's forces until October 26. T. Williams, Lincoln, pp. 173-176.

[11] Lincoln, "Preliminary Emancipation Proclamation," in Basler, Collected Works, V, pp. 433-436; Nevins, War For the Union, II, p. 234.

[12] Such an exodus did in fact occur. Slaves who had previously been used as teamsters and laborers by the Confederate armies and field hands who "heard the thunder" of guns found their way to the Union lines in increasing numbers as news of the Proclamation spread by grapevine telegraph or overheard conversations. See W. E. B. DuBois, Black Reconstruction in America, 1860-1880 (New York: Atheneum, 1969), pp. 115, 122; Randall and Donald, Civil War and Reconstruction, pp. 385-387.

[13] Ibid., pp. 385, 390-391; McPherson, Negro's Civil War, ch. IV; Eugene Genovese, Roll, Jordan Roll: The World the Slaves Made (New York: Vintage Books, 1976), pp. 140-149.

[14] For instance, as leading Northern generals and politicians discussed strategy in advance of the first general Union offensive of 1862, the question of the political composition of army field commands was an underlying concern. See T. Harry Williams, Lincoln, pp. 67-69, 133.

[15] Kelley's letter to Lincoln on July 23, 1862, is in the Lincoln Collection at the State Historical Society of Illinois. His conference with Lincoln in October is described in Kelley, Lincoln and Stanton, Rare Book Collection, Library of Congress.

[16] Kelley, Lincoln and Stanton, p. 73. Kelley's recollection does not elaborate on the possible meaning of the President's reply. Other sources indicate that Lincoln feared McClellan's removal would be so unpopular in the ranks as to seriously impair the execution of his emancipation decree, which had already drawn strong criticism from anti-Lincoln Democrats and pro-Lincoln representatives from the Border States. Moreover, Lincoln evidently was concerned that the dismissal of McClellan might appear to be a concession to the radicals. The President suggested to the radical Carl Schurz that the Republican "case" would be crippled by the criticism that would attend such an identification. See T. Williams, Lincoln, p. 160; Lincoln to Carl Schurz, Nov. 10, and Nov. 24, 1862, in Basler, Collected Works, V, pp. 493-495, 510.

[17] Kelley received 8,946 votes. His Democratic opponent Nicholson received 8,118. See Poore, Political Register, p. 478; Dusinberre, Civil War Issues, p. 164; Nevins, War For the Union, II, p. 307.

[18] Bradley, Militant Republicanism, pp. 155-158; Kelley reminiscence in Allen T. Rice, Reminiscences of Abraham Lincoln, pp. 272,280.

[19] Cameron's correspondence with Tom Scott and John Forney confirms his intention to be appointed to the Senate. See Forney to Cameron, Nov. 2, 1862, and Scott to Cameron, December 24, 1862, Simon Cameron Papers, Library of Congress. Cameron was an available candidate because he had proven to be the "jobbing politician" that Kelley feared. While serving as Secretary of War, he had exercised a loose control over War Department contracts which afforded fraudulent sums to businessmen commissioned to provide the government with clothing, arms, housing, and so forth. By January, 1862, published reports of his department's scandalous dealings had become such an embarrassment to the administration that Cameron was asked to resign. See Bradley, Militant Republicanism, pp. 159, 188-189; National Cyclopaedia of American Biography, II, p. 82.

[20] Bradley, op. cit., p. 159.

[21] See Chapter 3, pp. 132-133.

[22] Lincoln, "Annual Message to Congress," December 1, 1862, in Basler, Collected Works, V, pp. 529-537.

[23] Congressional Globe, 37th Cong., 3rd Sess., pp. 67-68, 91-92.

[24] Ibid., p. 153.

[25] Ibid., pp. 152-153.

[26] Congressional Globe, 37th Cong., 3rd Sess., pp. 152, 154.

[27] Kelley to Caroline Kelley, December 21, 1862, KPHSP.

[28] T. Williams, Lincoln, pp. 195-201; Nevins, War For the Union, II, pp. 350-351. Burnside, who succeeded McClellan as head of the Army of the Potomac, allowed Lee's forces to establish a strong defensive position before his assault, then allowed his troops to be cut down in piecemeal attacks.

[29] 12,650 Union soldiers were killed in one day, December 13, 1862. See Nevins, War For the Union, II, pp. 350, 367.

[30] Congressional Globe, 37th Cong., 3rd Sess., p. 282.

[31] Lincoln, Emancipation Proclamation," January 1, 1863, in Basler, Collected Works, VI, p. 30; Nevins, War For the Union, II, p. 517.

[32] The quotation is from the New York Times and is cited in Dudley Cornish's The Sable Arm (New York: W. W. Norton & Co., 1966), p. 97.

[33] For Kelley's comments, see the Congressional Globe, 37th Cong., 3rd Sess., pp. 606-607.

[34] Ibid., pp. 689-690; DuBois, Black Reconstruction, p. 99; Leonard Curry, "Congressional Democrats: 1861-1863," Civil War History, vol. 12 (1966), p. 225. The House leadership accepted the pay differential only after a Democratic filibuster threatened to kill the measure.

[35] Cornish, Sable Arm, p. 288; Randall and Donald, Civil War And Reconstruction, pp. 529-531.

[36] Lincoln to Stanton, July 22, 1862, and Lincoln, "Address," August 6, 1862, in Basler, Collected Works, V, pp. 338, 359; Nevins, War For the Union, II, p. 462.

[37] Congressional Globe, 37th Cong., 3rd Sess., pp. 151, 153, 607.

[38] Ibid, pp. 1270, 1271.

[39] This definition leans heavily on the analyses and insights offered by Maurice Dobb's Political Economy and Capitalism (New York: International Publishers, 1945), pp. 127-129; Dobb's Studies, pp. 11-14; C. H. George, Revolution: European Radicals from Hus to Lenin (Glenview, Il.: Scott, Foresman & Co., 1971), pp. 68-75, 117-121; James Livingston, "Politics, Ideology, and the Origins of American Revolutions," pp. 7-33; Christopher Hill, Reformation to Industrial Revolution (Baltimore: Penguin Books, 1971), Part Three; Barrington Moore, Jr., Social Origins of Dictatorship and Democracy (Boston: Beacon Press, 1970), pp. 111-155; Karl Marx and Frederick Engels, The Civil War in the United States, pp. 253-255, 272, 277, 279-281.

On the American bourgeois revolutionaries of the nineteenth century, see Barrington Moore, op. cit., pp. 142-149; Foner, Free Soil, Free Labor, Free Men, p. 52; Margaret Shortreed, "Anti-Slavery Radicals," pp. 77-80; W. R. Brock, An American Crisis (New York: Harper & Row, 1966), pp. 12-13; Harold Hyman, ed. The Radical Republicans and Reconstruction, 1861-1870 (New York: Bobbs-Merril Co., 1967), pp. 153-154, 161-167.

[40] Lincoln's Emancipation Proclamation effected the greatest act of confiscation in American history. The value of slaves in 1861 exceeded $1.5 billion, by far the largest form of capital investment in the country. Barney, Flawed Victory, p. 172.

[41] See the debate on the Second Confiscation Act in May, 1862, in the Congressional Globe, 37th Cong., 2nd Sess., pp. 1895, 1918-1919, Appendix, 146-242, 259-277.

[42] The most dramatic events in the process were the passage of the Homestead and Pacific Railroad Acts. See Chapter 2, pp. 68-71, 73.

[43] See Chapter 3, pp. 111-112, and Chapter 4, p. 166, fn. 35.

[44] See Chapter 2, p. 53, fn. 64.

[45] The revolution which Kelley heralded was interpreted by Charles and Mary Beard (The Rise of American Civilization, ch. xviii) as America's second, and most thoroughgoing revolution. Later historians such as David Montgomery, William A. Williams, William Barney, and Robert Sharkey have accepted the designation while reconstructing the Beard interpretation to demonstrate that substantial differences existed within and between social classes in the North concerning the future social and political position of the freedmen and the most desirable developmental strategy for the new nation. See the Preface, pp. 1-3.

[46] See Chapter 3, pp. 135-136.

[47] Sharkey, Money, Class, and Party, pp. 52, 224, 226-227.

[48] Congressional Globe, 37th Cong., 3rd Sess., p. 225.

[49] Kelley had little to add to the complex debate on federal bankruptcy legislation. Prompted by the increasing pressure of Northern creditors and debtors alike for some legal protection respecting assets threatened by the

large-scale default of Southern accounts, the debate soon embraced the question of federal jurisdiction for claims advanced by Southern property holders in newly occupied areas of the South. Kelley's incidental remarks about the pending bankruptcy legislation seem to have been a pretext for his warning about the dangers of an irredeemable paper currency.

[50] Secretary of the Treasury Chase encouraged the Speaker to delay action on such a bill fearing Stevens' known opposition to a national banking scheme would kill the measure in his Committee of Ways and Means. See Curry, Blueprint, pp. 200-201.

[51] Congressional Globe, 39th Cong., 3rd Sess., pp. 820-826, 840-852, 869-882, 1112-1119, 1141-1148.

[52] Congressional Globe, 39th Cong., 2nd Sess., pp. 261-262; Congressional Record, 43rd Cong., 1st Sess., p. 5.

[53] Ibid., pp. 505, 666, 840-846.

[54] Sharkey, Money, Class, and Party, pp. 223, 226-227; Curry, Blueprint, pp. 197-206.

[55] Sharkey, Money, Class, and Party, pp. 23-27.

[56] Ibid.; Curry, Blueprint, pp. 197, 202, 206.

[57] Congressional Globe, 37th Cong., 3rd Sess., pp. 896-897, 1113-1114, 1141-1148. Most Eastern Republicans, including a nearly solid bloc of New York, New Jersey, and New England Republicans, opposed the bill. Western Republicans appear to have provided the decisive numbers in its behalf, perhaps--as Leonard Curry suggests --because Western bankers spoke with less force and unity in their Congressional districts. See Curry, Blueprint, p. 205.

[58] Kelley's support for the legal tender bill in February, 1862, was presumably swayed by the leadership's support of the "necessity" of the legislation. See Chapter 2, pp. 65-66.

[59] Kelley thirsted for news of the activities of his young children: seven-year-old Will, three-year-old Florence, and the baby, Marian, born in September, 1862. Kelley's paternal love was not diminished by his extended absences from home, only limited in its expression. To compensate for this constraint, he wrote almost daily to

Caroline. See, for example, Kelley to Caroline Kelley, December 4, 15, 21, 1862, January 30, 1863, KPHSP.

[60] Kelley to Caroline Kelley, Feb. 1, 1863, KPHSP.

[61] Benjamin Thomas, Abraham Lincoln, pp. 475-476.

[62] Kelley to Lincoln, June 30, 1863, Lincoln Collection, State Historical Society of Illinois; Kelley to Caroline Kelley, March 15, 1865, KPHSP.

[63] Nevins, War For the Union, II, p. 516.

[64] George Lathrop, History of the Union League of Philadelphia (Philadelphia: Lippincott & Co., 1844), pp. 151-152.

[65] Kelley reminisced about his friendship with Stanton in June, 1886. See the Congressional Record, 49th Cong., 1st Sess., pp. 5417-5418.

[66] Stanton to Kelley, April 4, 1863, Stanton Papers, Library of Congress; Dusinberre, Civil War Issues, p. 165.

[67] T. Williams, Lincoln, pp. 236-242, 251-252; Lathrop, op. cit., p. 152; DuBois, Black Reconstruction, p. 97.

[68] Dusinberre, Civil War Issues, p. 168.

[69] Kelley's relationship with Anna Dickinson is cloudy. He reported to Caroline that he found her "strangely fitted" with the ability to move hostile audiences "to tears." Apparently, Kelley was impressed by Dickinson's passionate oratory in behalf of equal civil rights for freedmen. See Kelley to Caroline Kelley, March 25, 27, 1863, KPHSP. Anna Dickinson was the daughter of the Quacker merchant and abolitionist, John Dickinson. As a young woman she became a popular pamphleteer and orator, and was often invited to deliver her indictment of the slave labor system at rallies sponsored by the Union Leagues of New York and Philadelphia. In January, 1867, she spoke before the House on the subject of political equality and continued her career as a lecturer into the 1870's. There is no evidence to establish a continuing political friendship between Kelley and Dickinson in the post-war years. See the biographical notes in the National Cyclopaedia of American Biography, vol. III, p. 109.

[70] "Addresses of William Kelley and Anna Dickinson

at National Hall, Philadelphia, July 6, 1863," Rare Book Collection, Library of Congress.

[71] Nevins, War For the Union, II, pp. 524-252; Forrest G. Wood, Black Scare: The Racist Response to Emancipation and Reconstruction (Berkeley: University of California Press, 1968), ch. 3.

[72] The act established an exemption system that discriminated against the poor who could not afford the commutation fee of $300. See Randall and Donald, Civil War and Reconstruction, p. 314.

[73] See Montgomery, Beyond Equality, pp. 102-106; Adrian Cook, The Armies of the Streets: The New York City Draft Riots of 1863 (Lexington: The University Press of Kentucky, 1974), chapters 7-8.

[74] Dusinberre, Civil War Issues, p. 170; Kelley to Anna Dickinson, August 2, 1863, Anna Dickinson Papers, Library of Congress.

[75] Congressional Globe, 37th Cong., 3rd Sess., pp. 151-152, 606-607.

[76] Schuyler Colfax to William Kelley, June 2, 1863, William Kelley Papers, Harvard University Library.

[77] The twins, Josephine and Anna, died in 1865 and 1871, respectively. Caroline Lincoln, born in October, 1868, died in February 1869. See the "Family" folder, Kelley Family Papers, Columbia University.

[78] Kelley to Caroline Kelley, January 9, 1984, KPHSP.

[80] Lincoln "Annual Message to Congress," December 8, 1863, Basler, Collected Works, VII, pp. 50-52.

[81] Ibid., pp. 50,55. See Article IV, Section 4 of the Constitution.

[82] Lincoln, "Proclamation of Amnesty and Reconstruction," December 8, 1863, Basler, Collected Works, VII, pp. 54-56.

[83] On the freedmen's bill debate, see Chapter 3, pp. 124-127.

[84] Congressional Globe, 38th Cong., 1st Sess., pp. 259, 278-280, 1737-1739, 2095-2102.

[85] Ibid., pp. 5, 523, 2080; Hesseltine, Lincoln's Plan of Reconstruction, ch. III; Randall and Donald, Civil War and Reconstruction, pp. 553-554.

[86] Congressional Globe, 38th Cong., 1st Sess., p. 2080.

[87] Ibid., pp. 2078-2079.

[88] Apparently, Lincoln's main concern was in fact to offer a practical alternative to Confederate rule that would appeal to most Southerners and thereby shorten the war. See Barney, Flawed Victory, pp. 77-78; Lincoln, "Annual Message, December 8, 1863," and Lincoln to Thomas Cottman, December 15, 1863, in Basler, Collected Works, VII, pp. 50-51, 66.

[89] Congressional Globe, 38th Cong., 1st Sess., pp. 2079-2080.

[90] Randall and Donald, Civil War and Reconstruction, pp. 473-475; Nevins, War For the Union, II, pp. 32, 192; III, pp. 82-85.

[91] Brock, An American Crisis, p. 25.

[92] Congressional Globe, 38th Cong., 1st Sess., pp. 2108, 2117-3451. The act was pocket-vetoed by Lincoln on the basis of his pragmatic desire to sustain the governments he had created in Louisiana and Arkansas under military governors, and to avoid any inflexible commitment to a plan that might not effectively deal with the continually changing conditions in the South. See Hesseltine, op. cit., p. 119.

[93] Congressional Globe, 38th Cong., 1st Sess., p. 2080. On the similarities in the two plans, see Hesseltine, op. cit., pp. 113-114.

[94] McPherson, Negro's Civil War, ch. viii.

[95] Congressional Globe, 37th Cong., 3rd Sess., p. 607.

[96] Congressional Globe, 38th Cong., 1st Sess., pp. 19-21, 566-573; McPherson, Negro's Civil War, pp. 113, 133.

[97] Congressional Globe, 38th Cong., 1st Sess., pp. 772-775.

[98] Ibid., pp. 773-775.

[99] See Foner, Free Soil, Free Labor, Free Men, pp. 11-14.

[100] Congressional Globe, 38th Cong., 1st Sess., pp. 773, 775.

[101] This racist standpoint was expressed with special relish by Republicans Benjamin Thomas and James Hale. See the Congressional Globe, 38th Congress, 1st Sess., p. 895.

[102] Ibid., p. 895; DuBois, Black Reconstruction, p.220.

[103] Congressional Globe, 38th Cong., 1st Sess., p. 3350; 38th Congress, 2nd Sess., pp. 79-80.

[104] Congressional Globe, 38th Cong., 1st Sess., p. 774.

[105] Ibid., pp. 145, 1490.

[106] Ibid., p. 2982.

[107] Ibid., pp. 2983-2985.

[108] See Montgomery, Beyond Equality, pp.73-38.

[109] See Chapter 6, pp. 306-307; Chapter 7, pp. 351-352, 353-354.

[110] Congressional Globe, 38th Cong., 1st Sess. p. 2995.

[111] The dramatic nature of this shift in perspective on the federal system is evident when it is recalled that a very different thirteenth amendment was proposed during the secession crisis. Both houses of the lame duck Congress of 1860-1861 passed an amendment that would have prohibited any future Congressional interference with the "domestic institutions" of the states. See Wood, Black Scare, p. 76.

[112] Caroline Dall was a Boston intellectual, educated by masters and governesses in the home of her parents, Mark and Caroline Healey. She was an early feminist and abolitionist who later became a founder and officer in the American Association for the Promotion of Social Science, a doctrinaire group which promoted, among other things, "scientific" government by business elites. National Cyclopaedia of American Biography, IV, p. 159; Montgomery, Beyond Equality, pp. 382-383.

[113] Kelley to Caroline Dall, June 12, 1864, Caroline Dall Papers, Massachusetts Historical Society.

[114] Randall and Donald, Civil War and Reconstruction, pp. 470, 475; Nevins, War For the Union, IV, p. 87.

[115] T. Williams, Lincoln, pp. 324-326.

[116] Kelley to Caroline Kelley, July 13, 1864, KPHSP.

[117] "Letter" from the Union Congressional Committee, June 29, 1864, John Covode Papers, Western Pennsylvania Historical Society.

[118] Kelley to Caroline Dall, June 12, 1864, Caroline Dall Papers, Massachusetts Historical Society.

[119] Nevins, War For the Union, III, pp. 97, 100, 104.

[120] "Closing Speech of Hon. W. D. Kelley, in the Northrop-Kelley Debate," October 7, 1864, Library of Congress, pp. 6, 9.

[121] Ibid., pp. 3, 4, 6.

[122] Poore, Political Register, p. 478; Philadelphia Public Ledger, October 12, 1864.

[123] The censure resolution was approved on April 30, 1862, Congressional Globe, 37th Cong., 2nd Sess., p. 1888.

[124] Bradley, Militant Republicanism, pp. 187-188, 228. Erwin Bradley, Simon Cameron: Lincoln's Secretary of War (Philadelphia: University of Pennsylvania Press, 1966), pp. 257, 361; Kelley to Lincoln, August 3, 1864, and T. B. Pugh to Kelley, July 26, 1864, Lincoln Collection, State Historical Society of Illinois.

[125] Bradley, Militant Republicanism, p. 207.

[126] "The Union Almanac For 1866," Library of Congress, p. 9.

[127] Congressional Globe, 38th Cong., 2nd Sess., p. 280-281.

[128] Ibid., p. 281.

[129] Ibid., p. 282.

[130] Ibid., pp. 286, 291. In December, 1865, Kelley was more specific. He called for "universal manhood suffrage" rather than "impartial" suffrage or a suffrage clause with a racial qualification that allowed other bases for electoral restriction so long as they were not pinned to racial characteristics. However, by December 1868, he had abandoned his hope for such a sweeping suffrage clause and, in the debate on the pending suffrage amendment, supported the concept of impartial suffrage as a final political solution. See Chapter 4, p.171, Chapter 5, pp. 247-249.

[131] Ibid., pp. 287, 290.

[132] Ibid., pp. 288-290.

[133] Ibid., p. 290.

[134] Brock, An American Crisis, p. 19; Kelley to Caroline Kelley, January 17, 1865, KPHSP.

[135] Congressional Globe, 38th Cong., 2nd Sess., p. 291.

[136] Ibid.

[137] Barney, Flawed Victory, p. 79; Nevins, War For the Union, IV, pp. 254-255; Kelley to Caroline Kelley, January 20, 1865, KPHSP.

[138] Congressional Globe, 38th Cong., 2nd Sess., pp. 5, 8, 26, 903, 1101-1111, 1129.

[139] A roll call was not taken on the exclusion of Louisiana, but since the Louisiana constitution had not condoned the suffrage requirements outlined by Kelley in his January address before the House, it is likely that he voted "nay." It is not clear how Field estimated Kelley's influence in the vote, but his belief in Kelley's important role was noted in the House investigation of the assault. See the Congressional Globe, 38th Cong., 2nd Sess., p. 971.

[140] Ibid., pp. 371, 971-972.

[141] Ira Brown, "William D. Kelley," p. 320; Congressional Globe, 38th Cong., 2nd Sess., pp. 371-375, 971-972; Kelley to Caroline Kelley, January 22, 26, February 9, 24, 1865, KPHSP.

[142] Kelley to Caroline Kelley, January 20, 1865, KPHSP.

[143] Congressional Globe, 38th Cong., 2nd Sess., p. 688.

[144] Ibid., pp. 688, 694; DuBois, Black Reconstruction, 2. 221.

[145] Congressional Globe, 38th Cong., 2nd Sess., p. 531; Nevins, The War For the Union, IV, p. 213. Democrat Samuel Cox of Ohio later alleged that the Republicans had made financial offers and job deals to woo the Democratic votes. The proof of such corruption is lacking.

[146] Kelley to Caroline Kelley, February 5, 1865, KPHSP.

[147] Ibid., February 27, 1865, KPHSP.

[148] Ibid., March 15, 1865, KPHSP.

[149] Ibid.

[150] "Union Almanac," p. 9

[151] "Beware the Ides of March," the soothsayer warned Caesar.

[152] T. Williams, Lincoln, pp. 351-354.

[153] Kelley, "The Dangers and Duties of the Hour," March 15, 1866, Library of Congress, p. 9; Congressional Globe, 38th Cong., 2nd Sess., pp. 731-732.

[154] "Union Almanac," p. 17.

CHAPTER 4

Questions of Peace: The Terms of Reconstruction

> This is not the time for extreme counsels. It is not the time to attempt great reforms and works.
>
> John Sherman, 1866

> I am anxious to give every laboring man the right and power to protect the interests of labor at the ballot box.
>
> William Kelley, 1866

> I am a devotee to freedom, but would make every country in the world tributary to my own . . . I would do it, not by oppressing any people, not by war with any government, but by improving the condition of the masses of my countrymen and those who may become such, and showing the rulers and the people of the world how speedily free institutions exalt the poor and the oppressed of all nations into free, self-sustaining, and self-governing citizens. It is in our power to do this.
>
> William Kelley, 1866

Kelley's notion that the nation needed a "judge" to guide it through the post-war era implied that submission and allegiance were important requisites of the Southern settlement he hoped to establish. But this concept begged a more serious question: did allegiance mean acceptance of current Republican programs alone, or of additional and as yet unformulated social and political legislation as

well? Kelley and many of his Congressional colleagues were inclined to view issues raised by wartime economic policy and political division in the light of fairly coherent ideological presumptions.[1] During the years, 1865-1869, their differing conceptions of the desirable shape of American society were at the heart of the contemporary debates over such war-related issues as the greenbacks, the rights of freedmen, and the tariff, and were expressions of conflict within and between social classes.

While the nation mourned the passing of Lincoln, the problems of the peace weighed heavily on Kelley's mind. He soon joined other leading men in the Republican party in formulating policies which he hoped would provide "security" for the principles of the revolution that had begun in earnest with the Republican commitment to total war in 1863.

The Intricate Course of Ideological Battle: May, 1865 to December, 1866

On May 24, 1965, Kelley and his son, Will, watched the Army of the Potomac pass in review. The triumphant procession was "truly grand" in Kelley's eyes, and no doubt inspired fleeting thoughts of the political arrangements that had sustained and strengthened the now victorious Union legions.[2] The jubilant noise and

cloudless sky[3] also may have encouraged Kelley to contemplate the prospect of new institutional bases of freedom and social harmony. In his view, the "next duty" of the Republican party was "that of securing the equality of all men before the law."[4] Kelley had voiced his principled support for universal male suffrage during the second session of the Thirty-eighth Congress,[5] and thus opened a forthright personal campaign against the popular racial fears and prejudices that had helped mute his political idealism in the 1850's and early 1860's.[6] He also had outlined his political-economic vision: a competitive home market protected by prohibitory duties on imported manufactures and industrial raw materials.[7] He soon proclaimed his commitment to an elastic paper currency issued by the government for the purpose of sustaining investment by small entrepreneurs as the Treasury attempted to fund the prodigious national debt.[8]

Kelley's political views were not independent of his plans for social change. In fact, as with his anti-slavery perspective, Kelley's approach to Southern reconstruction emphasized social relations--especially whether or not one was economically self-dependent--as a crucial factor in defining the extent of one's political freedom. Just the same, in the immediate post-war period, as political and legal rights in the shattered South were more often secured by force than by peaceful and routine observance,[9] Kelley

was inclined to view suffrage extension as the prerequisite for equal economic opportunity. In an early address during the first session of the Thirty-ninth Congress, Kelley argued that the right to vote would protect Southern black males in their struggle to escape "unmanly dependence," and would also advance their efforts to open "the door of the public school."[10] In view of his opposition to land reform involving any extensive confiscation and division of rebel estates,[11] Kelley's hope for equal justice and social mobility in the South would have been patently naive or hypocritical without such a commitment to black suffrage.

In the summer of 1865, Kelley's proposal for universal male suffrage was supported by a minority of radical Republicans, including Ignatius Donnelly, Samuel Shellabarger, Charles O'Neill, George Julian, Benjamin Wade, and Thaddeus Stevens.[12] In addition, their votes on certain key measures during the Thirty-eighth and Thirty-ninth Congresses indicated a similar preference for high tariffs and soft money.[13] Kelley initially believed along with many of his radical colleagues that Lincoln's successor would be an earnest ally in the transformation of the South's balance of political power. On May 12, he wrote Andrew Johnson to apprise him of the "general support" in the Philadelphia area for extending "the right of suffrage to American citizens of African descent." Kelley noted that Colonel Forney's Philadelphia Press was

"commited . . . to the proposition" and only one Philadelphia daily, the North American, was not "outspoken in its advocacy of the measure." The general tone of the letter and a congenial reference to his "last conversation" with the President convey the impression that an understanding had been reached between the two concerning the suffrage issue.[14]

Less than a year later, Kelley recalled this early conversation with Johnson. He stated that he was "assured" that the President "did not differ . . . upon the necessity of availing ourselves, in the reorganization of the South, of the political power of the loyal people of that section without regard to lineage or past prejudices, as we had availed ourselves of their military power in the extreme exigency of the country." Kelley also mentioned that he had discussed his interview with Charles Sumner and Carl Schurz, who confirmed his impression that an "entire coincidence" existed between Johnson's views on black suffrage and those of the "radical" Republicans in Congress.[15]

On the eve of the President's Proclamation of Amnesty and his Proclamation on North Carolina Kelley restated his confidence in Johnson's political principles. He informed his wife that a recent conversation with Congressman Horace Maynard of Tennessee had confirmed his view that the President's "habits" and "integrity" were well-suited

to the task of securing "the equality of all men before the law."[16] Johnson's proclamations of May 29, 1865, clearly did not have this goal in mind and were greeted with "amazement" by Kelley. The two executive declarations outlined the President's plan for reconstruction. The amnesty decree extended an executive pardon to former Confederates who would take an oath to support the Constitution. Exceptions included those recognized in Lincoln's proclamation of December 8, 1863, namely, officers in the Confederate army and navy above the rank of colonel and lieutenant, respectively, and individuals who had left judicial or congressional posts in the United States to aid in the rebellion. Johnson also "excepted" from pardon "all persons . . . the estimated value of whose taxable property is over twenty thousand dollars." Yet, these disqualifications, affecting almost the entire deposed ruling class of Southern slaveowners, were qualified by the executive promise to "liberally" pardon those who declared their loyalty to the "peace and dignity of the United States." In addition, in his Proclamation on North Carolina, Johnson declared his "duty" to define and enforce the measures necessary to secure a republican form of government to the Southern states. After claiming a responsibility to act without the participation of Congress, he prescribed a brief period of political reorganization under the auspices of a provisional governor

appointed by the President. Once the "loyal" citizens of a state had written a new constitution accepting the abolition of slavery and established the "eligibility" of persons to hold office under that constitution, the state's electors might proceed to select their Congressional representatives.[17] In short, the Johnson "plan" contemplated new civil governments that sprung from the voluntary action of Southerners, and owed their existence to the President rather than the "nation" as represented by the Congress. In view of the omission of any black suffrage provision in Johnson's scheme, and the President's willingness to pardon the "excepted" classes of ex-rebels, these governments would be dominated by surviving landowners and merchants, including many ex-Confederate leaders. The propertyless class of ex-slaves would have no substantive political rights under such "loyal" regimes.

When Johnson's proclamations were issued, Kelley was in Boston addressing local Union League clubs at their anniversary meetings.[18] His personal reaction was muted by the recollection of his friendly conversations with the President and he tried to convince his Republican audiences that Johnson had not acted "unadvisedly," that his strategy "was only experimental" and would be strengthened by "constitutional guarantees." Among the "guarantees" which Kelley had in mind were universal suffrage, "the diffusion of schools, the maintenance of a free press, and

the establishment of truly democratic republican governments."[19]

Before he left Boston, Kelley received a letter from Thaddeus Stevens who expressed greater concern with Johnson's course. The President, he wrote, "fancies himself a sovereign power." "By the time Congress meets," Stevens continued, "all will be passed [sic] remedy." He added that he could not "suggest anything" but needed to express his "mortification" and his fear that the people in the Southern states would return "all rebels."[20]

Perhaps alarmed by his friend's reaction, Kelley "immediately" sought an audience with the President upon his return to Washington. He mentioned the anxiety raised by the proclamations among Boston's Union League members and asked for Johnson's assurance that the measures were only preliminary to broader guarantees. According to Kelley, Johnson was equivocal, stating that he would lend "all his personal influence to promote the extension of suffrage," but could not force this sentiment "as chief Executive officer" on the people of the former Confederate states. Johnson reportedly added that he wished Northern voters would "be made to understand these things."

Accepting the "request of the monarch as a command to the subject," Kelley recounted Johnson's statements to Philadelphia Republicans and "conductors of all . . . journals" with whom he had "any acquaintance."[21] While

Kelley assured the local Republican faithful of Johnson's personal commitment to black suffrage, his belief in the President's integrity was shaken over a more parochial political matter. During his meeting with Johnson in early June, Kelley had asked the President to remove Cornelius Walborn from his patronage position as Philadelphia's postmaster. Walborn, a Cameron lieutenant, had harassed Kelley and his ward supporters during the 1864 election,[22] and Kelley apparently sought his removal as the quid pro quo for the political errand he would perform for the President. By mid-summer, the President had not acted. On July 22, he asked his friend Charles O'Neill to deliver a "dispatch" to the President "and his advisers." The content of the note is unknown, but it is clear that Kelley intended for them to see his "teeth."[23]

As Kelley wavered, other leading Republicans openly expressed their distrust of the President. Charles Sumner felt Johnson was "entailing upon the country trouble, controversy, and expense."[24] Benjamin Butler, one of Lincoln's political generals and a radical Republican in the Fortieth Congess, feared the Republicans were "losing the just results of this four years struggle."[25] On July 30, Stevens wrote Kelley imploring him to attend the annual Pennsylvania Republican convention in August, so that the two might "shape things . . . as to have some effect in arresting the ruinous course of the President."[26]

The anxiety of these men was not simply a reaction to Johnson's increasingly hostile comments against the "extreme men of the North."[27] They also observed that many ex-rebels who were not reconciled to the former slaves' status as freedmen were participating in the reconstruction process authorized by the President, and they were outraged that many of the Southern state conventions convened by Johnson's provisional governors hesitated to repudiate the Confederate debt or ratify the Thirteenth Amendment.[28]

Kelley did attend the Harrisburg convention which opened on August 17. The proceedings were managed by Stevens and governor Andrew Curtin, who denied the moderate Cameron followers any significant places on the party's slate and converted the convention into a forum for criticisms of the emerging "Johnson" governments. Kelley was no doubt pleased with the rebuff to Cameron. Just prior to the convention, Kelley stated to the press that Cameron "had never been false to his criminal instincts." Kelley added that his children could proudly claim that Cameron's friends "were ever hostile" to him.[92] He was also presumably pleased with the convention's resolution for reconstruction of the "Rebellious States" by the "law-making power of the nation."[30] In Kelley's view, the authority to determine the mode and timing of restoration lay with the Congress.[31]

The battles within the Pennsylvania Republican organization were clearly of less concern to Kelley than the fate of the egalitarian political and social principles of organization which he had been developing since 1861. "I represent ideas rather than ward politicians," he declared. His main concern, with respect to these ideas, was that "apathy and indifference of the people . . . after four years of intense excitement" would "prove fatal" to their expression in further political and economic legislation.[31]

As Kelley anxiously watched the political storm clouds gather in the North, he was again stunned by the death of a child, Josephine, one of the twins born in the fall of 1864.[32] Apparently, her passing was as sudden as Marian's in August, 1863, for there is no reference to any illness in Kelley's letter to Caroline on the eve of her death. Once again, Kelley tried to relieve his sadness by keeping a busy political schedule, but his absence from Caroline soon became more painful than his grief. He managed to extricate himself from his routine of speeches and appearances in early August and remained at home until the Thirty-ninth Congress convened in December.[33]

On the eve of the new session, Kelley established a residence in rather "elegant" quarters on Twelfth Street, a short carriage ride from the Capitol. In the week before the opening ceremonies he huddled with other

Republicans to discuss the "blandishments of the executive." Kelley informed Caroline that he was "delighted by the tone" of the new Republican majority. "The positive men are numerous enough to control the House," he wrote, and others would be wary of identifying themselves with the President for in so doing they would be associating "with the debris of a crushed faction."[34] Clearly, Kelley was now opposed to the President's course. His reference to the "positive men" suggests a line of distinction that presumably fell between Republicans who believed the ultimate responsibility for reconstruction lay with Congress and members, notably old-line Democrats as well as conservative Republicans,[35] who were willing to accept Johnson's initiatives. Yet, Kelley's panoramic view is insufficiently restrictive to define the contending political factions in the Thirty-ninth Congress.

Aside from the conservative phalanx and Kelley's closest political allies, the radical Republicans who hailed primarily from Pennsylvania and the "new" Midwest of Michigan, Iowa, Wisconsin, Minnesota, and Kansas,[36] two other distinguishable groupings can be counted on the Republican side of the House. The largest, the moderate Republicans, supported on moral and political grounds the civil equality of all men before the law. However, they were reluctant to challenge the popular constitutional theory that states had primary jurisdiction

over the regulation of conduct or the enforcement of laws concerning civil and political rights. Hence, they were reluctant to move beyond the provision of legal remedies, enforceable in federal courts, for civil rights violations. Moreover, a preference for voluntary state action rather than national imposition encouraged many moderates to initially oppose the political remedy of suffrage extension as well as confiscation measures that struck at the social roots of ex-rebel leaders. Their aim, in short, was to encourage the "natural" leaders of the South, namely, the larger propertyholders, to accept the wartime emancipation measures and enforce wage-labor systems in the South's rural parishes.[37] The Republican moderates hailed the self-made man but generally followed a political course which favored larger producers and investors. This was evident in their position on Southern reconstruction and their design for federal debt retirement.[38] The moderate group was typified by Lyman Trumbull, James Grimes, James Wilson, Robert Schenck, John Bingham, Roscoe Conkling, John Sherman, Justin Morrill, James Blaine, and James Garfield.[39] Aligned with their developmental orientation, but committed in principle to full political rights for all citizens was a small, but influential faction led by Charles Sumner, George Boutwell, Henry Wilson, and James Ashley.[40]

Finally, the new Congress included Democrats such as Reverdy Johnson, Fernando Wood, and James Brooks who were

extremely conservative on the question of federal power over citizenship and property relations. These men generally opposed the war-related federal initiatives in taxation (including the high Republican tariffs), the legal tender acts, universal obligation for military service, federal aid to transportation and education, and other economic measures that expanded the powers of the federal government over domestic affairs. They now finally accepted the abolition of slavery, but resisted any federally-imposed limitations on state initiatives in framing and enforcing laws involving the civil and political rights of the freedmen. Their social vision was elitist and reactionary; it favored the dominance of the former Southern landowning oligarchy as well as of established mercantile and financial interests in the North. Their perspective was also blatantly racist, demanding, in Reverdy Johnson's words, that the "governments, state and national," remain "exclusively" in the hands of "white men." These Democrats claimed the support of lower class whites who defined the American polity as excluding blacks, and generally appealed to those who opposed the nationalizing trends unleashed by the war. The affinity between their views and those of the conservative Republicans was notable. However, the potential for a political alliance between these groups faded as most Democrats refused to support a peace settlement on the basis

of minimal guarantees for civil equality.[41]

As the Congress convened on December 5, 1865, Kelley and most of his Republican colleagues believed that Johnson's program of reconstruction had not gone far enough in guaranteeing what Thaddeus Stevens called "a republican government firm and stable forever."[42] However, the Republican majority had yet to agree on an alternative plan for Southern restoration. Likewise, no firm agreement had been reached about the proper functions and purposes of the banking and commercial institutions fostered by the wartime Congresses. Kelley hoped that one key element of his vision for the future--universal manhood suffrage--would be the pivot of the early debates defining the kind of society which was to exist in the United States.[43] He at once introduced a bill "extending the right of suffrage in the District of Columbia."[44]

The purpose and effect of the Kelley initiative were limited by design. At this time, only Massachusetts, Rhode Island, Maine, New Hampshire, and Vermont, containing just 6 per cent of the total Northern black population extended universal suffrage to male citizens.[45] The illiberal Northern position on the suffrage issue was a potent political deterrent to any headlong pursuit of a federally-imposed voting rights act. Moreover, the question of political rights involved a confrontation with the traditional boundaries of the Constitution,

particularly Article 1, Section 2, which was generally understood to uphold state jurisdiction over suffrage requirements. Most Republican Congressmen were not inclined to challenge this understanding.[46] However, in the District and in the territories the jurisdiction of the Congress over suffrage was constitutionally unassailable. This offered Kelley and other radicals the opportunity to discuss the social and political aspects of black suffrage on the House floor without alienating sympathetic members who were inclined to view the black vote as premature or improperly dictated by Congress.[47]

The Kelley bill was referred to the Committee on the Judiciary, and on December 18 it was reported by chairman James Wilson with a favorable recommendation. Because of the impending holiday recess, the measure was made the special order of business for January 10.[48]

As Kelley probably intended, the ensuing debate was, in the words of Van Horn of New York, "a general debate upon the rights of the colored race."[49] Kelley's defense of the bill was an elaborate digression into the question of "fundamental rights" as well as into the related issue of constitutional prerogatives in the enforcement of such rights.[50] He began with a quotation from James Madison to establish the premise that those most responsible for the writing of the Constitution in the eighteenth century intended that Congress should "regulate the suffrage" in

the States.[51] Madison's conclusion, according to Kelley, was that the "mass of the citizens should not be without a voice in making the laws which they are to obey . . . and if the only alternative be between an equal and universal right of suffrage for each branch of the Government and a confinement of the entire right to a part of the citizens, it is better that those having the greater interest at stake, namely that of property and persons both, should be deprived of half their share in the Government than that those having a lesser interest, that of personal rights only, should be deprived of the whole." Thus, Kelley argued that Madison and the "founders" viewed a "republican form of government" as one guaranteeing universal manhood suffrage without property qualifications. And, he claimed, these "skillful architects" gave the federal government "the amplest power to execute" that judgment in Article 1, Section 4 of the Constitution, which states that "Congress may at any time by law make or alter" suffrage regulations prescribed by state legislatures.[52]

Kelley's analysis rested on several misconceptions regarding Madison's political views and the origins and meaning of Article 1, Section 4. Madison was responsible for the passages Kelley quoted.[53] However, he and the majority of the delegates to the Constitutional convention distrusted universal manhood suffrage, fearing

"the rights of property or the claims of justice may be overruled by a majority without property," as in legislation "impairing the obligation of contracts."[54] Consequently, they enfranchised only those with the "qualifications requisite for electors of the most numerous branch of the state legislature,"[55] which according to most state constitutions meant men with productive property.[56] Moreover, they provided further "safeguards" against popular government in the Constitution, including the indirect election of Senators and the President, and the practice of judicial review of legislative enactments.[57]

In addition, the main intent of the framers of Article 1, Section 4, delineating the "times, places, and manner of holding elections for Senators and Representatives," was to establish uniformity in the circumstances of federal elections so as to prevent the dissolution of the national legislature by "factions" in particular states or groups of states.[58] The use of this clause as a club to impose federal standards other than those suffrage conditions established by the early state constitutions was not contemplated by the "Founders," and would not have been acceptable to the Constitutional convention of 1787.

Perhaps aware that his constitutional arguments were inadequate, Kelley moved directly to a higher ground, suggesting that universal suffrage was not only the "essential principle of republicanism" but a "moral right"

of "the laboring man." This point had been contested by Democrat Benjamin Boyer, who not only questioned the fitness of "the American negro" for "self-government" but implied that the extension of the suffrage to any laborer was "incompatible with the general welfare."[50] Kelley's rejoinder affirmed political equality as a crucial step in the historical ascent of the self-dependent, self-mastering man. Quoting John Bright, an English labor reformer, he declared that this "cry of the toil-laden" was more in tune with the "high and holy purposes of humanity and of justice."[60]

The debate on the District suffrage bill continued for several days. On January 15, Kelley rebutted the contention of Republican John Kasson of Iowa that his "construction" of the Constitution was "most dangerous to the rights and liberties of the people" since it "took from the states the right of prescribing the qualification of electors." Kelley repeated his radical assumption that the Constitution as it was understood by "Washington and Madison" gave the right of suffrage "to every male citizen of twenty-one years of age, whether a citizen by birth or naturalization."[61] On January 16, the discussion of the District bill again drifted into a general debate on the locus of governmental authority over suffrage when Kelley engaged a later ally in the silver remonetization campaign of the 1870's, Democrat Samuel Randall, who placed

primary jurisdiction with the states. In his remarks, Kelley tried to refocus the discussion on the fundamental right of suffrage and, in his view, the corresponding duty of the Congress to protect the exercise of that right. Kelley declared he would rather "Pass [his] life in humble privacy" sustained by his reading of the egalitarian spirit of the "men who laid the foundation of our Government," than receive the "applause" of the "multitude" for support of any federal policy condoning an elitist system of political representation in the states.[62]

On Thursday, January 18, 1866, the issue of black suffrage in the District of Columbia was more squarely debated. Kelley's bill had struck the work "white" from the district's voting qualifications. James Wilson moved to recommit the bill to the Judiciary committee with instructions to report a new measure restricting the suffrage to propertied citizens and Union veterans. The House defeated Wilson's motion. Kelley then voted with the majority of 116 to 54 that approved his bill.[63] In the Senate, opponents of black suffrage and moderate Republicans, fearful of their constitutents' negative reactions, indefinitely postponed consideration of the bill pending further national discussion of the suffrage issue.[64]

In addition to Kelley's bill, the Congress considered two other major initiatives bearing on the question of Southern political reconstruction in the winter of 1865-1866.

One was a comprehensive plan introduced by Thaddeus Stevens to secure the legal framework of civil equality from the caprice of changing Congressional majorities, and to establish a period of tutelage for the rebel states until reorganized Southern legislatures presented constitutions that provided a "practical equality of rights" for loyal Southerners. Specifically, Stevens proposed two constitutional amendments. One declared that "all laws state or national shall operate impartially and equally on all persons without regard to race or color." The other, dealing directly with the issue of the relative political power of the South in the Union, apportioned Congressional seats on the basis of voters rather than population. Moreover, Stevens advocated the confiscation of rebel estates for distribution under a Southern homestead law, the repudiation of the Confederate debt, and the exclusion of the ex-Confederate states from participation in the amendment process until their readmission to the Union by Congress.[65] In brief, Stevens intended to revolutionize Southern social and political relations so the region's land would be "cultivated by the toil of its owners, or the free labor of intelligent citizens."[66]

Kelley clearly supported most of the items in Stevens' radical program. During the Thirty-eighth Congress, he had advocated the "general proposition" of an extended period of reconstruction during which Northern white

immigrants and Southern freedmen would make and enforce laws recognizing the civil and legal equality of all persons regardless of racial origin. In addition, he had demanded that reconstituted Southern governments ratify any proposed constitutional amendments concerned with civil rights as a condition for readmission to the Union.[67]

Kelley also supported Stevens' original proposal to alter the basis of Congressional apportionment. On January 33, the Joint Committee of Fifteen on Reconstruction[68] returned a bill modifying Stevens' apportionment idea by basing representation on population, with the proviso that whenever the elective franchise was denied or abridged in any state "on account of race, creed, or color, all persons of such race shall be excluded from the basis of representation."[69] Kelley immediately announced his opposition to the committee's bill. The committee's proposed amendment did not base representation on voters and, in effect, gave federal recognition to the states' right to discriminate in voting on the basis of racial origin. As a result, the "pardoned but bloody-handed traitor" would exercise disproportionate political power in his district, where the "colored people" were "denied a vote." Further, Kelley suggested, if the rise of the "rebel" to "political power" was thus eased, each Southerner who had "fought for four years against the government" would be more likely to serve in the "councils of the nation" than

"three or five intelligent returned soldiers of New Jersey."[70]

By the second day of debate, Kelley apparently had concluded that a measure basing representation on the number of voters in each state would not appeal to the two-thirds majority needed to pass a constitutional amendment.[71] Seeking some way to expand the national government's jurisdiction over its citizens, Kelley proposed a substitute amendment that retained the apportionment and rebel disfranchisement sections of the Joint committee's version, but added a clause expressly declaring the right of Congress to "regulate the qualifications for electors of the most numerous branch of the legislatures of the several states." After four more days of debate, Kelley's substitute was rejected in favor of the Joint committee's amendment.[72]

Kelley did not fight for Stevens' confiscation proposal. In the debates on similar measures during the war, he had been adamant in his opposition to any government seizure of real (as opposed to slave) property that was claimed by rebels.[73] His efforts to extend political and civil equality to the freedmen were consistent with his definition of liberty as self-dependence in economic activity. But this definition of humanity offered no philosophical basis for government intervention to compensate newcomers in the free labor system for past

injustices. Although some radicals, such as Stevens and Julian, were prepared to overlook this theoretical point in order to diminish the local prominence of former rebels and to provide an economic foundation for black men's new freedom, Kelley apparently considered its logic unassailable. He was confident that if Congress would embrace his liberal construction of the Constitution, which encouraged discretionary federal regulation of the suffrage in the states, the "privileges and immunities" of the freedmen would be adequately protected.[74]

Neither Kelley nor any other radical Republican introduced a program as comprehensive as Stevens'. This was not for lack of interest or erudition. Stevens was the acknowledged headman of the radical faction because of his position as chairman of the Committee on Appropriations[75] and his influence in the Joint Committee of Fifteen on Reconstruction, which was a procedural innovation designed to preclude any precipitous Congressional decisions regarding Southern reconstruction until the "main question" could be discussed at length.[76] Moreover, the early and pronounced resistance of many Republicans to Stevens' territorial scheme and Kelley's District suffrage bill made any other sweeping plans for Southern reconstruction academic in early 1866. Kelley thus concentrated his efforts on invigorating the moderate Republican majority.

An early and perhaps the most elaborate moderate

plan of Southern reconstruction was proposed by Senator Lyman Trumbull. His apparent objective was to secure the rights of Southern unionists without remanding the rebel states to territorial status or repudiating Johnson's program. The method Trumbull preferred was to apply temporary federal pressure on Southern constituencies to voluntarily change their laws to grant equal rights and opportunities to freedmen. His civil rights bill and his resolution to extend the Freedmen's Bureau in time and authority were introduced on January 5, 1866, to accomplish this end.[77]

Kelley supported both bills, although he was not an active supporter of Trumbull's civil rights measure. He had gone on record as early as January, 1865, in favor of a constitutional amendment that would prescribe permanent national jurisdiction over civil rights.[78] Moreover, he was actively involved in the floor debate on H. R. No. 63, proposing such an amendment upon the recommendation of the Joint committee.[79] On February 27, Kelley delivered a prepared speech in behalf of the civil rights amendment. He began by reasserting his radical reading of the Constitution, namely, that permanent federal powers of regulation over civil and political rights in the states were "to be found in the Constitution." "I believe them to have been there from the hour of its adoption," Kelley added.

Recalling his earlier interpretation of Madison's theories of federal authority, Kelley stated that H. R. No. 63 would merely "reinvigorate a dormant power." But, he continued, the amendment was politically practical because "there are those, and some of them on this side of the House, who doubt that the powers imparted by it are already to be found in the Constitution." Kelley recommended its passage to "remedy the evil" that might be wrought by the "judgment, caprice, or prejudices of the people of each of the several states."[80] It was soon apparent that many men on Kelley's side of the aisle opposed his preference for an enduring federal jurisdiction over civil rights. By late-February, Kelley and other radical supporters were forced to agree to its indefinite deferral.[81]

Trumbull's civil rights bill did not win immediate approval. Conservative Republicans and Democrats objected to its provision for federal judicial purview over civil rights cases. However, since such federal jurisdiction was designed to last only until state laws guaranteed equal privileges and immunities for all citizens irrespective of race, color, or previous condition of servitude, a substantial Republican majority secured its passage on March 15. Kelley approved the bill, no doubt reluctantly.[82] John Forney's guess that the radicals viewed the measure as an "expedient, preparatory to the adoption of a more drastic and permanent system," is

probably an apt description of Kelley's rationale.[83]

Trumbull's Freedmen's Bureau bill received warmer support from Kelley. The measure was reported from Trumbull's Judiciary committee on January 11, and provided for an expanded, paid staff of commissioners and agents, at least one to each Southern county, with the task of overseeing emergency relief as well as the purchase and rental of lands preempted by the federal government. In addition, the bill extended military protection over freedmen which superseded civil jurisdictions in states that tolerated discriminatory laws.[84] When the House received the bill in late January, following its Senate passage, Kelley promptly rose to its defense.

Apparently satisfied with the formal brief for the measure presented by James Garfield and Thomas Eliot, chairman of the Select Committee on the Freedmen, Kelley operated as a de facto floor leader rebutting the attacks of the bill's opponents such as Lovell Rousseau of Kentucky and John Dawson of Pennsylvania. These men generally judged the freedmen incapable of self-control over the means to life and liberty and regarded reported acts of discriminatory punishment with equanimity. Kelley's emotional accounts of outrages against blacks that were tolerated by officials of Johnson's reconstruction governments were designed to give force to the contention of the bill's supporters that a stronger bureau was vital to the

preservation of order and equal civil justice.[85] Although his remarks were perhaps more cantankerous than constructive, they clearly demonstrated his desire to avoid appearing "an ingrate" when the freedmen who "took up [his] battle" were threatened by the "vulgarly arrogant or ignorantly debased people" of the country.[86]

The Freedmen's bill was approved by the Congress on February 9[87] and vetoed by President Johnson on February 19. Johnson's veto message essentially argued that his conservative restoration policy gave ample regard to the plight of the freedmen. The veto was all the more sensational because it constituted a backdrop for Johnson's remarks on Washington's birthday implying that criticism of the President was treasonous.[88] The two actions aroused Kelley to a public denunciation of Johnson's policies and character.

He arranged to deliver a speech at Concert Hall in Philadelphia on March 15 to address the "dangers and duties of the hour." In his correspondence with Caroline prior to the event, there is no trace of the jubilation he felt the previous spring. The morning after Johnson's provocative holiday address, Kelley wrote: "I can give you an idea of the depression and anxiety that prevailed among loyal men in this city last night. You were here when we lost the battle of Bull Run. There have been no such seasons here since then." In a more hopeful vein, he

added: "the spirit of the majority in both houses is unbroken and undaunted."[89] Two days later he wrote, "we must organize for the resistance of Executive aggression."[90]

Caroline was in a front row box on the evening of her husband's address. Behind Kelley's remarks was the current rumor, fanned by belligerent Johnson supporters, that the President was considering a coup d'etat to reconstitute the Congress under the control of Democrats, conservatives, and Southern claimants.[91] Kelley began with an historical digression, describing the dissimulation of Louis Napoleon on the eve of his coup d'etat in Paris in 1851. He laid particular emphasis on the proclamations in Louis's name characterizing the French National Assembly as a "hot-bed of plots and conspiracies." Kelley noted that Louis's charges provided the rationale for the dissolution of the French congress. "The American people," Kelley continued, "need apprehend no sudden overthrow of their Government like this." In France, political power was concentrated in Paris: "'it flowed thence to the boundaries of the Republic.'" "It is not so with us, Kelley declared. "In our country it resides equally in every organized political community. Washington . . .is the mere focus at which the people's will concentrates and expresses itself. What we have to fear is not change in the form of our government, but infidelity to its principles by those who administer it." Kelley reasoned that Johnson would use every

conceivable device to pervert such principles. "What violence and open assault cannot accomplish is sometimes achieved by fraud and deception," Even one with a "narrow intellect" like Johnson might discover the evil which an "almost boundless patronage" might wreak, if employed "to the detriment of the country."[92]

Kelley added that "the attempt of the President is to coerce the popular will" by obstructing the constitutional deliberations of "that coordinate branch of the Government through which the voice of the people is heard." The President's motivation was "intense egotism" which was well-served by pardoned but "impenitent rebels" who were eager to profess their loyalty in order to resume their national political prominence. The duty of truly loyal Americans, Kelley concluded, was to elect members to the next Congress who could protect "the people's dearly bought victories" from the "veto power" of the President.[93]

Kelley improperly discounted the opposing political perspective and aims behind Johnson's policies. Despite his genuine irritation with the more obvious indiscretions of Southern legislatures, such as the severity of punishments attending the apprenticeship and vagrancy laws passed by those bodies, Johnson was satisfied with the results of his program. He believed that blacks were condemned by nature to a dependent status and he opposed any further federal encroachments on state authority in

matters of the suffrage and property relations.[94] Moreover, he accepted the organization of local and state governments in the South so long as the minimal conditions outlined in his May, 1865, proclamations were met, namely, the passage of state constitutions which abolished slavery, the repudiation of Confederate debts, and the nullification of the secession ordnances of 1861. By 1866, nearly all the rebel states had complied with these conditions. Neither the participation of ex-Confederates in this process nor the resumption of local control by former rebels was considered ipso facto illegal or undesirable by Johnson.[95]

Kelley was more astute in his criticism of Johnson's challenge to the constitutional authority of the Congress in legislating social and political changes during peacetime. And, he surmised that despite the decidedly negative "expressions of opinion throughout the North" regarding the President's veto and intemperate address, Johnson would "break loose again."[96]

On March 27, Johnson satisfied Kelley's prophecy by vetoing Trumbull's Civil Rights Bill.[97] At this time, no comprehensive policy regarding Southern reconstruction had been developed by the Congress. The Freedmen's bill had not been passed over Johnson's veto by the Senate, and although the Civil Rights bill was passed over the President's veto on April 9, its impact remained indeterminate without the promise of presidential enforcement.[98]

Johnson's vetoes were of crucial importance since they encouraged a continuous reevaluation in Congress of what was necessary to establish "republican" forms of government in the South. Another influential factor in the impasse was the political conflict within the Republican ranks.

In late April Republican radicals and moderates divided once more over a bill to admit Colorado to statehood. The moderate Republican leadership was determined to avoid taking on "any loads of popular prejudice" as the Congressional elections approached.[99] The measure was accordingly introduced in both houses without any requirement for black suffrage as a condition for statehood. Kelley joined thirty-seven House members in a futile effort to require the territory to strike the work "white" from the qualifications for voting in its constitution. After the failure of the black suffrage proposal, House moderates easily passed the Colorado bill over the opposition of Kelley and fellow radicals Stevens, Julian, and Eliot.[100]

Kelley's continuing support for black suffrage as a provision indispensable to the security of the Union and of black men was severely tested by the next and most significant debate in the reconstruction drama of the first session of the Thirty-ninth Congress. Agreeing that some reconstruction plan was essential to assure the political survival of the Republican party and to preserve the victory won on the battlefield, Republican moderates and

radicals on the Joint committee reached a consensus behind a proposed fourteenth amendment to the Constitution. The proposed amendment, introduced by Stevens on April 30, contained provisions which basically conformed to the moderate approach of Trumbull's Civil Rights bill. Although imposing restrictions on state laws affecting the "privileges and immunities of citizens of the United States," the amendment abided no federal jurisdiction over the regulation of conduct except in the instance of a state's prior wrongdoing. Kelley clearly preferred wording which expressly gave Congress power to determine what was "necessary and proper" to secure equal rights.[101] The amendment also dealt with the apportionment issue raised at the beginning of the session. Instead of basing representation on the number of voters in each state as Kelley advocated, [102] the second section of the proposed fourteenth amendment adopted the sense of the rejected apportionment amendment, excluding from the basis of Congressional representation any group of people whose adult males were denied the right of suffrage.[103]

Finally, the Joint committee's bill contained clauses repudiating Confederate debts and imposing a five-year prohibition on voting by those who had joined the rebellion voluntarily. Kelley did not speak on the disfranchisement section, which allowed hundreds of thousands of rebels who had been drafted to vote while loyal blacks could not. In

the House debate, Stevens invoked the previous question to deter any dilatory tactics by opponents of a civil rights amendment, and in so doing precluded any opportunity for Kelley or others to voice their opinions on this charge.[104] It is clear that Kelley's vote in support of the amendment on May 10 represented a significant concession to the prevailing Republican antipathy toward black suffrage or a more stringent disqualification of Confederate officials.[105] In his speech in behalf of black suffrage on January 16, 1865, Kelley promised he would never consent to any "system of reconstruction which shall place the loyal men of the insurrectionary district under the unbridled control of . . . wicked and heartless traitors."[106] In the spring of 1866, he eschewed ideology for practicality because the amendment was, as another radical put it, "all that [could] be obtained in the present state of public opinion."[107]

The Senate revised the House-passed amendment in several ways. The civil rights section was enlarged with the sentence: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." The new phrasing thus wrote a reversal of the Dred Scott decision into the Constitution. Further, the Senate reworded the section on political disabilities, replacing the set date for a sweeping pardon with the proviso that Congress might vote pardons by a two-thirds

vote of each House. The Senate version was passed on June 8, and was carried in the House with Kelley's assent on June 13.[108]

In Kelley's view, the fourteenth amendment was not sufficiently "republican."[109] Although the revised disqualifying section at least kept the door open to an indefinite disfranchisement of the most "impenitent rebels," the final version of the amendment neither satisfied Kelley's demand for universal suffrage nor established federal jurisdiction over the regulation of conduct affecting the "privileges and immunities" of citizens. As Kelley suggested in his Concert Hall address in March, a general reconstruction policy with further provisions for the guarantee of equal civil and political rights awaited a broader mandate from the Northern electorate.[110]

New Dangers: Contraction and Free Trade

While Kelley's attention was primarily devoted to the problems of Southern political reconstruction during the first session of the Thirty-ninth Congress, he was also an active participant in debates concerning the reconstruction of the nation as a whole. The search for an indivisible union necessarily involved a consideration of the wartime initiatives in finance and commerce. As with questions of political reconstruction, these issues revealed a conflict between views of what America ought to be.

Kelley entered the financial lists during the currency debate which extended from December, 1865 to April, 1866. The discussion was precipitated by the annual messages of President Johnson and his Secretary of the Treasury, Hugh McCulloch. Both men regarded the issue of what should be done with the greenbacks as the paramount financial question of the post-war period. In their view, only gold and silver provided a secure backing for bank notes. Under the National Banking legislation of the war years, national bank notes were redeemable in greenbacks and hence virtually their equivalent. To the President and Secretary McCulloch, this arrangement was dangerously inflationary because it was "governed by the interests of parties rather than the demands of commerce and trade." In fact, the national bank note currency was not ideally suited to the needs of business because its total circulation was legally limited to $300 million and secured by government bonds whose amount would likely decrease as the national debt was paid.[111] The key consideration behind their argument was more likely which "parties" would benefit from the existing shape of the currency. Those who tended to share their conservative political orientation, the leading import merchants and major New England bankers, would not. They were the strongest critics of the greenback currency and became the most fervent supporters of McCulloch's ensuing financial program. The reasons for

this sympathy conform to a certain economic logic. The contraction of the greenback currency, as recommended by McCulloch, would lower the gold premium which was equivalent to currency appreciation. The importer of foreign manufactured goods could thus sell his wares at a lower price in currency, and so undercut the American manufacturer whose labor costs and excise taxes would not decline with gold. The appreciation in the purchasing power of money would likewise benefit leading bankers who were in the reverse position of entrepreneurs dealing with goods. Money loaned on call and in short-term commercial paper would return the same or greater value in terms of goods if the currency appreciated. McCulloch's approach would also aid long-term creditors such as insurance and trust companies by stabilizing or enhancing the dollar value of their investments. Finally, a contraction policy was favored by those "parties" involved in textile manufacture, such as Edward Atkinson, who stood to benefit from a fall in the price of their essential raw material, cotton.[112] Hence, some powerful mercantile and financial constituencies stood behind the administration's developmental strategy of political restoration and expanding raw material exports and manufactured imports.

At the opening of the Thirty-ninth Congress, William Kelley supported the idea of an eventual restoration of specie payments, and voted with the large majority that

agreed to John B. Alley's resolution pledging "cooperative action" to aid Secretary McCulloch in a contraction of the currency.[113] Two months later, Kelley recanted this position as the moderate Republican Justin Morrill introduced a bill to give Congressional sanction to Secretary McCulloch's desire for unconditional latitude in retiring greenbacks. There are few contemporary clues to the processes of Kelley's mind during this brief period, but a later recollection by Kelley sheds some light on the influences behind his change of heart. In March, 1878, while defending his stand against the resumption of specie payments, Kelley reminded his House audience of his early opposition to McCulloch's contraction policy.[114] He admitted that at the time of the roll call on Alley's resolution, he had not considered the possible impact of a prompt and significant reduction of the greenback currency on the lives of "working and businessmen." During the recess which followed, he claimed he devoted his "leisure . . . to the investigation of the question," and found he had made a "very grave mistake." Kelley acknowledged that the "many communications" he received from his constituents opposing the Alley resolution and an exchange of letters with his "teachers," Henry Carey and Stephen Colwell, influenced his conversion.[115] By the end of the Christmas holiday in 1865, his tutors and his study of the "great masters of economic science" had encouraged him to

"undo the evil [he] might have wrought." If Kelley's reminiscence is accurate, the winter of 1865-1866 was a period in which his financial perspective gained depth and conviction. Although his views were not as yet wrapped in a sophisticated theoretical strategy for economic development, they clearly aligned with the immediate interests of the industrial producers who would suffer most from a dramatic contraction of cash credits and increased foreign competition.[116]

With a prophetic tone reminiscent of his political forecasting the previous January,[117] Kelley declared "We are . . . entering upon a new financial era." "The theories of the gentlemen who sustain this bill . . . give us no propositions that are not drawn from the past, and their suggestions are, therefore, quite too contracted for our existing condition and the emergencies of the present time." As Americans proceeded into this "new era," he continued, they should do so "with reference to our expanding trade and resources," rather than the "amount of circulating medium." "Return to specie payments is most desirable," he stated, and the "extinguishment of our national debt is no less desirable." "But," Kelley added, "caution is speed when danger is in the way." And the danger he identified was the temptation to quickly and dramatically contract the currency to stabilize price

levels and redeem the greenback circulation. This course would precipitate a depression by forcing bankers to restrict credit to their business borrowers. Or, it would require an interest-bearing loan floated at a sacrifice "in the markets of the world" in order to redeem the greenbacks, which were initially perceived as a loan without interest. The latter prospect would enlarge the national debt and thus increase the tax burden on wage-earners and industrial producers.[118]

"There is another way," Kelley stated. "Let us so legislate that there shall be no expansion of the currency [and] . . . no increase of the debt." Reduce the annual internal revenue duties and encourage "the men of the Northwest" to "weave and spin their own wool and make their own iron and other products which they now import, and eat their own wheat." "In five years," Kelley predicted, "we will have a population which will carry the amount of currency which now indicates undue expansion; . . . at the end of ten years the process of fostering our industry, developing our resources, and retaining in our country . . . our vast mineral wealth will bring us to the resumption of specie payments naturally, and without disturbing any branch of business."[119] What Kelley recommended was a growing-up-to-specie approach oriented toward the reciprocal development of a home market for agriculture and protection for domestic industry. This argument was

appealing to Republican constituencies in the industrializing Ohio Valley and Middle Atlantic States. However, Kelley's perspective did not sit well with the majority of the New England representatives or most House Democrats who for the moment remained loyal to the hard-money orientation of their party leadership. Morrill's bill, the Loan bill, passed the House on March 23 by a vote of 83 to 53. Kelley, Julian, O'Neill, Stevens, Shellabarger, and Donnelly were among the radical Republicans voting against the measure.[120] In the Senate, the bill under Fessenden's tutelage passed by the wide margin of 32 to 7.[121]

It is curious that the Kelley alternative to enforced contraction was not acceptable to more Republican moderates from the Middle Atlantic states, which split almost evenly over the bill.[122] Perhaps his refusal to condone even a modest withdrawal of greenbacks was significant, for the majority of Republicans appeared to favor a gradual contraction which would direct income toward the larger industrial firms with better credit and more stable investments.[123] In New York and New England, Kelley's proposal fell on deaf ears because the imbalance or surfeit of national bank currency and the region's higher development of banking and credit facilities made inflation a more serious problem, particularly for investors interested in predictable security values.[124]

Kelley's criticisms of McCullouch's contraction policy indicate that his maturing political-economic perspective embraced several key assumptions of his mentor, Henry Carey. Kelley apparently accepted the notion that easy money had a vitalizing effect on "productive" labor, particularly in the context of uncertain or declining business conditions. Moreover, he identified an adversary relationship between the nation's producers and bankers. The latter, he suggested, might abuse their discretionary power over the deposits of individual entrepreneurs and wage-earners by extending loans for "speculation" or unproductive purposes. However, Kelley did not yet infer that the interests of "moneylenders" were antithetical to those of the producing classes, as Carey argued.[125] In fact, Kelley was confident that speculative investments or loans might be satisfactorily "controlled" by government action, presumably further restrictions on bank loans relative to the amount of bank deposits. It was not until the depression of the 1870's, and the hardening of economic positions which attended that trauma, that Kelley spoke of bankers in Carey's conspiratorial terms.[126]

Kelley's preference for a large outstanding circulation of greenbacks was also evident in an elaborate interconvertible bond-currency scheme he introduced on March 19, during the Loan bill debate. His proposal was merely printed in the Congressional Globe, and died in the

Committee of Ways and Means.[127] Yet, it is noteworthy as a prototype of the financial strategem that was a staple of his economic program, and labor greenbackism in general, in the later 1860's and 1870's.[128] Moreover, Kelley's bond plan, introduced on the heels of his anti-contraction polemic, manifested a further step away from two Republican totems: specie resumption and national banks.

Although the currency debate centered on several specific financial measures, it also had a direct bearing on the question of the tariff. As Kelley early recognized, an important correlation existed between the premium on gold in terms of greenbacks and commodity prices. He noted, correctly, that the protective influence of the wartime gold premium which forced European manufacturers and American importers to sell at high currency prices would be nullified as the premium declined under a currency contraction.[129] In view of McCulloch's proposed policy of greenback redemption such an eventuality seemed likely to Kelley. On January 31, 1866, he rose to advocate higher protective duties in behalf of "American labor."

The "pressing want" of the country, he began, is labor that can develop the country's "unparalleled resources." "To make labor fully available it must be steadily employed and generously rewarded, and to secure these results the employments of a country must be largely diversified." These ends could not be achieved, he argued, if the

administration's orientation toward contraction and low tariffs, as expressed in the President's annual message, were supported by Congress. The result would be an "assault" by "British Capital" on the "rising manufactures which the late war has called into existence." And the outcome of this competition, in Kelley's view, would be the prostration of the American political economy at the feet of the "capital of England" and domestic "transporters, factors, and commission men."[130] Without prospering domestic manufactures, American farmers would be confined "to the production of those commodities which will keep long and bear transportation," such as wool and cotton, and so would be victims of the vicissitudes of international trade: "wasted lands and oft-recurring bankruptcy." Moreover, Kelley contended, a system of low tariffs and tight money would cause many laborers to abandon "the callings to which they had been trained, and in the pursuit of which . . . they could have accumulated capital.[131]

This "melancholy picture" was avoidable, Kelley stated, if Congress acted to "equalize and increase the wealth of the people" by "securing the home market to our industry and giving security to the investment of capital in furnaces, forges, mills, railroads . . . and workshops.[132] The results, he added, would not simply be measured in "dollars and cents." The diversification of the American

political economy, particularly the South and Midwest, would satisfy "the aspirations of the laboring people for a higher and better life" and establish a broad tax base for schools and the promotion of the arts. The "employer and workman" would then "meet as equals," and men would be assured "a just reward for whatever [they] shall put forth in the way of industry, ingenuity, or enterprise."[133]

Kelley's dual assumption that high tariffs promoted competition among industrial producers and thus satisfied the "aspirations of the laboring people for a higher and better life" was criticized by the labor reformer, Ira Steward. He observed that the American tariff laws dealt primarly with one of the "two kinds of cheapness which can be put into a home market:" cheap things. The other--"low paid men"--was actually desired by most industrial producers,[134] as Steward correctly observed. Those who bought "days works" generally wanted "the highest prices for the products of labor" but tried to obtain "days works as low as possible," according to Steward. In his view, the logic--shared by Kelley and most other Republican advocates of the producer ideology of free agency and self-improvement--that read the laborer's welfare through the success of the employer in effect encouraged wage levels that threatened rather than "protected" the laborer's standard of living.[135]

With respect to Kelley's inference that tariffs

benefited the small industrial entrepreneur and eased entry barriers to laborers "in the pursuit of . . . accumulated capital," there is strong evidence to suggest that the Republican policy of protection primarily fostered expansion and diversification in the larger and more established firms. According to recent research, the political shift to protection of manufactured consumer goods, along with private savings generated by wartime demand, spurred investment in the capital intensive iron and steel industry as Kelley anticipated, but also contributed to a significant change in the parameters of ownership in that industry. As the mean invested capital per establishment increased from about $80,000 in 1860 to $150,000 in 1870, the number of firms in the industry declined.[136]

Moreover, real wages in protected industries during the post-war decades were higher, as Kelley promised, but the improvement in the purchasing power of wages generally resulted from the concomitant fall in the index of commodity prices from 1867, rather than any beneficence extended by industrial entrepreneurs.[137] Yet, these results were difficult to conceive in 1866. In addition, the high wartime tariff appeared to have encouraged the beneficient effects Kelly had prophesized: Pennsylvania's industrial firms, which generally remained under individual management or partnerships, had been buoyed by protection from technologically superior British competitors and new and more

numerous jobs had been created.[138] Hence, Kelley and other radical Republicans from the Middle Atlantic iron and steel producing region had reason to believe that protection would serve the interests of small industrial producers and craftsmen aspiring to self-employment in the years to come.

Kelley judged his January exposition on the potential "harmony" of a system of political equality, high tariffs, and abundant currency "a great success."[139] His polemic was a bit premature since the debates on the currency and Southern reconstruction precluded any formal discussion of the tariff until June, 1866. When a tariff bill, H.R. No. 718, was finally introduced on the twenty-eighth, he found much to "approve and admire." The measure, molded by the moderate leadership of the Committee of Ways and Means, increased rates on raw wool, woolens, and industrial raw materials such as coal.[140] In addition to ideologues such as Kelley and his friend, Henry C. Carey, the bill had the support of a powerful alliance of Eastern manufacturers and Midwestern wool growers. These men won important votes from members representing agricultural constituencies in Ohio, Michigan, Indiana,and Illinois that previously had been hostile to the wartime tariffs.[141] On July 10, Kelley and radicals Shellabarger, Stevens, Donnelly, and O'Neill voted with the majority that approved the bill.[142] A final vote was delayed in the Senate, however, by hostile Democratic senators and Republicans from the Midwest and New England

where textile manufacturers depended on cheap wool and linseed oil. The measure was not enacted until the Fortieth Congress, which was overwhelmingly Republican, met in March, 1867.[143]

Throughout the first session of the Thirty-ninth Congress, Kelley knew "nothing of life outside of the House . . . and the mess table" at his hotel.[144] His hectic political schedule continued throughout the summer, as he became engaged in a tough electoral battle in his district.

Kelley and fellow radical Charles O'Neill were renominated "by acclamation" at the slate-making meeting of the local Republican organization.[145] Republican strategists had decreed that the focus of the campaign was to be the Fourteenth Amendment. Both the Pennsylvania state and the national executive committees of the Republican party were controlled by moderates who recognized that Northern voters were inclined to accept the conservative amendment as a final settlement of the "Southern question." Republican leaders accordingly stressed the opposition of Johnson and the Democrats to such terms of reconstruction.[146]

In Kelley's case, the election did not unfold as scripted. In a letter to Anna Dickinson, Kelley described his campaign as a bitter fight to defend his political integrity. Kelley claimed that President Johnson was using "every conceivable agency" at his disposal to discredit his candidacy before local voters.[147] It is unclear what

methods the President employed; perhaps he encouraged the local postmaster to renew his pressure on postal employees to stir opposition to Kelley.[148] What incited Johnson's alleged foul play, on the other hand, is more evident. Kelley's public description of the President as a dictator in the style of Louis Napoleon certainly qualified him as an "extremist" whom Johnson might single out in order to rally conservative support for his policies. Moreover, on the eve of the Congressional adjournment, Kelley became a more zealous adversary. In mid-July, he met with other radical Republicans who were concerned that Johnson's vetoes and his denunciations of Congressional Republicans, along with references to the "Rump Congress" by Johnson's allies, portended a coup d'etat. The radical caucus decided to oppose the summer recess in order to guard against Johnson's possible usurpation of Congressional authority and to protect Republican officeholders from a massive executive housecleaning between sessions. When the caucus plan was implemented several days later, Kelley and his allies were condemned as "bedlamites" by Johnson's supporters in the Congress, and an angry coalition of conservative Republicans and pro-Johnson Democrats carried adjournment resolutions in both houses.[149] Though the President refrained from public comment on the abortive movement, it is unlikely that Kelley's association with the radical caucus escaped Johnson's notice.

Johnson's mischief in Kelley's wards produced its own remedy. In the November tally, Kelley received 55 per cent of the vote in his district. In fact, the President's belligerence was generally counter-productive. Northern voters were shocked by Johnson's repeated condemnations of Congress during his campaign "Swing Around the Circle," and outraged by his widely publicized support for the Lousiana officials who bore formal responsibility for the New Orleans massacre of July 30. On election day, their reaction was stunning: the Republicans won every Northern gubernatorial contest, all Northern state legislatures, and better than two-thirds majorities in both houses of Congress.[150] Apparently, Northern voters believed the President was more likely to lose the peace than radical Republicans like Kelley.

The meaning of the Republican victory immediately became a point of contention. As Kelley predicted, the Northern electorate demonstrated it was not willing to abandon the Southern freedmen to the "malice" of ex-rebels or the "machinations" of the Executive and his supporters.[151] However, the nature of the conditions necessary to establish a more perfect union was still a matter of debate. Kelley soon claimed that the "people" had responded enthusiastically" to the Fourteenth amendment because they considered it "but one of several measures essential to the preservation of the country.[152] The conservative

Hugh McCulloch feared this possibility, and the ultimate "subjugation" of the "Southern people."[153] His friend Edward Atkinson disputed McCulloch's claim that the "extreme men of the North" would galvanize Northern support behind more thorough reconstruction measures. He wrote: "The leaders no longer lead but are pushed by the masses.[154] Atkinson was more astute in his estimation of the power of public opinion. In the fall of 1866, the diverse Northern publics were inclined to accept the ratification of the constitutional amendment as the quid pro quo for restoration. If it had not been for the rejection of the amendment by the Southern states in the fall and early winter of 1866-1867, and the continuing intransigence of the President, Kelley's hope for sweeping modifications in Southern social and political life might not have received serious attention from the Republican majority in the second session of the Thirty-ninth Congress. In short, the party had not been conquered by Kelley and the radicals. However, their logic became politically unassailable as the moderate means of persuasion and volunteerism failed to stabilize the South by the end of 1866.[155]

NOTES

[1] Brock, An American Crisis, p. 14; Eric Foner, Politics and Ideology in the Age of the Civil War (New York: Oxford University Press, 1980,), pp. 48-53.

[2] Kelley to Caroline Kelley, May 24, 1865, KPHSP.

[3] Bruce Catton, This Hallowed Ground (New York: Doubleday & Company, 1964), p. 494.

[4] Kelley to Caroline Kelley, May 28, 1865, KPHSP.

[5] Congressional Globe, 38th Cong., 2nd Sess., pp. 290, 731-732. See Chapter 3, pp.135-136.

[6] See Chapter 2, pp. 46-47, 54-55.

[7] Ibid., pp. 287, 290; See Chapter 2, p. 75.

[8] Congressional Globe, 39th Cong., 1st Sess., p. 557.

[9] John Hope Franklin, Reconstruction After the Civil War (Chicago: University of Chicago Press, 1970), ch. 1.

[10] Kelley's comments were part of a larger discourse concerning the peacetime constitutional authority of Congress with respect to the suffrage. His plea for greater educational opportunities for Southern black males was not a demand for school integration. Kelley merely suggested that black males needed greater opportunities "to read the English language," in order to be prepared "to perform the civic duties of American citizens." See the Congressional Globe, 39th Cong., 1st Sess., pp. 181-182 (January 10, 1866).

[11] See Chapter 2, p. 68.

[12] Stevens was a principled advocate of universal suffrage; he had supported the extension of the suffrage to free blacks in Pennsylvania during the constitutional convention of 1834. However, in the immediate post-war period, he believed "it is impossible that any practical equality of rights can exist where a few thousand men monopolize the whole landed property." In other words, he urged a sweeping transformation of social ownership in the

South as a precondition for lasting political equality. See Stevens, "Reconstruction: Speech of the Hon. Thaddeus Stevens Delivered in the City of Lancaster, September 7, 1865," Library of Congress, p. 7. See also Michael Les Benedict, A Compromise of Principle (New York: W. W. Norton & Co., 1974), pp. 137-138. Massachusetts governor John Andrews campaigned for the radical approach in the Bay state. See Andrews' notes, July, 1865, John Andrews Papers, Massachusetts Historical Society.

The radicalism of the Congressional Republicans can be measured by their votes on several bills. One, a measure tabled on Feb. 22, 1865, would have recognized only those constitutional conventions in the Confederate states that were elected by Southern whites who took an "iron-clad" oath similar to that required by the Wade-Davis bill, and blacks who had served in the Union armies. The radicals voted against tabling the measure. They also unsuccessfully supported Thaddeus Stevens' bill of December, 1866, which attempted to enfranchise all the freedmen and disenfranchise a greater number of Southern whites, namely all who held civil or military office under the Confederacy or who swore allegiance to it. The new ruling class contemplated by these bills would be largely representative of loyal Southerners and ex-slaves. See David Donald, The Politics of Reconstruction, 1863-1867 (Baton Rouge: Louisiana State University Press, 1965), pp. 31-32, 83-88, 92-99. See also Benjamin B. Kendrick, The Journal of the Joint Committee of Fifteen on Reconstruction (New York: Negro Universities Press, 1960), p. 360. Clearly, these men were inspired by other motives than social idealism. They were also anxious to establish a Republican constituency that would ensure the party's pre-eminence in future national elections. But, such hegemony was in itself only a means to an end for men who were unusually consistent in promoting a vision of a particular kind of society.

[13] See Michael Les Benedict, A Compromise of Principle: Congressional Republicans and Reconstruction, 1863-1869 (New York: W. W. Norton & Co., 1874), pp. 49-54.

[14] Kelley to Johnson, May 12, 1865, Andrew Johnson Papers, Library of Congress. See Forney to Sumner, May 20, 1865, Sumner Mss., Library of Congress. His Washington paper, the Washington Daily Morning Chronicle, backed away from this position as the President's opposition hardened during the summer of 1865. See the Washington Daily Morning Chronicle, July 11, 1865.

[15] Kelley, "Dangers and Duties of the Hour: An Address Delivered at Concert Hall, Philadelphia, March 15, 1866," Library of Congress, pp. 9-10. Sumner was so

convinced of Johnson's pro-black suffrage views in May, 1865, that he considered the "'battle' of his life 'to be ended.'" See Benedict, Compromise, p. 104.

[16] Kelley to Caroline Kelley, May 28, 1865, KPHSP.

[17] James D. Richardson, A Compilation of the Messages and Papers of the Presidents, 1789-1897, VI (Library of Congress, 1899), pp. 310-312; Lincoln, "Proclamation of Amnesty and Reconstruction, December 8, 1863," in Basler, Collected Works, VII, pp. 53-56.

[18] Kelley to Caroline Kelley, May 28, 1865, KPHSP. Kelley, "Dangers and Duties," p. 10

[19] Kelley, "Dangers and Duties," p. 10.

[20] Stevens to Kelley, May 30, 1865, Autograph File, Houghton Library, Harvard University.

[21] Kelley, "Dangers and Duties," p. 10.

[22] See Chapter 3, pp. 132-133.

[23] Kelley, "Dangers and Duties," pp. 10-11. Kelley mentioned O'Neill's errand in a letter to Caroline on July 22, 1865, KPHSP.

[24] Sumner to Benjamin Wade, June 12, 1865, Benjamin Wade Papers, Library of Congress.

[25] Butler to Benjamin Wade, July 26, 1865, Benjamin Wade Papers, Library of Congress. On Butler's politics and his administration as military governor of Louisiana during the war, see Hesseltine, Lincoln's Plan of Reconstruction, pp. 80-83; and Peyton McCrary, Abraham Lincoln and Reconstruction (Princeton: Princeton University Press, 1978), pp. 75-108.

[26] Stevens to Kelley, July 30, 1865, Kelley Family Papers, Columbia University Library.

[27] Eric McKitrick, Andrew Johnson and Reconstruction (Chicago: The University of Chicago Press, 1967), p. 192.

[28] Kenneth M. Stampp, The Era of Reconstruction, 1865-1877 (New York: Vintage Books, 1965), pp. 76-82; Brock, An American Crisis, pp. 35-38.

[29] Bradley, Militant Republicanism, pp. 209, 253; Philadelphia Age, July 16, 1865.

[30] Bradley, Militant Republicanism, p. 253.

[31] See Chapter 3, pp. 120-122.

[32] "Family" folder, Kelley Family Papers, Columbia University Library.

[33] Kelley to Caroline Kelley, July 25, 1865; September 30, 1865, KPHSP.

[34] Kelley to Caroline Kelley, December 4, 1865, KPHSP.

[35] These "conservatives" generally represented the interests of the commercial-financial elite of the Northeastern seaboard. This social strata of export-import merchants, shippers, and bankers had reluctantly accepted the nationalizing program of the Republican party, but were anxious to resume normal commercial relations with the South and hoped to establish a political coalition with Southern leaders that would restore their hegemony in national policy-making circles. Aligned with this group were Secretary of the Treasury Hugh McCulloch, Secretary of the Navy, Gideon Welles, Secretary of State William Seward, and Senators Fessenden, Doolittle, Grimes, and Cowan. Their financial-commercial constituents moved in the highest councils of both parties, and included Anthony J. Drexel, John Murray Forbes, Henry Clews, Edwards Pierrepont, August Belmont, Cornelius Vanderbuilt, and John Cisco. See Montgomery, Beyond Equality, pp. 59-73; Brock, An American Crisis, p. 38; Michael Benedict, Compromise, pp. 27-28, 351-377.

[36] Brock, An American Crisis, p. 73.

[37] This approach was first attempted by Nathaniel Banks' provisional wartime administration in Louisiana. See Peyton McCrary, Abraham Lincoln and Reconstruction, pp. 115-116, 349.

[38] On the politics of the moderate Republicans in the Thirty-ninth Congress, see Donald, Politics, pp. 6, 49; Benedict, A Compromise of Principle, pp. 125-126, 136. With respect to the "moderate" financial position, see Chapter 4, p. 195, and Chapter 5, pp. 226, 242.

[39] Benedict, Compromise, pp. 27-28, 339-377; Sharkey, Money, Class, and Party, p. 67.

[40] The "moderate" inclination of these suffrage advocates with respect to economic policy was evident in their votes on the Loan Bill in March-April, 1866. Boutwell

avoided a definitive stand, and was recorded as "not voting." Sumner, Wilson, and Ashley supported the bill, which promoted greenback contraction as a means to the early resumption of specie payments. Their aim was a deflation in the national price level which would stabilize security prices. Opponents such as Kelley feared a reduction in the credit available in currency-poor agricultural areas of the South and West and disaster for new or struggling industrial producers who had been sustained by the transitory benefits of inflated commodity prices. See the Congressional Globe, 39th Cong., 1st Sess., pp. 1614, 1854; and Sharkey, op. cit., pp. 73-80. Also, see Chapter 4, pp. 193-194.

[41] Montgomery, Beyond Equality, pp. 48-59, 66-69. The "Democracy" defined above does not include many former Whigs and antisecession Southern Democrats who later became identified as Democrats. Often known as "conservatives" before restoration, such men generally accepted the Republican wartime measures as well as the Thirteenth and Fourteenth amendments and, in many instances, played prominent roles in Johnson's provisional governments. In most cases, they aligned with the national Democratic party because of its voice in the national legislature and its white supremacist stance, but sought "home rule" in pursuit of the economic spoils defended by the Republican economic philosophy. A seminal study of this group is contained in C. Vann Woodward, Tom Watson: Agrarian Rebel (New York: Oxford University Press, 1972), pp. 56-66. For a more detailed look at the politics of the "New Departure" Democrats in individual Southern states, see Otto Olsen's anthology, Reconstruction and Redemption in the South (Baton Rouge: Louisiana State University Press, 1982).

[42] Congressional Globe, 39th Cong., 1st Sess., p. 74.

[43] New York Times, January 22, 1866.

[44] Congressional Globe, 39th Cong., 1st Sess., p. 10.

[45] Stampp, Era of Reconstruction, p. 88; Brock, An American Crisis, pp. 19, 97, 104; Leon Litwack, North of Slavery; (Chicago: University of Chicago Press, 1961), pp. 90-93.

[46] Herman Belz, Emancipation and Equal Rights (New York: W. W. Norton & Co., 1978) pp. 104-105.

[47] William Barnes, History of the Thirty-Ninth Congress of the United States (New York: Negro Universities Press, 1969), p. 50.

[48] Henry Wilson, History of the Reconstruction Measures of the Thirty-Ninth and Fortieth Congresses, 1865-1868 (New York: Negro Universities Press, 1970), p. 268.

[49] Congressional Globe, 39th Congress, 1st. Sess., p. 283.

[50] Kelley later wrote Caroline that this was his "most effective Congressional speech." Kelley to Caroline Kelley, January 11, 1866, KPHSP.

[51] Congressional Globe, 39th Congress, 1st. Sess., p. 237.

[52] Ibid., pp. 182, 409.

[53] See the text of Madison's August 7, 1787 speech, cited in Marvin Meyers, ed., The Mind of the Founder (New York: The Bobbs-Merrill Company, 1973), pp. 508-509.

[54] Meyers, Mind of the Founder, p. 503. Alexander Hamilton presented the same objection to universal suffrage in Federalist No. 57. See The Federalist (New York: The Modern Library, n.d.), p. 371.

[55] Article I, Section II, The Constitution of the United States.

[56] The Federalist, p. xviii; James Henretta, The Evolution of American Society, 1700-1815 (Lexington: D. C. Heath and Company, 1973), pp. 162, 164, 169.

[57] Article I, Section 3; Article II, Section 1, Article III, Section 1, The Constitution.

[58] See Madison's comments cited by Kelley in the Congressional Globe, 39th Congress, 1st Sess., p. 182, and Federalist No. 59, in The Federalist, pp. 384, 387.

[59] Congressional Globe, 39th Congress, 1st Sess., p. 183; Barnes, History of the Thirty-ninth Congress, p. 55.

[60] Congressional Globe, 39th Congress, 1st Sess., p. 183.

[61] Ibid., p. 237.

[62] Ibid., p. 261.

[63] Ibid., p. 311.

[64] Benedict, A Compromise of Principle, p. 146. The bill was eventually passed under Sumner's tutelage on January 8, 1867. At that time, Northern opinion had moved reluctantly toward an acceptance of black suffrage as one of the bases for reconstruction, due in large part to the bleak prospect for the protection of freedmen's civil rights by Johnson's governments (which had refused to ratify the Fourteenth amendment). See Chapter 4, p. 205, Chapter 5, pp. 229-231.

[65] Congressional Globe, 39th Cong., 1st Sess., pp. 10, 18, 72-75; Kendrick, Journal, pp. 41, 46. While slavery was legal, only three-fifths of the Southern blacks were counted in the apportionment of Congressional representatives/ With the abolition of slavery, all blacks would be counted with an increase of Southern representation by approximately fifteen members. Stevens hoped to offset Congressional seats upon the "loyal" voters rather than total population.

[66] Fawn Brodie, Thaddeus Stevens (New York: Norton & Co., 1959), pp. 231-232.

[67] Congressional Globe, 38th Cong., 1st Sess., pp. 2078-2081. See also, Chapter 3, pp. 120-121, 135-136.

[68] See Chapter 4, p. 178 and fn. 76.

[69] Congressional Globe, 39th Cong., 1st Sess., p. 351.

[70] Ibid., pp. 354-355.

[71] The Democrats opposed any constitutional amendments regarding civil or political rights. Further, amy Republicans from New England feared a loss of representation, since non-voting women, with proportionately higher numbers in the East than the West, could not be counted. See Benedict, A Compromise of Principle, p. 151.

[72] Congressional Globe, 39th Cong., 1st Sess., pp. 373, 408, 538, 1289. In the final roll calll vote, Kelley could not withstand his party's pressure and supported the Joint committee's version. When the bill reached a vote in the Senate in early March, it was defeated by a coalition of radical Republicans, Democrats, and pro-Johnson conservative Republicans.

[73] See Chapter 2, pp. 67-68.

[74] Congressional Globe, 39th Cong., 1st Sess., pp. 408-409.

[75] Stevens had been chairman of the Ways and Means Committee in the two previous Congresses. As chairman of the new Committee on Appropriations, he could spend less time in committee hearings and sessions and more time directing debate on national political issues, especially since the new committee's province was directly relevant to the maintenance of a federal presence in Southern political affairs. See Barnes, History of the Thirty-Ninth Congress, p. 29.

[76] The Joint Committee of Fifteen, composed of Senators Fessenden, Grimes, Harris, Howard, Johnson, and Williams and Representatives Stevens, Washburne, Morrill, Grider, Bingham, Conkling, Boutwell, Blow, and Rogers was proposed by Stevens on December 4, 1865, and carried by both houses on December 13. Although a radical initiative, the committee was overwhelmingly supported by the members in Congress who wished to avoid a recurring struggle over the principles and methods of reconstruction as each Southern state appealed for admission. See Benjamin Kendrick, The Journal of the Joint Committee of Fifteen on Reconstruction, pp. 37-39, 139-140; New York Herald, December 2, 1865; Brock, An American Crisis, pp. 98-100.

[77] Congressional Globe, 39th Cong., 1st Sess., p. 129.

[78] Congressional Globe, 38th Cong., 2nd Sess., pp. 288-289.

[79] The Joint Committee proposed the following constitutional amendment on February 3, 1866: "The Congress shall have power to make all laws which shall be necessary and proper to secure to the citizens of each state all privileges and immunities of citizens in the several states (Art. 4, Sec. 2); and to all persons in the several states equal protection in the rights of life, liberty and property," See Kendrick, Journal, pp. 60-62; Congressional Globe, 39th Cong., 1st Sess., pp. 1033-1034.

[80] Congressional Globe, 39th Cong., 1st Sess., pp. 1057-1058, 1062-1063.

[81] Congressional Globe, 39th Cong., 1st Sess., p. 1095.

[82] The House vote took place on March 13. Barnes, History of the Thirty-Ninth Congress, pp. 243-244.

[83] Washington Daily Morning Chronicle, February 20, 1866, p. 1, quoted in Benedict, A Compromise of Principle, p. 149.

[84] Ibid., pp. 105-107.

[85] Ibid., pp. 138-145; Congressional Globe, 39th Cong., 1st Sess., pp. 632, 636-637.

[86] Congressional Globe, 39th Cong., 1st Sess., p. 183.

[87] Ibid., p. 775.

[88] McKitrick, Johnson, pp. 288-295.

[89] Kelley to Caroline Kelley, February 23, 1866, KPHSP.

[90] Kelley to Caroline Kelley, February 25, 1866, KPHSP.

[91] In early March, the coup rumor received a boost from Kentucky's Democratic Senator, Garret Davis, who publicly wondered what the Republican majority would do if Johnson chose "his constitutional right to say to the southern Senators, Get together with the Democrats and Conservatives of the Senate, and if you constitute a majority I will recognize you as the Senate of the United States . . . ." By the summer of 1866, Johnson's vetoes of the Republican reconstruction legislation, his administration's hostile interference with pro-Republican officials in the South, and the open advocacy of a coup by some organs of the Democratic press had alarmed many more Republicans. The apprehension of a Johnson coup remained strong, particularly among radical Republicans, until the 1868 impeachment. See Benedict, A Compromise of Principle, pp. 203, 251, 283.

[92] Kelley, "Dangers and Duties, pp. 3, 4.

[93] Ibid., pp. 4, 9, 12.

[94] McKitrick, Johnson, pp. 109, 165-174; Stampp, Era of Reconstruction, p. 81.

[95] Michael Benedict, The Fruits of Victory (Philadelphia: J. B. Lippincott Company, 1975), pp. 13-14.

[96] Kelley to Caroline Kelley, March 20, 1866, KPHSP.

[97] McKitrick, Johnson, p. 109.

[98] Congressional Globe, 39th Cong., 1st Sess., pp. 1809, 1861.

[99] Speaker Schyler Colfax is quoted. The source is Benedict's A Compromise of Principle, p. 168.

[100] Congressional Globe, 39th Congress, 1st. Sess., pp. 2180, 2373, 2374. In the final vote, the radicals aligned with House Democrats who were interested in defeating Republican legislation to heighten public dissatisfaction with the Congressional impasse on reconstruction and related issues. A similar split occurred the Senate.

[101] The first section of the amendment forbade the states from depriving "any person of life, liberty, or property without due process of law" or denying "to any person within its jurisdiction the equal protection of the laws." See Kendrick, Journal, p. 117; Benedict, Compromise of Principle, p. 170. On Kelley's preference, see Chapter 4, pp. 179-180.

[102] See Chapter 4, p. 177.

[103] Kendrick, Journal, pp. 117-118.

[104] Congressional Globe, 39th Cong.,1st Sess., pp. 3144, 3148-3149.

[105] The disqualifying clause did not prohibit ex-Confederate officials from voting in state and local elections, which exerted a greater influence on the daily lives of Southern blacks and whites.

[106] Congressional Globe, 38th Cong., 2nd Sess., p. 286.

[107] Thaddeus Stevens (May 8, 1866) in the Congressional Globe, 39th Cong., 1st Sess., p. 2459.

[108] Congressional Globe, 39th Cong., 2nd Sess., pp. 3042, 3149.

[109] Kelley to Caroline Kelley, June 8, 1866, KPHSP; Congressional Globe, 39th Cong., 2nd Sess., p. 1177.

[110] Kelley, "Dangers and Duties," p. 12

[111] Sharkey, Money, Class, and Party, pp. 59-64.

[112] Unger, Greenback Era, pp. 153-154; Sharkey, op. cit., pp. 151, 232-233, 239-240.

[113] Congressional Globe, 39th Cong., 1st Sess., p. 75.

[114] See the Congressional Record, 45th Cong., 2nd Sess., p. 1605.

[115] This correspondence is missing from the various collections of Kelley's papers and letters.

[116] During the war, producers and merchants alike preferred cash sales to credit balances because of the fluctuating value of the depreciated currency. This circumstance was reinforced by the more regular exchange of cash between producers that arose as the war brought high-volume demand and rising prices, which in turn produced an unusual liquidity, or larger cash reserves in producer accounts or stashes. As the war ended, many industrial producers were reluctant to give up their newfound liquidity and independence from standing debts with suppliers or bankers, and demanded a continuing high volume of currency in circulation or an "elastic" currency which would protect their autonomy as well as any war-induced expansion. See Glen Porter and Harold Livesay, Merchants and Manufacturers (Baltimore: The Johns Hopkins Press, 1971), pp. 118-119, 125; Unger, Greenback Era, pp. 45, 62.

[117] See Chapter 3, pp. 134-136.

[118] Congressional Globe, 39th Cong., 1st Sess., pp. 976-977.

[119] Ibid., p. 977.

[120] Ibid., p. 1614.

[121] Ibid., p. 1854.

[122] Sharkey, Money, Class, and Party, p. 75.

[123] This capital flow was nurtured by wartime Congresses through the National Banking Acts. An important link between these new capital markets and the industrial sector was provided by government fiscal policy. Government bonds bought by the national banks provided a basis for the currency that was loaned to manufacturers producing war goods. The banks' favored customers also tended to be the major recipients of government contracts, since both sources generally preferred to commit their capital to established firms. A gradual retirement of the greenbacks would reduce loanable funds and presumably cut out loans to newer bank customers or producers with less collateral, and thus enhance the competitive position of larger or older firms.

My inference is that most Republican members were alert to this prospect. Some substantiating evidence can be found in Glenn Porter and Harold Livesay's Merchants and Manufacturers, ch. vii, and Richard Sylla, The American Capital Market, 1846-1914 (New York: Arno Press, 1975), p. 59. See Chapter 7, pp. 353-354.

[124] Sharkey, Money, Class, and Party, pp. 76-77.

[125] Henry Carey, Principles of Social Science (Philadelphia: J. B. Lippincott Co., 1888), II, p. 337. Carey first published this work in 1858.

[126] See Chapter 7, pp. 351-353, 368-369; Chapter 8, pp. 405, 407-409. Kelley again cited the opposing interests of "men of capital" and "bank directors" who made speculative loans on July 25, 1866, during debate on a resolution to amend the National Banking Act. See the Congressional Globe, 39th Cong., 1st Sess., p. 4154.

[127] Congressional Globe, 39th Cong., 1st Sess., pp. 1494-1495.

[128] See Chapter 5, p. 224: Chapter 6, p. 313: Chapter 7, pp. 353-359.

[129] Kelley, Speeches, pp. 66, 74; Congressional Globe, 39th Cong., 1st Sess., pp. 3518, 3569.

[130] Kelley, Speeches, pp. 9, 14, 41, 70; Williams Roots, p. 120.

[131] Kelley, Speeches, pp. 19, 32-24; Congressional Globe, 39th Cong., 1st Sess., p. 3514.

[132] Kelley, Speeches, pp. 10, 37, 63, 71.

[133] Ibid., pp. 61-62.

[134] Montgomery, Beyond Equality, p. 231.

[135] Steward, "Tarrif and Wages," n.d., Ira Steward Papers, State Historical Society of Wisconsin, pp. 3-4. See also Chapter 6, pp. 309-312.

[136] Porter and Livesay, Merchants and Manufacturers, pp. 134-135; John Laslett, Labor and the Left (New York: Basic Books, Inc., 1970), p. 152.

[137] Edward Kirkland, Industry Comes of Age (Chicago: Quadrangle Books, 1967), p. 402; Ralph Andreano. ed., The Economic Impact of the American Civil War (Cambridge: Schenkman Publishing Co., 1962), p. 178.

[138] Stanley Coben, "Northeastern Business and Radical Reconstruction: A Re-examination," Mississippi Valley Historical Review (1959), pp. 68-69; Porter and Livesay, op.cit., pp. 120-125, 136; David Montgomery, "Radical Republicanism in Pennsylvania, 1866-1873," Pennsylvania Magazine of History and Biography, 85 (1961), p. 441; Vatter, Drive to Industrial Maturity, pp. 50-51.

[139] Kelley to Caroline Kelley, February 1, 1866, KPHSP.

[140] Congressional Globe, 39th Cong., 1st Sess., p. 3469.

[141] Williams, Roots, pp. 120-121.

[142] Congressional Globe, 39th Cong., 1st Sess., p. 3725.

[143] Ibid., p. 3758; Williams, Roots, pp. 122-123; Coben, "Northeastern Business," p. 73.

[144] Kelley to Caroline Kelley, January 31, 1866, KPHSP.

[145] Forney to William Fessenden, September 1, 1866, John Forney Papers, Library of Congress.

[146] See Montgomery,"Radical Republicanism," p. 444.

[147] Kelley to Anna Dickinson, August 7, 1866, Anna Dickinson Papers, Library of Congress.

[148] Despite Kelley's urging, the President had never muzzled Postmaster Walborn. See Chapter 4, p. 163.

[149] For the votes on adjournment, see the Congressional Globe, 39th Cong., 1st Sess., pp. 3912-3913, 3933-3934, 3981-3985, 4009, 4113-4115, 4154-4156. After one of several unsuccessful attempts to keep the Congress in continuous session, Democrat Lewis Ross of Illinois chided the radicals: "Is it in order now to have the resolution of the caucus read?" See the Globe, 39th Cong Sess., p. 3913. On the radical caucus and Kelley's role in it, see Benedict, A Compromise of Principle, pp. 202-204.

[150] Poore, Political Register, p. 478; Stampp, Era of Reconstruction, p. 117; Historical Statistics, p. 691.

The New Orleans incident is widely discussed in the historical literature of the period. See Brock, An American Crisis, p. 158; Benedict, Compromise of Principle, pp. 204-206.

151 Kelley, "Dangers and Duties," p. 12.

152 Congressional Globe, 39th Cong., 2nd Sess., p. 1177.

153 McCulloch to Atkinson, October 8, 1866, Atkinson Papers, Massachusetts Historical Society.

154 Atkinson to McCulloch, October 12, 1866, Atkinson Papers, Massachusetts Historical Society.

155 Brock, An American Crisis, pp. 155-161; Benedict, Compromise of Principle, pp. 215-216.

CHAPTER 5

The Terms of Reconstruction:

Part II

The men are ripe of Saxon Kind
  To build an equal state,
To take the statute from the mind
  And make of duty fate.

Ralph Waldo Emerson, 1867

If the inferior race obtains the ascendancy over the other, it will govern with reference only to its own interests . . . and create such a tyranny as this continent has never yet witnessed.

Andrew Johnson, 1867

In enfranchising our fellow citizens of African descent, . . . we must not give a mere intellectual assent to the propositions on which we base our action . . . . Rights not guaranteed by daily practice are not secured.

William Kelley, 1867

I believe the present system is far better than we have ever had . . . and far better than for the United States Government to assume directly the banking operations of the people.

John Sherman, 1867

Greenbacks . . . are of equal value throughout the country, and the people cherish them for this reason . . . Had Mr. McCulloch suggested that the national bank notes should be supplanted by greenbacks . . . the people would have applauded his wisdom.

William Kelley, 1867

In the flush of the Republican victory, Kelley returned

to Washington in early December, 1866, predicting that the political and economic issues raised in the previous session would be settled in a "useful and harmonious" way.[1] The early discussions of Southern reconstruction and federal fiscal policy exploded his prophecy. Kelley was soon drawn into another round of intense and often acrimonious debate highlighted by a further display of the divisions between radical and moderate Republicans. He lost no time in identifying with the radical faction.

The Conjunction of Revolutionary Initiative and Retrenchment

The second session of the Thirty-ninth Congress began in a period of financial crisis. The rise in the gold premium resulting from overseas shipments of the precious metal in the spring and summer[2] had inflated prices and likewise spurred a speculative movement in stocks and bonds. By November, the price level had severely strained the limits of peacetime demand. Production orders and employment began a precipitous fall. Moreover, the pressure of the West and South for currency to move the fall harvest had closed the doors to further loans to meet short-term obligations in the money market, and gold, stocks, and bonds started to tumble in price.[3] In the context of this unfolding depression, Treasury Secretary McCulloch announced to Congress that "the debt can be paid by the generation

that created it."[4] This continuing advocacy of contraction was "not sanctioned by sound principles" in Kelley's view, and he took steps to forestall any enabling legislation.

On December 10, Kelley introduced a resolution seeking Congressional disapproval of McCulloch's plan of debt management. His resolution was never debated, however. It was referred to the Committee of Ways and Means of which the chairman was Justin Morrill, an early supporter of McCulloch's contraction policy.[5] Since Morrill soon attempted to sidetrack the anticontraction movement in the House by directing attention from the greenbacks to the outstanding compound interest notes,[6] it may be assumed that he was hostile to Kelley's proposal and encouraged its burial in the committee.

After the holiday recess, Kelley renewed his campaign against contraction. As the House met in the Committee of the Whole to consider the President's annual message, Kelley delivered a prepared speech which actually was, he admitted, "an examination of . . . the [annual] report of the Secretary of the Treasury." He charged the Treasury Secretary with no less than the perversion of America's "destiny," which was "written in the sublime doctrine of human equality." McCulloch's "abstract propositions," involving "inordinate internal taxes," increasing foreign debt to fund wartime loans, and the centralized redemption of national bank notes "at the Atlantic cities," would benefit

"bankers and shavers of notes, importers of foreign goods, and holders of . . . bonds who desire to get two dollars for every one invested." Meanwhile, Kelley argued, such policies would be "fatal to the majority of the businessmen of this generation." McCulloch would thus "make the money of the rich man more valuable and deprive the poor man . . . of employment." Wouldn't such a course produce "oligarchic institutions" akin to those which ruined the South, Kelley asked?[7]

Kelley's criticism was not far from the mark. McCulloch's report did favor the interests of the Northeastern banking and commercial elite. It urged the maintenance of substantial internal taxes on manufacturers' raw materials and finished goods in order to provide revenue for the redemption of the non-interest bearing greenbacks and compound interest Treasury notes issued during the war. In addition, it urged the lowering of customs duties on most industrial items. The combination of currency contraction, lower tariffs, and internal revenue taxes, when taken with the relatively higher wartime wage levels, would in many cases "suspend production" as Kelley suggested, and divert national income away from industrial production and continental development.[8]

Kelley urged a fiscal policy whose means and ends were designed to protect the savings of industrial producers and to control the rate of interest, which in his view governed

the distribution of income between productive labor and "capital," or the nation's leading investors, bankers, and merchants. He recommended "diminishing the internal taxes . . . to the lowest possible amount." Moreover, he advocated the refunding of the 7-30 war bonds into 5-20's, and the redemption of the 5-20's in greenbacks upon their maturity in late 1867 or 1868. Kelley's plan for greenback redemption of bonds was augmented by a more radical proposal that would drastically alter the role of the existing national banks. He suggested that the national bank notes "should be supplanted by greenbacks," and he added that an amount equal to the annual interest paid by the federal government on the banks' bond collateral "should be applied to the creation of a sinking fund for the redemption of the national debt." Kelley defended his suggestion by arguing that "the people" had a "well-grounded preference" for greenbacks as opposed to national banknotes. "They know," he stated, "that the ultimate redemption of the bank notes is secured by deposits of Government securities and the maintenance of a reserve of greenbacks." "As the substance is more solid than its shadow," Kelley remarked, "they prefer that which secures to that which requires to be secured."[9]

Kelley thus embraced the framework for a greenback-based banking and credit system. The debt payment approach embodied in this system was not original with Kelley. It

was a pastiche of concepts that were evident in the works of Henry Carey and Alexander Campbell, an Illinois land developer who had managed a number of iron forges in Pennsylvania in the 1840's. The possibility of Kelley's encounter with Campbell's major treatise, The True American System of Finance: The Rights of Labor and Capital . . . , is not remote. By mid-1866, its greenback redemption scheme had been embraced by the Workingman's Advocate, the leading trade union paper.[10] However, there are no sources to verify any contact between Campbell and Kelley, or to firmly establish Kelley's knowledge of Campbell's writings. In contrast, Kelley's familiarity with Carey's thought is not hard to reconstruct. Kelley had been an admirer and friend of Carey's from the late 1850's.[11] Moreover, he admitted Carey's strong influence on the reformulation of his financial views in the winter of 1865-1866. Though Carey regarded the national banks as necessary institutions until the 1870's,[12] he was drawn to the idea of redeeming the government's short-term debt in greenbacks by 1866. In the last of a series of public letters to Secretary McCulloch, originally published by Carey's nephew Henry Carey Baird in February, 1866, Carey suggested the use of these "notes bearing no interest" to discharge the "floating debt."[13]

Among Kelley's colleagues in the Congress, the leading supporters of a government bond "interchangeable" with

federal greenbacks were the radical Republicans Stevens, O'Neill, Shellabarger, and Julian, and the Pennsylvania Democrat, Samuel J. Randall. During the debate on specific financial legislation in February, 1867,[14] these men and many House members who were more anticontraction than pro-greenback backed a bill authorizing the Secretary of the Treasury to issue up to $100 million in greenbacks to fund the 5-20 compound interest notes. This measure--the Stevens bill--passed with Kelley's approval on February 21,[15] and was sent to the Senate where it met strong resistance.

Leading Republican moderate John Sherman considered the bill a repudiation of the "value of property," or capital invested in United States bonds.[16] The upper house was apparently in agreement. On February 27, the Senate approved a bill authorizing the Secretary to redeem the 5-20's by issuing up to $50 million in temporary loan certificates bearing 3 per cent interest. This version was deflationary in its intent, since it authorized the retirement of securities favored by banks for use as reserves against note issue. Moreover, the Sherman bill implicitly identified its supporters with the existing debt repayment system based on interest-bearing securities, principle and interest payable in gold. The effect of this system had been to orient the flow of interest-bearing capital toward high-income recipients who were the major investors in

government bonds.[17] The Sherman funding measure eventually became law on March 2, 1867.[18]

As with the financial debate, the Congressional discussion of Southern reconstruction began in earnest in January, 1867, after an exploratory period of political jousting between the opening of Congress and the holiday recess. The rejection of the Fourteenth Amendment by all the Confederate states except Tennessee and the continuing revelations of the outrages against white Unionists and freedmen prompted the Republican leadership to consider legislation on the South as emergency business.[19]

Kelley entered the debate on Southern reconstruction during the evening session of February 12. His remarks were in support of a bill introduced by Stevens on February 7, with the approval of the revived Joint Committee of Fifteen on Reconstruction.[20] The Joint Committee's bill proposed a plan of military rule in the South. The ex-Confederate states were to be divided into five military districts under the control of military commanders, and military tribunals were to be established with precedence over state legislative or judicial proceedings for the purpose of protecting loyal white and black citizens.[21] The measure did not explicitly settle the contemporary issue of whether or not the acceptance of the Fourteenth Amendment was a sufficient condition for readmission, but it did not prevent the Johnson governments from taking initiative to alter their

laws and constitutions to meet the terms embodied in that amendment. In short, it was designed by its author, George Williams, as a compromise between moderate John Bingham's plan adhering to the Fourteenth amendment as the basis of reconstruction and Stevens' radical proposal to sweep away the Johnson governments except for "municipal purposes," impose impartial suffrage, and revoke the citizenship of most Southerners who served in the Confederate government or military.[22]

When Stevens explained the measure to the House, he painted it as a military reconstruction bill, or a first step in the transformation of the South under federal military governments, rather than a law and order bill designed as a temporary expedient to constrain Johnson's governments until the terms and process of readmission could be settled by the Republicans.[23] Kelley began his defense of the bill by chastising Stevens for construing it as a "reconstruction bill." He argued that such a bill, requiring a spirit of "cooperation," could not issue from the present lame duck Congress. However, he declared that a "police bill" was possible and necessary to offset the "perfidy of the President" who abided the usurpation of Constitutional guarantees of life and civil liberty. For this reason, Kelley argued, the military bill was important for it required the President "to administer under the military power such laws as should give security to property, person, and life in

districts the civil government of which had been overthrown, and to continue such administration until the law-making power could establish civil governments and codes of law for the people."

"The soil belongs to our country and the allegiance of the people is due our government," Kelley continued. This was not merely a constitutional question, in his view; it was an imperative legitimized by the "thousands of graves" of Union men who fought to restore national authority over the South. And, he warned, the President was "responsible under our power of impeachment for the faithful execution of every clause" which Congress might enact to establish federal suzerainty.[24]

Kelley's speech was essentially moderate in tone; even the jibe at Johnson could not have alienated most Republicans in the House after the President's course of the previous year. However, Kelley's radical purpose was reasonably clear. He expected the Fortieth Congress to fashion a reconstruction strategy expressing the radical aims of rebel disfranchisement, black suffrage, and national suzerainty over the final social and political shape of the restored states. In his opinion, Congress would then be so constituted as to impose such terms on the "conquered."[25] For the present, he apparently hoped for a temporary truce among the Republican factions that would postpone a commitment on the terms of readmission while protecting potential

Republican voters in the South.

Many others shared Kelley's assumption that the radical faction would be more numerous and effective in the next Congress. Conservatives in both parties were particularly alert to this prospect, and urged Southerners to ratify the Fourteenth Amendment without delay, in the hope that Republican moderates who held the balance of power in the Thirty-ninth Congress would accept such action as the basis for restoration.[26]

Before the military bill was passed on February 20, intense conflict between the radical and moderate factions in both houses erupted. Republican moderates were led by Blaine and Bingham in the House, and Fessenden and Sherman in the Senate. The moderates' general approach was to encourage the rebels themselves to accede to certain Congressional conditions, namely, the ratification of the proposed Fourteenth amendment, the revision of Southern state laws and constitutions in conformity with the amendment, impartial suffrage, and a temporary disfranchisement of rebels who were disqualified under the Fourteenth amendment during the reorganization process. Kelley aligned with radicals such as Stevens and Shellabarger who led the fight to institute new civil governments in the South under the paramount authority of Congress. Their program included the dispersal of Johnson's governments, the disfranchisement of nearly every rebel during the reconstruction process, and

the enfranchisement of every black man. The amended military bill that emerged from the struggle corresponded more closely to the moderates' plan. It declared the Johnson governments provisional and subject to modification or abolition by the military, but only disfranchised rebels who held state or national office prior to the rebellion and joined it. Hence, many former rebels could continue to enjoy local and state prestige, thereby minimizing the radical impact of the final bill's suffrage provisions, which authorized black males to vote in elections for state constitutional conventions and prescribed that black suffrage must be permanently written into the new state constitutions.[27]

The Reconstruction Act, passed with Kelley's assent over Johnson's veto on March 2, 1867,[28] provided the temporary police measures which Kelley considered necessary but did not satisfy his demand for permanent federal powers of regulation over civil and political rights in the states. Kelley was concerned with the possibility that former rebels might have significant influence in the process of organizing and administering elections for state and national representatives. Immediately upon the convening of the Fortieth Congress on March 7, Kelley proposed a resolution which was designed explicitly to give the military sole authority over elections for constitutional conventions and local, state, and national political offices.

The Kelley resolution was carried by a wide margin of 111 to 31, with the added support of the new radical members John Covode, John Logan, and Benjamin Butler.[29] In the bill that was reported by the Judiciary committee, the initiative was placed with the military commanders installed by the act of March 2, 1867, in accordance with the wishes of Kelley and other radicals. The measure passed the House on March 11, and was approved by the Senate on March 19. Both houses repassed the Second Reconstruction Act over Johnson's veto on March 23.[30]

The Senate remained in session during April to attend to the Presidential nominations for federal patronage posts. Kelley lingered in Washington to lobby for favorable appointments to his district. In this effort he was hampered by Johnson's antagonism as well as Simon Cameron's control over the key posts of Assessor and Collector of the Port in Philadelphia, owing to his election to Edgar Cowan's Senate seat by the Pennsylvania legislature in January, 1867.[31]

After a two-week vacation with his family, Kelley set off on a three-week tour of the Ohio valley and deep South, financed by the Union Republican Congressional Committee. The Committee was composed of "one member appointed from each state having a Union representation in either house of Congress." It was organized in the spring of 1867 to aid and coordinate the propaganda activities of Union League councils and other Republican clubs in the South. In the

first few months of its existence, the Committee had sent agents into every Southern state to circulate "suitable reading matter," employ "speakers and organizers," establish a "vigorous Republican press," and generally rally electoral support for the party. Kelley was a member of the executive committee, and was eager to contribute his polemical skills to the "conflict of ideas."

Kelley travelled through Cincinnati, Memphis, and New Orleans, then headed across the lower South toward Alabama in mid-May.[33] At each stop, he gave a stock speech extolling the potential for Southern economic development but emphasizing his belief that such development should evolve in a manner which first served the "mass of the people." Among the key features of the new South he envisioned was a system of petty proprietorship or extensive individual holdings on the South's "broad and fertile territory," rewarding "free, intelligent, enterprising" people of both races.[35]

Kelley habitually closed his remarks with the observation that the stability necessary for such development awaited the provision of full political and social equality for the freedmen. "Let me say to you that you are charged with a duty grander than is often confided to a generation of men," he declared to his predominantly white audiences. "You are to unite with those whom through life you have been taught to despise as an inferior race." The vehicle

for this unity, in Kelley's view, was a party "in harmony with the great Republican party of the north," one that was based on "two sentiments, love for the Union and devotion to human freedom."

Yet, Kelley argued that the mere extension of "all rights, privileges, and amenities of citizenship" to "fellow citizens of African descent" by new Republican coalitions was not sufficient to guarantee the Southern political economy its "due performance." "Rights not guaranteed by daily practice . . . [or] embodied in the . . . ultimate organization of city, parish, and state" were vulnerable.[36] "See to it," he concluded, " that a common school system . . . is established by the constitution soon to be formed for your state. See to it that the press is free and welcome among you the people of every clime and nation." The result of this free labor "temple" would be an "immense diversity of . . . varied interests" and a public that found "no issues that legislation or diplomacy may not settle."[37] This was the epitome of Kelley's radical bourgeois philosophy. He recognized that simply the legal inclusion of blacks in the free labor marketplace did not automatically safisfy their other human ambitions, such as the enhancement of their minds or relationships. Nor did it produce equal acceptance or treatment of them in such broader terms. Moreover, in his focus on the "needs" of the South as a whole, he seemed to recognize that changes in the treatment

of blacks implied changes in the treatment of everyone else, namely, a democratization of Southern politics and the Southern educational system. His radical compatriots within and outside Congress generally shared Kelley's enthusiasm for social reform; some, such as Stevens and Julian, advocated confiscation and land reform during the reconstruction debates.[38] Kelley's ambition to transform the white Southern marketplace into a community fell strictly within the limits implied by the free labor system. Private discretionary control over productive property was not merely a desired goal, it was an inviolate right. Kelley never seriously contemplated any government-sponsored establishment of producers--black or white--in the marketplace with property.

At eight o'clock on the evening of May 14, at one of Mobile's town squares, Kelley rose to deliver his speech on the promise of Southern society. An estimated crowd of four thousand was present and, because of the uncertain law and order that characterized the South at this time, many of the whites and blacks in attendance carried clubs and firearms. Not long after he began his speech, Kelley was interrupted by a group of hecklers who yelled repeatedly, "take him down!" After some minutes, Kelley responded "Nobody had better undertake to put me down. I tell you that the Fifteenth United States Infantry are at my back . . . I am not afraid of being put down." At this moment,

the local chief of police and the troop of soldiers to whom Kelley referred attempted to arrest the hecklers. The cry "Fire!" was heard and then bullets whined over the speakers' platform. Kelley scrambled under a table and the crowd dispersed in a panic. While he was shepherded to a nearby hotel, the firing continued. In all, twenty persons were wounded; one black man and one white man were killed.[39]

Kelley arranged for a special steamer to take him to Montgomery that night. One observer, Joseph H. Geiger, wrote that Kelley's danger was more imagined than real. He believed Kelley's sensational exit was a "trump card" to incite Northern citizens to support more sweeping reconstruction measures.[40] However, the orchestrated appearance of the heckling suggested an organized effort to intimidate or even disable the Northern radical. Whatever Kelley's motives may have been, a hasty retreat from a town of aroused and trigger-happy citizens was a sensible design.

Kelley continued his tour without further incident and returned to Philadelphia on June 6.[41] When the Fortieth Congress reconvened he was needled by William Robinson of New York for delivering a destructive and inflammatory speech. Kelley responded, with considerable accuracy, that the general tone of his speeches was conciliatory.[42] His purpose--to help organize a Republican following in the South and propagandize for universal suffrage--was indeed provocative, however. His journey on behalf of the

Republican party's "Southern Reconstruction Campaign" was intended to provoke discussion of the party's goals.[43] If the reaction was more severe than anticipated, it was because the "envenomed spirit of the majority of the people" prevailed over "loving-kindness or human justice" in the South, as Kelley earlier suggested.[44]

During Kelley's spring speaking tour he had expressed the hope that Congressional reconstruction of the South would guarantee a "fair field" for the economic advancement of the freedmen. He argued that if the federal government secured to every black male "the right to hoe his own row" and provided "generous inducements" such as a Southern homestead law, many freedmen would soon "secure . . . a homestead" and arrive at a "manly and honorable independence in life." This outcome was consistent, in Kelley's view, with the "Republican party's love of liberty," and its aim to "convert the largest possible number of the people of the country into independent landholders." However, Kelley acknowledged that the "controlling minds of the South" might not "accept the inevitable," namely, the "wide diversification" of the "energy and talents" of black men.[45] Apparently, he did not anticipate the political and legal assault which Johnson and his conservative attorney general, Henry Stanberry, were mounting against the Reconstruction acts and, in effect, notions of black equality.

On June 12, 1867, Stanberry issued a legal interpretation

of reconstruction law which severely limited federal military jurisdiction in the South. Stanberry's opinion held that military commanders had power only to maintain order and to punish criminal acts, while the Johnsonian provisional governments retained all other jurisdictions including enforcement of the Civil Rights act. Stanberry also insisted that voter registration boards in the Southern states had no power to challenge Southerners' oaths of loyalty.[46]

The moderate Republican majority in both houses responded with a third reconstruction act to declaw the Johnson-Stanberry attack on reconstruction law. The act explicitly authorized the military commanders to remove civilians for violations of the rights enumerated in the Civil Rights act. It also allowed registration boards to investigate the possibility of perjury by Southerners who claimed they were qualified to vote.[4] Kelley supported the bill although it did not take the radical step of dispersing the Johnson governments, as he had demanded in the Thirty-ninth Congress.[48]

Kelley's next and final opportunity to contribute to the battle over the terms of Southern restoration came during the winter of 1867-1868, as a movement to impeach President Johnson gained prominence. He had defended impeachment as a responsible political strategy in February, 1867, if the President refused to administer laws which the Republican

majority in Congress developed as means for defining national development after the war.[49] When impeachment was recommended by the House on February 24, 1868, in response to Johnson's attempt to remove Secretary of War Stanton without the consent of the Senate,[50] Kelley rejoiced that the "scourge of the country, A. J." would be removed from further mischief. During the debate preceding the House impeachment vote, Kelley congratulated his Republican colleagues for rising "to the dignity of the great duty devolved upon [them] by the turpitude of Andrew Johnson." His case against the President conformed to the eleven articles voted by the House. He claimed that Johnson had violated the Constitution by refusing to maintain and defend a Congressional enactment (the Tenure of Office Act), by failing to enforce federal legislation, and by delivering inflammatory remarks designed to bring the Congress into disgrace. Kelley declared: the President who puts his "own interpretation upon the Constitution and laws," then disregards "decisions and long-continued lines of action," and "sets up his will, his private individual judgment" against the will of the people's branch of government is "plotting with deliberate and bloody purpose the overthrow of . . . our country."

Thus, Kelley primarily condemned Johnson's activities on political grounds. Although he had not committed any indictable criminal offenses, the President had usurped the

responsibility of Congress to reconstruct the Southern states and had brought the "wildest passions of the violent and disappointed men of the South to bear upon both branches of the national legislature . . . ." Since Johnson's "contumacy" had not been checked by Republican reconstruction legislation, his removal was a political necessity.[51]

Kelley proudly mailed copies of his speech to Caroline the following day, and noted that the "usurper" would be checked.[52] It is impossible to ascertain from his House remarks and private correspondence whether or not he expected the impeachment of Johnson to serve a broader purpose, namely the reopening of the reconstruction debate through the presidential succession of radical Senator Benjamin Wade, president pro tempore of the Senate. Some radicals may have welcomed the prospect of Wade's elevation to the Presidency, where he might use his patronage and command over the South's military districts to effect a more lengthy and radical reconstruction. Moreover, a Wade administration might be expected to promote high-tariff, pro-labor, and greenback-oriented legislation. The chance of Wade's succession was encouraging to the Iron Age, which contemplated the protectionist legislation that might be won. Yet, a Wade Presidency was a chilling prospect to Republicans such as Garfield and Fessenden who feared it would cause an irreparable ideological split within the Republican party. Despite the sensational rumors and fears

surrounding Wade's possible succession, the executive threat apparent in Johnson's defiant removal of Stanton in February, 1868, convinced the majority in both houses that impeachment was a necessary step to guarantee the implementation of the essentially moderate Republican program for Southern reconstruction. In short, most Republicans accepted Kelley's political justification of impeachment as a "great duty." The failure to gain the requisite two-thirds for a conviction in the Senate, owing to the consensus among conservatives in both parties that the shock of the impeachment proceedings had made Johnson docile and in any event preferable to Wade, does not detract from this fact.[59]

In the final days of the impeachment process the Republicans held their national convention in Chicago. Although he remained in Philadelphia, Kelley presumably followed the proceedings closely. He could not have been pleased with the platform which was adopted. It contained no plank for universal suffrage, confirming his earlier view that the party "had not risen to the height of applying its principles."[55] In addition, it omitted any mention of the tariff and denounced the redemption of war bonds in greenbacks as financial "repudiation." The question of how to fund the war debt had been revived during the state elections in the fall of 1867, and Kelley had addressed this issue when the debate continued on the floor of the

House in the winter of 1868.

The occasion for the financial discussion was an attempt by moderate Republicans under the leadership of Robert Schenck, chairman of the Committee of Ways and Means, and John Sherman, Senate Finance committee chairman, to steal the fire of Midwestern Democrats who had made inroads in the Republican heartland by pushing the Pendleton plan of paying 5-20 war bonds in greenbacks.[56] While opposing such greenback redemption, the moderate leadership recognized that in a period of deteriorating economic conditions a deflationary policy was economically and politically dangerous. Schenck and Sherman thus collaborated on a bill to suspend "the authority of the Secretary of the Treasury to make any reduction of the currency by retiring or cancelling United States notes [greenbacks]." Under Schenck's whip hand the bill was rammed through the House, with Kelley's assent, on December 7, 1867. In the Senate, Sherman worked the measure's passage with an amendment allowing the Secretary to cancel mutilated or defaced notes. The House received this amended bill with the suspicion that McCulloch's powers under wartime financial provisions might be used to pervert Sherman's allowance and continue the greenback contraction.[57]

Kelley addressed the greenback issue on January 18, 1868, before a committee of conference was appointed to resolve the differences between the houses. He began by

attributing the depressed conditions of trade and business to "excessive internal taxation" and contraction, and laid the responsibility for these policies with Secretary McCulloch and the "creditor class" that supported him.[58] Kelley discounted the argument that "a glut in the market" owing to a lack of sufficient purchasing power among the nation's laborers was behind the "general prostration of credit and business." Instead of locating exploitation in the exchange between the wage-earner and his employer, Kelley found it in the "functions of circulation." "The disease from which we suffer," he said, "is congestion produced by a financial tourniquet applied by a charlatan." As a remedy, he urged Congress to "abate" the demand for further contraction and "consent to the repeal of taxes." The result he prophesied was the "rapid development of the wondrous resources of our country and the recuperation of the South." In Kelley's opinion, this development would facilitate the resumption of specie payments by turning the balance of trade in America's favor and promoting the "recall" of bonds from abroad in exchange for commodities. The Congress, he concluded, should also consider a "nobler" duty. In view of the nation's "vast wealth," "immense bodies of public land," and "the intelligence and enterprise" of American laborers, Kelley declared, it was "within the scope of our functions to organize a system of cooperation, or by any other means to harmonize the conflict

between labor and capital." In so doing, he believed, Congress would "guarantee to every citizen . . . the right to exercise every privilege and prerogative of a free man."[59]

It is interesting that Kelley's financial prescription did not include the limited bond-currency scheme he first advanced in March, 1866, and again promoted in January, 1867.[60] There is some evidence to suggest that the fall elections of 1867 had a moderating impact on Kelley. Though his bond repayment views and his antipathy toward the national banking system were enthusiastically embraced by voters in the industrializing mid-Atlantic states, the political beneficiaries of this sentiment were the Democrats. Moreover, while Republicans were taking their lumps for the party's contraction policy, the radical campaign for black suffrage referenda in the Northern states--Kansas, Ohio, and Minnesota--was soundly defeated.[64] In the face of this anti-black, anti-Republican current, Kelley may have grown apprehensive about the ability of the fractious Republicans to protect, let alone extend, the moderate program embodied in the recent reconstruction legislation. The indecisiveness he shows in a letter to Henry Carey on January 5, 1867, may be an expression of an anxiety of this sort, or an inclination to put Republican unity above ideological purity.

Kelley wrote that he had "counted on a good deal of intercourse" with Carey during the Christmas recess of 1867,

and admitted to a "great disappointment" in not seeing his mentor. The previous year, Kelley had looked to Carey for direction. He was promptly educated in the virtues of an abundant greenback currency and, perhaps, the greenback redemption of government bonds.[62] Yet, in the winter of 1867-1868, any fugitive thoughts of regression on the greenback issue were not dispelled by the master, and were possibly encouraged by the drift toward financial conservatism among Republicans. When the conference committee on the Schenck anti-contraction bill reported a moderate measure in January, 1868, that merely froze the outstanding volume of greenbacks, it was passed with Kelley's quiet support.[63] If Kelley had second thoughts about his position, he had an opportunity to express them during the subsequent debate on John Sherman's funding bill.

Sherman's measure had a two-fold purpose: to establish the practical meaning of the party's convention pledge to redeem the debt in gold, and to present Republican financial orthodoxy in a politically attractive fashion. This meant satisfying industrial entrepreneurs who opposed further contraction and desired lower rates, without risking the charge of "repudiation" from the conservative Republican faction. Sherman proposed that holders of 5-20's trade in their bonds for new thirty-year certificates at 4.5 per cent interest, or forty-year bonds at 4 per cent interest, with interest and principle payable in gold and exempt from

all taxes but income tax. The result, Sherman argued, would be eventual resumption without contraction by funding the prodigious federal debt at low rates of interest on a coin basis.[64] This was the growing-up-to specie approach that Kelley had advocated in January, 1866, when his nascent financial views were innocent of any commitment to greenback-bond repayment views.

When the Sherman bill came to a vote in the House, Kelley and many of the radicals supported it.[65] Perhaps the key to their acceptance of what became a doctrinaire funding position was Sherman's decision to allow bondholders the option of either holding on to or redeeming their 5-20's in greenbacks. The result was a victory for moderate Republicans. The bill muted the controversy regarding the bonds by lending substantiation to the claim that the 5-20 certificates were redeemable in greenbacks, while allowing the bondholders to escape from forced greenback redemption through the option clause.

Soon after the debate on the funding bill in July, 1868, Kelley returned to Philadelphia to attend to his campaign for reelection. Kelley's Democratic opponent, Nicholson, had given him a tough battle in 1862 over the question of Kelley's egalitarian social and political views. By 1868, Kelley's devotion to equal rights, particularly his support for black suffrage, had become an acceptable dogma, even commonplace, in Pennsylvania's Fourth

Congressional district. Moreover, his well-known greenback orientation, though rather temperate in the closing months of 1868, presumably weakened the appeal of the Democratic party's soft-money plank. Kelley defeated Nicholson by more than twice the margin of the earlier contest.

On the eve of the election, Caroline gave birth to Caroline Lincoln Kelley, who would soon come to the same tragic sudden death that had befallen Marian in 1863 and Josephine in 1865.[66] But in the fall of 1868, the baby was healthy and a joy for Kelley to behold. He reluctantly returned to Washington in December for the lame duck session of the Fortieth Congress.

He was immediately struck by an apparent lack of zeal among Republican members and a disposition "to do as little as possible" in the session. Perhaps this mood was owing to weariness--many members had met in almost continuous session since December, 1866. Or, the tone may have been set by the successful Grant campaign of the fall, which tended to avoid the discussion of "first principles" and instead focused on tariff and currency matters, or issues of local interest.[67] In Kelley's mind, one concern demanded earnest attention: the passage of a constitutional amendment supporting equal political rights in all the states. Such an enactment would provide a more potent, though not insurmountable obstacle to electoral restriction in the newly reconstructed Southern states,[68] and would bring the

the suffrage provisions of Northern states into line with those of the South.

On December 7, 1868, Kelley introduced the first of several resolutions proposing a fifteenth amendment. Kelley's version declared: "No state shall deny to or exclude from the exercise of any of the rights or privileges of an elector any citizen of the United States by reason of race or color."[69] The last phrase--the "impartial suffrage" concept--was clearly a concession to the changing political tenor. Kelley's plea of January, 1866, to extend the right to vote to "every male citizen . . . of twenty years of age"--a "universal" suffrage proposal--would have been more effective in limiting the power of the states to deny the ballot to blacks, as well as whites. An amendment barring voting discrimination on account of race did not preclude modifications of the right to vote through literacy tests, grandfather clauses, and poll taxes. In fact, such restrictions would be implemented by state legislatures in the 1880's and 1890's as conservative leaders acted to meet the electoral threat posed by coalitions of white and black populists.[70] No doubt with some degree of mortification, Kelley offered his proposition as a last hope for securing "the theory of the equality of men before the law.[71]

A week later, Kelley defended the suffrage as a birthright of the "laboring people" in a eulogy to Thaddeus

Stevens, who had died the previous August. Noting Stevens' wholehearted support for universal suffrage at the time of his death, Kelley observed that Stevens properly considered "those whose toil is the source of all prosperity" as entitled to equal political and civil rights. Moreover, he praised Stevens for refusing to "withhold the privileges of an elector from a man because he was illiterate," and thus implicitly criticized the idea of literacy qualifications that might be imposed by states to deprive blacks of their right to vote.[72]

"Fidelity to republican principles" required not only legal rights, however. In Kelley's view, "beneficent changes" such as free public education, "improved transportation," and "diversified" economic development were necessary to establish the "ideal republic" which Stevens envisioned. He suggested that the combination of this social program and a national policy enforcing equal political rights would save many Americans from dependence on wages. And, he added, "but for labor at wages there is no name out of hell."[73]

Although his address was brief, it clearly demonstrated his belief that productive labor was superior to capital, or that class of persons who managed and enjoyed the fruits of labor without contributing directly to their production. In addition, it affirmed a preference for national development which would perpetually guarantee that productive labor

would exercise a decisive role in economic and political policymaking. At this time, Kelley's "ideal" producers were small, independent entrepreneurs and self-employed artisans or farmers. In May, 1864, he suggested that such "restless and aspiring people" from the "verdant hills" of the North or from lands "beyond our country" were best suited for the "reconquest of the [Southern] territory and its government," because of their "intelligence" and "morals."[74] In another wartime speech in behalf of the freedmen's bill, Kelley claimed that the "sober, industrious, and skilled" black man needed only "guidance, fair play . . . and a right to invest his savings in the land" to acquire the white Northerners' "sense of proprietorship" and swell the ranks of "productive" labor.[75] Kelley's most explicit salute to the small, independent producer was delivered during his speaking tour of the South in May, 1867. He described the freedmen's struggle to arrive at a "manly and honorable independence in life" as consistent with the Republican party's goal of converting "the largest possible number of people of the country into independent landholders."[76]

In a political economy in which most businesses were still owned by individual entrepreneurs,[77] Kelley's emphasis on the independent producer is not surprising. However, his glorification of economic independence was not simply a defense of the social order he perceived in the North.

Kelley extolled the self-made man because he believed that in an open society featuring civil and political equality the number of "employers" would "increase." This outcome would in turn "secure the largest liberty to individuals consistent with the public welfare." Kelley's optimism about the North's political economy during the years of reconstruction was consistent with Henry Carey's prediction that America's future would be "marked by a tendency to equality of physical and intellectual condition, and to the general ownership of wealth."[78]

Kelley's confidence in the social opportunity inherent in Northern society probably explains why his political rhetoric harbored no suspicion of wealth and recognized no class differences among the "laboring people" before the traumatic economic depression of the 1870's. In the 1860's and early 1870's, Kelley never seriously addressed the fact that the efficiency and productive capacity of some producers drove others into increasing difficulties or bankruptcy. He consistently overlooked the possibility that the essential "virtue" of the open, competitive system he championed--private discretionary control over productive property--might also be one of its more crippling vices. In Kelley's estimation, the interference of financial "charlatans" and misguided free traders prevented the sure development of his visionary political economy. Kelley's focus on such individuals as the true enemies of the "people"

became more pronounced as leading academic theorists and politicians came forward with blunt critiques of his political-economic program.

Kelley's suffrage amendment was reported from the Committee on the Judiciary with minor modifications on February 20, 1869. The ensuing debate revolved around whether or not certain "tests" of eligibility such as possession of property or educational attainment should be acknowledged by the amendment. Once again, Republicans were divided as to whether each state or the federal government was the locus of power over the suffrage. In addition, the instinct for self-preservation infected Republican thinking. Some Northern Republicans viewed restrictive qualifications as damaging to their effective solicitation of the black vote in Northern cities.[79] In the end, the moderate majority in both houses passed an amendment which was worded in the negative, like the Fourteenth amendment, and simply prohibited an unjust regulation of the suffrage "on account of race, color, or previous condition of servitude" by the states.[80]

As the Republican Congress considered Kelley's suffrage amendment, the debate over monetary policy was revived. Before its resolution, the ideological cleavage in the party over the pace and most worthy beneficiaries of continental development was again revealed.

The debate began with an unusual show of Republican

unity. In response to Johnson's annual message calling on Congress to suspend further interest payments on the bonded indebtedness and, in effect, confiscate the interest owed to bondholders by directing the savings toward payment of the principal in semi-annual installments,[81] the House passed the Broomal resolution declaring that "all forms and degrees of repudiation of national indebtedness are odious to the American people." The Senate passed a similar resolution on December 17.[82] Kelley again swam with the moderate Republican tide, joining radicals O'Neill, Donnelly, Julian, and Covode in support of the anti-Democratic position. Several prominent radical greenbackers, including Butler and Shellabarger, preferred to be recorded as "not voting."[83]

When Congress reconvened in January, 1869, after the holiday recess, Kelley attempted to elaborate on his position regarding the national debt by attacking McCulloch's Special Commissioner of the Revenue, David Wells. Wells' 1868 report was a polemic for both free trade and a prompt resumption of specie payments.[84] In Kelley's view, an abundant and elastic paper currency was necessary to maintain an "active demand for labor," and thus assure further prosperity for the "working people." Wells' prescriptions against the greenback currency were regarded as against "the true interests of the country." In addition, Kelley criticized Wells' sponsorship of revenue tariffs as a boon

to those who "preferred having their . . . workshops on the other side of the Atlantic."[85] As Kelley launched into a detailed critique of Wells' report he was interrupted by James Garfield who defended the commissioner and accused Kelley of sophistical reasoning that merely served his "theories and notions."[86] Before Kelley could regain the floor the hour for discussion of financial questions expired.

Kelley might have conceded the last word on the Wells report to Garfield, if moderates had not employed it in an attempt to strengthen the party's commitment to the nation's bondholders and leading investors. On January 20, Robert Schenck introduced a bill which pledged the "faith of the United States" to payment "in coin or its equivalent of all obligations of the United States not bearing interest, known as United States notes, and of all interest-bearing obligations of the United States." The measure also committed the Treasury to "make provision at the earliest practicable period for the redemption of the United States notes in coin."[87] Presumably emboldened by the public rejection of the greenback redemption scheme outside the Midwest during the 1868 campaign, Schenck, Garfield, and Sherman pressed to put the greenback heresy to rest for all time.[88] Their assault nudged Kelley from the middle course he had steered on the subject of debt repayment in the second session of the Fortieth Congress. He responded on February 4, calling

the resumption campaign "an insidious plan" against "the laboring people."[89] However, the moderate juggernaut was well-engineered and the Schenck bill was pushed through the Congress by impressive margins.[90] The radical opponents of the bill--Kelley, Butler, Covode, and Donnelly--were only successful in damning the measure as class legislation.[91]

Within four days of the Public Credit Act's passage, Kelley's daughter Caroline died. The combination of personal and political strain must have had a devastating effect. Even before Caroline's death, his despair over the prevailing drift of his party toward political and social retrenchment was marked. He wrote his wife that he had "never so fully recognized the sacrifices" he made or the "worthlessness of the honors" for which he made them.[92] At this writing, he was aware that most of his Republican colleagues believed the party's commitment to equal rights would be satisfied by the enactment of the Fifteenth Amendment. Moreover, he correctly sensed that the Grant administration was wedded to the financial policies which he had fought with varying intensity during the previous three years.[93] Shortly after the new administration took office, he wrote his constituents: "If I am permitted to consult my own wishes, my connection with public office will terminate with the Forty-first Congress."[94]

NOTES

[1] Kelley to Caroline Kelley, December 2, 1866, KPHSP.

[2] English investors recalled their gold during the Overend-Gurney panic in May, and the outbreak of the Austro-Prussian War sustained the drain to Europe during the summer. See Sharkey, Money, Class, and Party, p. 83.

[3] Ibid., pp. 83-84.

[4] Congressional Globe, 39th Cong., 2nd Sess., p. 259.

[5] See the Congressional Globe, 39th Cong., 1st Sess., pp. 971-973.

[6] Ibid., 39th Cong., 2nd Sess., pp. 48, 256. On the committee bill, introduced on February 21 by Justin Morrill to redeem the maturing 5-20 Treasury notes, see Sharkey, Money, Class, and Party, pp. 66-67.

[7] Ibid., pp. 257-261.

[8] Ibid., pp. 257-258.

[9] Ibid., pp. 258, 261, 263.

[10] See Unger, Greenback Era, p. 103.

[11] See Chapter 1, p. 22.

[12] He did object strongly to their concentration in New England and New York. See Carey, The Finance Minister, the Currency, and the Public Debt (Philadelphia: Collins Press, 1868), pp. 4-5, 13-14, in Henry Carey, Miscellaneous Works, vol. 2 (New York: Burt Franklin, 1833).

[13] Carey, Postscript, February 17, 1866, in Carey, Miscellaneous Works, vol. 2, p. 46.

[14] The discussion of finanical matters was postponed in early January to accommodate the higher-ranked debate on Southern reconstruction.

[15] Congressional Globe, 39th Cong., 2nd Sess., pp. 1417, 1419-1420, 1426.

[16] Ibid., p. 1870.

[17] Vatter, Drive to Industrial Maturity, p. 47; Ratner, Sidney, Soltow, James H. and Sylla, Richard, The Evolution of the American Economy (New York: Basic Books, Inc., 1979), p. 309.

[18] Congressional Globe, 39th Cong., 2nd Sess., pp. 1869, 1958.

[19] Randall and Donald, Civil War and Reconstruction, p. 585; Brock, An American Crisis, pp. 182-183.

[20] The Committee of Fifteen was reappointed under the same rules and regulations by the second session of the Thirty-ninth Congress. The committee ceased to exist on February 9, 1867. See Kendrick, Journal, pp. 121, 129.

[21] Ibid., pp. 122-129. This provision disposed of the Milligan decision. See Robert Cruden, The Negro in Reconstruction (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1969), p. 32.

[22] In his House speech on January 3, 1867, Stevens proposed that all men over 21 in March, 1861, who had sworn allegiance to the Confederacy should be denied their American citizenship, with the exception of those who did not voluntarily aid the rebellion after March 4, 1864. See the Congressional Globe, 39th Cong., 2nd Sess., p. 250.

[23] Benedict, Compromise, pp. 216-225.

[24] Congressional Globe, 39th Cong., 2nd Sess., pp. 1177-1180.

[25] Ibid., p. 1177.

[26] Benedict, Compromise, p. 212.

[27] Benedict, Compromise, pp. 227-243; Brock, American Crisis, pp. 188-202.

[28] Congressional Globe, 39th Cong., 2nd Sess., pp. 1399-1400, 1645, 1976.

[29] Ibid., 40th Cong., 1st Sess., p. 17.

[30] Ibid., pp. 17, 62, 67, 214-215, 302-303, 313-314.

[31] Simon Cameron to Salmon Chase, January 7, 1867, Salmon Chase Manuscripts, Historical Society of Pennsylvania.

[32] Kelley to Caroline Kelley, April 4, 16, 17, 1867, KPHSP.

[33] Circular, Union Republican Congressional Executive Committee, July, 1867, Thaddeus Stevens Papers, Library of Congress; Kelley to Caroline Kelley, May 5, 11, 1867, KPHSP.

[34] Kelley, "The South: Its Resources and Wants," Library of Congress, p. 5.

[35] Ibid., pp. 1, 6-7. See also, Congressional Globe, 38th Cong., 1st Sess., p. 2080.

[36] "The South: Its Resources and Wants," Library of Congress, pp. 6-13.

[37] Ibid., p. 7.

[38] See Benedict, Compromise of Principle, pp. 137, 235, 243, 258.

[39] New York Tribune, May 21, 28, 1867; New York Times, May 15, 28, 1867.

[40] Joseph Geiger to Andrew Johnson, May 15, 1867, Andrew Johnson Papers, Library of Congress.

[41] Kelley to Caroline Kelley, May 26, 1867, KPHSP; New York Herald, June 7, 1867.

[42] Congressional Globe, 40th Cong., 1st Sess., Appendix, p. 9.

[43] Circular, Union Republican Congressional Executive Committee, July 20, 1867, Thaddeus Stevens Papers, Library of Congress.

[44] Congressional Globe, 38th Cong., 2nd Sess., p. 289.

[45] Kelley, "Address at Montgomery, Alabama, May, 1867," Library of Congress, pp. 10-13.

[46] See Benedict, Compromise of Principle, pp. 252-253.

[47] Congressional Globe, 40th Cong., 1st Sess., Appendix, pp. 39-40; Also, see Benedict, op. cit., pp. 253, 255.

[48] See Chapter 4, pp. 175-177, 188-189. Kelley did not have an opportunity to explain his position because of the moderate leadership's limitation of debate on the third Reconstruction act.

[49] See Chapter 5, p. 229.

[50] A major dispute arose over whether or not Stanton's removal violated the Tenure of Office Act. The act stated that the tenure of all department heads extended for the term of the President who appointed them and for one month thereafter, and that during such tenure department heads could not be removed without the consent of the Senate. Since Stanton was appointed by Lincoln, it was essential to establish unequivocally if Johnson was completing Lincoln's term or if Lincoln's term ended with his death. Johnson's lawyers skillfully played on the ambiguity of the situation and won crucial support for their view that Stanton's term had ended in May, 1865, and the President had thus violated no law in his removal. On this and other aspects of the impeachment, see Benedict, Compromise of Principle, pp. 309-310; Brock, American Crisis, pp. 256-262.

[51] Congressional Globe, 40th Cong., 2nd Sess., pp. 1347-1348.

[52] Kelley to Caroline Kelley, February 28, 1868, KPHSP.

[53] Benedict, Compromise of Principle, pp. 300, 307-308.

[54] Johnson's proper nomination of John Schofield as Secretary of War after the Stanton incident allayed conservative fears of presidential usurpation. Schofield had enforced the Reconstruction acts as military commander of Virginia, and his respect for the authority of local officials appealed to conservative sympathies. See Benedict, op. cit., pp. 310-311.

[55] Kelley to Caroline Kelley, May 12, 1868, KPHSP; George Mayer, The Republican Party (New York: Oxford University Press, 1967), p. 167; John Tweedy, A History of the Republican National Convention From 1856 to 1908 (Danbury, Conn.: Tweedy, 1910), pp. 96-98; Congressional Globe, 40th Cong., 2nd Sess., p. 1971.

[56] The Democratic successes were aided by the oft-spoken charge that the worsening business conditions were a result of Republican fiscal policies. See Unger, Greenback Era, pp. 83-84.

[57] Sharkey, Money, Class, and Party, p. 82; Congressional Globe, 40th Cong., 2nd Sess., pp. 70, 219, 407, 537, 593.

[58] Kelley, Speeches, p. 226.

[59] Ibid., pp. 224, 235, 238.

[60] Congressional Globe, 39th Cong., 1st Sess., pp. 1494-1495; 39th Cong., 2nd Sess., p. 261. See Chapter 4, pp. 196-197; Chapter 5, pp. 223-225.

[61] See Benedict, Compromise of Principle, pp. 272-273.

[62] See Chapter 4, pp. 192-193, Chapter 5, p.225.

[63] Congressional Globe, 40th Cong., 2nd Sess., pp. 674-675. The volume of outstanding greenbacks was fixed at $365 million.

[64] Ibid., 40th Cong., 2nd Sess., pp. 4466, 4497-4499; Montgomery, Beyond Equality, pp. 356-358.

[65] Covode, Kelley, Logan, and O'Neill approved this bill; Butler and Stevens opposed it. Congressional Globe, 40th Cong., 2nd Sess., p. 4311.

[66] Cameron to Benjamin Butler, August 28, 1868, Butler Papers, Library of Congress; Unger, Greenback Era, pp. 89-91; Poore, Political Register, p. 478; "Family" folder, Kelley Family Papers, Columbia University Library.

[67] Kelley to Caroline Kelley, December 10, 1868, KPHSP; Brock, American Crisis, pp. 2760277.

[68] Seven states--Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, and South Carolina--were re-admitted in June, 1868, on the condition that black suffrage would never be dropped from their state constitutions. Franklin, Reconstruction, p. 130.

[69] Congressional Globe, 40th Cong., 3rd Sess., p. 9.

[70] J. Morgan Kousser, The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910 (New Haven: Yale University Press, 1974), pp. 32-44; Paul Lewinson, Race, Class, and Party (New York: Russell & Russell, Inc., 1963), pp. 63-68.

[71] Congressional Globe, 40th Cong., 2nd Sess., p. 1971; Kelley to Howard Jenkins, January 12, 1869, KPHSP.

[72] Congressional Globe, 40th Cong., 3rd Sess., P. 134. Stevens' tactical opposition to black suffrage was dropped after the Southern states refused to ratify the Fourteenth amendment. See the Congressional Globe, 39th Cong., 2nd Sess., p. 253.

[73] Ibid., 40th Cong., 3rd Sess., p. 134.

[74] See Chapter 3, p. 121, and Congressional Globe, 38th Cong., 1st Sess., pp. 2079-2080.

[75] See Chapter 3, pp.126-127, and Congressional Globe, 38th Cong., 1st Sess., pp. 773, 775.

[76] See Chapter 5, pp. 233-237.

[77] See Montgomery, Beyond Equality, pp. 8-10.

[78] Kelley, "Address at Montgomery, Alabama, May, 1867," Library of Congress, pp. 12-13; Carey, The Past, The Present, and The Future (Philadelphia, n.p., 1872), p. 415.

[79] William Gillette, Retreat From Reconstruction, 1869-1879 (Baton Rouge: Louisiana State University Press, 1979), pp. 18, 46.

[80] Congressional Globe, 40th Cong., 3rd Sess., pp. 1318-1428.

[81] Johnson justified this policy by stating that "the holders of our securities have already received upon their bonds a larger amount than their original investment." Richardson, Messages, VI, p. 678.

[82] Congressional Globe, 40th Cong., 3rd Sess., pp. 73, 127-128.

[83] Butler voted against the 1868 funding bill, and Shellabarger's "not voting" designation was presumably a protest against the measure's token greenback redemption plan. Congressional Globe, 40th Cong., 2nd Sess., pp. 4311-4312.

[84] David Wells, Report of the Special Commissioner of the Revenue For the Year 1868, Executive Document No. 16, 40th Cong., 3rd Sess., 1868, pp. 13-20, 89-115.

[85] Congressional Globe, 40th Cong., 3rd Sess., pp. 452-453; Kelley to Caroline Kelley, January 9, 1869, KPHSP.

[86] Congressional Globe, 40th Cong., 3rd Sess., p. 454.

[87] Ibid., p. 1830.

[88] Sharkey, Money, Class, and Party, p. 125.

[89] Congressional Globe, 40th Cong., 3rd Sess., Appendix, p. 120.

[90] Ibid., pp. 1538-1539, 1678.

[91] See Kelley's comments, ibid., Appendix, p. 120, and Donnelly's, ibid., p. 1881.

[92] Kelley to Caroline Kelley, February 18, 1869, KPHSP.

[93] Kelley to Caroline Kelley, March 7, 1869, KPHSP; Sharkey, Money, Class, and Party, pp. 217-219; Montgomery, Beyond Equality, pp. 353-354; George Frederickson, The Inner Civil War: Northern Intellectuals and the Crisis of the Union (New York: Harper & Row, 1968), pp. 191-193; Kelley, Speeches, p. 283.

CHAPTER 6

Citizen Kelley Becomes "Pig-Iron"

In glut of all material arts
  A civic barbarism may be:
Man disennobled -- brutalized
  by popular science -- atheized
Into a smatterer . . .

Herman Melville

We . . . mean to go on until we shall
  give full force and effect to every
  provision of the American Constitution,
  until we shall have embodied not only
  in the laws, but entrenched in the
  daily habits of the American people,
  the great prophecy made in the Declaration
  of Independence . . . the right of
  every man within our broad limits to
  be absolutely free in the enjoyment of
  life, liberty, and the pursuit of
  happiness. Until this shall be done
  the Heaven-inspired Republican party
  will not have accomplished its mission.

William Kelley, 1871

Kelley soon overcame his disillusionment and emotional fatigue. As leading newspapers heralded the opening of the Grant administration as the end of an era of social and political reconstruction,[1] and moderate Republican leaders spoke of defending "results already accomplished,"[2] Kelley became concerned that political complacency might jeopardize the party's early commitment to social mobility. In a public letter to his constituents in July, 1870, Kelley

observed that the political and economic transformation of the 1860's had raised "new issues" such as the proper "apportionment of taxes and import duties," whose resolution would seriously affect the "chances in life offered to the children of laborers." Significantly, he suggested that in the nation's industrial centers the main "chance" opened to workingmen by the country's recent economic development was a rising standard of living, not self-employment.[3] For the moment, the receding prospect for economic independence was not uppermost in Kelley's mind. Nor was he immediately concerned with the possible remedy, suggested by an "English writer" whose name he did not mention, of setting "'at work all the poor of the country with the growth of its own lands.'"[4] Kelley did stress his devotion to the rights of "laboring people," however, and in so doing aligned with a diverse and often changing movement of reformers whose ideas and political agitation provided much of the moral tone and insightful analysis of the decades following the years of Congressional reconstruction. On the broadest level, these reformers were committed to the preservation of a balanced and equitable political economy and a democratic state which guaranteed that competition and employment in the major areas of production and distribution of resources would not be consistently limited or distorted by powerful entrepreneurs.[5] This outlook, conforming in a general way to the earlier radical

Republican notion of the producer as one among equal citizens, became the sustaining element in Kelley's political life.

Dollars and Imposts

In the abbreviated first session of the Forty-first Congress, from March 4 to April 10, 1869, Kelley and his Congressional colleagues occupied themselves more with the demands of a "throng of hungry office seekers" than the substantive discussion of economic and political issues. Kelley exclaimed to his wife that "fighting [the] wild beasts of Ephesus must have been child's play" compared with attending to the eager crowd that milled "on the highways, in the corridors, at the table, and in our chambers."[6] He took to hiding in the upper galleries of the House so as to avoid the crush of persons hungry for the many federal positions opened by the departure of Johnson's appointees. When the Congress adjourned on April 10, the only measure of serious political import passed by his colleagues was the Public Credit Act, which had been extensively debated in the previous session and received only a perfunctory discussion as the votes were mustered to re-enact the provisions Johnson had refused to sign.[7]

After the adjournment, Kelley remained in Washington to serve as host to his wife and daughters, Florence and Annie, then on a school holiday.[8] It was during this time

that Kelley may have broached his plans to accompany the House Committee of Ways and Means on a junket by palace car through the great plains and on to San Francisco. Kelley had been assigned to the committee at the opening of the Forty-first Congress to succeed the Pennsylvania Republican, James Moorehead. The details of the trip are unclear, but in view of the committee's subsequent immersion in tariff legislation and the rising low tariff agitation of Western farmers it appears that a fact-finding tour was politically timely, if not actually productive of information relevant to existing tariff schedules and their impact.[9]

Kelley's summer travels were concluded in July. He busied himself at home through the fall, enjoying the company of his family and attending to the routine responsibilities surrounding the several rental properties the Kelleys now owned.[10] While in Philadelphia, his attention was no doubt drawn to the financial crisis that followed the banking panic of "Black Friday," September 24, 1869. The crisis was precipitated by the industrial promoters Jay Gould and Jim Fisk who attempted to corner the gold supply and thereby squeeze the port merchants who routinely borrowed gold to meet short contracts and pay customs duties. Secretary Boutwell's efforts to alleviate the strain by selling the Treasury's gold coin succeeded, but the rapid collapse of the gold premium from 135 to a new post-war low at 120 was so severe that many stock

speculators were ruined, and many businesses were paralyzed for months by the sharply reduced greenback price of their goods.[11]

The fall crisis pointed up the precarious balance that characterized the nation's monetary system. From the passage of the first Legal Tender Act, greenbacks had been the standard of value in which prices were quoted and in which business was transacted, but gold remained a legal instrument of trade, since it was the means by which all customs duties and the bonded indebtedness had to be paid. Because of the general understanding that specie payment eventually would be resumed -- a promise codified in the Public Credit Act -- and because gold remained the monetary standard in most of the world, the unsettlement of the standard of value in 1862 spawned a continuing tension between the price of gold and the purchasing power of the greenback. This tension was intensified by the increasingly complex social and commercial relations of the marketplace. With the Gould-Fisk challenge to monetary stability fresh in their memories, Kelley and his Congressional colleagues probed the nation's sensitive financial moorings soon after the second session of the Forty-first Congress convened in December, 1869.

The first occasion for extended debate was the introduction of a funding proposal by Sherman's Senate Finance committee. Kelley had reluctantly supported the 1868

effort to refund the government's war bonds at a lower rate of interest, possibly because bondholders were given the option of redeeming their 5-20's in greenbacks.[12] In the new Senate bill, the token interconvertible clause was dropped. Noting the "drift of opinion" toward political and social retrenchment, Sherman had pushed for the authorization of new bond issues at lower rates of interest, to be sold or exchanged at par for the outstanding 5-20's, with principle and interest payable in gold. This was essentially the option recommended by Republican moderate George Boutwell, who had succeeded Hugh McCulloch as Secretary of the Treasury.[13]

Kelley had earlier confided to his friend Henry Carey that he believed Boutwell would make "an admirable finance minister," presumably because of his consistent commitment to equal political rights for all citizens regardless of racial origin.[14] During the House discussion of Sherman's funding bill, H.R. 2167, he publicly affirmed his earlier judgment, praising the Secretary as an "able and excellent gentleman" who meant to steer the Treasury from any fiscal arrangement which might contribute to the "danger of combination among the individual creditors of the country."[15] Kelley thus interpreted Boutwell's support for the Sherman funding approach as a bid to enhance the fortunes of "businessmen" who were "embarrassed in getting their loans" so long as banks could "get six per cent for holding"

Treasury bonds, and "lending out money on call." By reducing the rate of interest on the bonds to around 4 per cent, as the Secretary asked in his annual Report, Kelley assumed that Congress would pressure national banks (which held most of the government's bonds) to expand the volume of their loans and to accept a lower average lending rate besides.

As in his earlier paeans to the "laboring people,"[16] Kelley did not distinguish between larger and smaller producers while contemplating the possible advantages accruing to "businessmen" from a renegotiation of the government debt. However, in his remarks on the funding bill and in his contemporary comments on tariff and labor legislation,[17] Kelley was less interested in the "independent" producer. Instead, he was primarily concerned with entrepreneurs in the expanding, capital-intensive iron and metal industries. As he and his contemporaries attempted to direct their attention from Southern reconstruction to the war-deferred task of "increasing the rewards of labor,"[18] Kelley revealed a budding optimism about the social harmony and material benefits of an expanding industrial society in which the mobility of most producers was increasingly a function of income rather than property ownership. This faith in the beneficent social ripples attending industrial investment may have been a natural concomitant of Kelley's belief in the essentially progressive nature of the free labor economy. Or, perhaps, Kelley's enthusiasm for industrial

"businessmen" followed from his perception of the "amazing expansion" and technological changes in the iron and steel industry in the late 1860's. In any case, Kelley's later observation of the violent confrontations between industrial labor and capital during and after the depression years of the 1870's muted his earlier enthusiasm for the industrial entrepreneur.[19]

Opposition to the funding bill arose from the national bankers as well as Kelley's political allies in the labor movement, who apparently did not share Kelley's faith that the obverse of Boutwell's political egalitarianism was a commitment to fiscal policies that promoted equal economic opportunity. The strongest banking opposition apparently did not come from the leading New England houses, but rather from newer or rapidly growing firms that relied heavily upon dividends from bonds held for note security to finance expansion. In contrast, the Workingman's Advocate, the unofficial voice of the National Labor Union, suspected that greenbacks would be funded into the proposed bond issues along with interest-bearing obligations, thereby contracting the currency supply. In addition, the Advocate maintained that the funding bill, much like its 1868 counterpart, encouraged an unjust distribution of wealth toward the nation's major investors by providing for coin payments and exemption from taxes on bond holdings.[20]

On the other hand, Kelley's reasoning was popular with

expanding industrial entrepreneurs such as J. Edgar Thompson of western Pennsylvania, who longed for lower interest rates.[21] Moreover, most Congressmen conceded that the government's improved credit since the war years dictated the issuance of a lower-paying security. Although the bill was modified in the House to include various amounts of securities paying greater than 4 per cent interest, Kelley voted for its passage. Other soft-money men, such as Butler and Covode, were recorded as "not voting," a move which in this case may be read as approval of the bill's limited reforming impulse without consent to its specific provisions. After a committee of conference ironed out minor differences between the two houses, the funding bill passed the Congress on July 13, 1870.[22]

Kelley was more inclined to share the National Labor Union's skepticism about the Republican leadership's financial policy during the parallel debate over a currency redistribution bill reported from the House Committee on Banking and Currency by Representative Garfield.[24] He rose to critique the bill "to increase banking facilities" on June 8. Kelley agreed with Garfield that "the South and West . . . ought to have increased banking facilities." By 1870, the per capita amount of circulating medium was $20.10, compared with $31.18 in 1865. This decline was partly due to the fact that the North's greenback money supply, serving the entire country following the repudiation

of Confederate notes, had been contracted while national bank notes remained concentrated in eastern centers where sufficient capital ($50,000) could be raised to organize a national bank. In addition, the general deflation in commodity prices from 1864 meant a dearth of needed cash for interest payments and routine purchases by Western and Southern producers.[24]

Nevertheless, Kelley refused to support the bill in its initial form. While providing for an increase of 95,000,000 in banknote circulation--an expansionary measure which Kelley warmly endorsed--the bill also proposed an offsetting reduction in the legal tenders. By withdrawing from the existing reserves of the national banks $50,000,000 in greenbacks and approximately the same amount in 3 per cent certificates the bill actually proposed a modest contraction in the East. Kelley likened the implementation of such a design to the building of an "inverted pyramid." The new bank note issues would be resting on a depleted "base" or reserve fund. In the event of a crisis akin to that of the previous September, which provoked a run on bank deposits, the system as a whole could not stand in Kelley's opinion.[25]

Kelley sensed the rearing of the head of resumption during the debate on the redistribution bill, and he used the occasion to restate his position on the prospects for a return to specie payments. The nation's financial

security and one of the keys to its commercial independence lay in its "non-exportable currency," according to Kelley.[26] In view of the country's overseas debt of about one billion dollars and an adverse trade balance, he argued, an early redemption of specie payments would invite ruin should overseas creditors demand the redemption of their overdue bonds in gold in order to settle European financial difficulties.[27] While Kelley's logic was sound, his fears were overwrought. Apparently, Garfield and many of the Republican hard-money men no longer viewed a forced contraction as the best road to eventual resumption. The leadership studiously avoided the resumption question during the debate over the redistribution bill, and later in the year brusquely dispensed with Sumner's contraction proposal.[28]

Meanwhile, a similar "growing-up-to-specie" approach was gaining favor among the leaders of the nation's mercantile elite. At the Buffalo convention of the National Board of Trade in December, 1870, Simeon Chittenden, J. P. Wetherell, George Buzby and other prominent Eastern delegates noted the importance of the greenback currency in financing Western railroad construction and related land development. These men suggested that a return to specie should await a positive balance of trade resulting from the "'labor of man applied to the soil and attention to economy in his expenditure.'" This change of heart was quite possibly more than a self-interested adaptation of

principle to take advantage of the prosperous opportunities opened by the prevailing boom in Western transportation and farm production. A short-term commitment to a non-exportable currency encouraged stability in domestic exchange, as Kelley suggested, and in the context of the reigning protective system of duties promoted investment in capital-intensive industrial production. Acquiescence in the theory of "spontaneous" resumption thus may have signalled a purposeful reorientation among leading merchants toward agreement with the strategy for national development pioneered by the moderate Republican majority in the 1860's.[29]

While a consensus against a fiscal policy of rapid deflation seemed to be emerging among leading spokesmen for the nation's industrial and mercantile elite, the Republican leadership was determined to resist any substantial expansion in the nation's currency supply. Garfield resisted the efforts of Kelley, Horace Maynard and other soft-money men to delete the reductions in greenback reserves contained in his redistribution bill. On June 8, 1870, he demanded the previous question on the bill to force its passage before substitute measures could be introduced and discussed. Kelley was apparently confident the bill could not pass since he voted against a motion to adjourn, which if successful would move the measure to the bottom of the Speaker's docket and effectively prevent its further consideration in the session. However, the

majority seemed more apprehensive about the bill's passage and voted to adjourn.[30] Nothing more was heard of H.R. 1900. Within a week the House debated a modified measure introduced in the Senate without the offensive contraction provisions but providing for a smaller increase in bank note currency.[31] On July 7, after two committees of conference had considered the substitute, Kelley and a majority of his Republican colleagues agreed to the Senate figure of $54,000,000 in increased circulation. A coalition of diehard hard-money Republicans along with Democrats who preferred increased greenback circulation rather than additional banknotes constituted the opposition.[32]

The Congressional dispute over the amount and distribution of national banknotes was not nearly as hot as the concurrent debate over tariff policy. Spurred by the pressure of Western farmers who regarded tariff reduction as a way of expanding exports and thus offsetting the burdens of high transportation costs, currency shortages, and falling prices, the debate featured Kelley and his old adversary, David Wells.

Coincident with the anti-tariff assault of Middlewestern newspapers and farm journals, Commissioner of the Revenue Wells filed his annual report to Congress in December, 1869.[33] His report of the previous year had strongly urged a sharp, general reduction in tariff

schedules based on the assumption that such a program would encourage a continuous expansion in exports and thereby diminish the burden of capital surpluses generated by the accelerating competition in both agricultural and industrial production. Wells' 1869 Report was even more emphatic in its call for tariff reform. Observing, correctly, that the American political economy was structurally oriented toward an unequal distribution of wealth, Wells eschewed any tampering with the social basis of that inequality and argued instead that the capacity to export was the "true test of the ability or inability profitably to produce for the domestic market." He discounted Kelley's belief that regional diversification and cheaper transportation routes would provide sufficient outlets for capital seeking investment, particularly in industry. In short, Wells' program for future development relied upon America's modest export tail to shake the political economy into a more prosperous condition.[34]

Kelley was impatient for an opportunity to deliver an extended rebuttal to Wells' views.[35] Shortly after the Christmas recess, while the House was in Committee of the Whole on the state of the Union, he rose to denounce Wells' proposals and motives. Like Wells, Kelley believed the key to prosperity lay in the continual expansion of America's industrial output, particularly iron and steel products which constituted the structural bases of the nation's

railways, bridges, urban buildings, merchant ships, wagons, steam engines, etc. However, he violently opposed Wells' definition of America's future well-being primarily in terms of overseas economic expansion. For Kelley, industrial expansion was better achieved by regional economic diversification. "Most of the southern states abound in coal, varieties of iron ore of very high quality, limestone, and water power," he declared. The development of these resources and the consequent provision of work to the South's "unemployed men, women, and children" at "fair American wages" would serve to employ any surplus capital seeking profitable investment. Specifically, Kelley called for the construction of cotton factories in the "cotton growing portion of the United States," along with "an extension of railroads and the establishment of foundries, rolling mills, locomotive works and machine shops" in the South. Before long, Kelley argued, such industrial development would also provide an adequate market for "our western producers of grain" whose product could not compete with European grains during normal harvest years due to the additional costs involved in transportation overseas.[36]

Kelley continued by declaring that the indispensable condition for such development was a protective system of tariff duties. He argued that the protective tariff implemented and maintained by Republican Congresses since 1861 had, on balance, been a "boon" to American citizens, for

it had "protected the wages of the laboring man and develop[ed] the resources of the country," while supplying the Treasury "with large amounts of revenue" to prosecute a war and later retire the attendant debt. To reduce the duties on such vital industrial goods as pig-iron, as Wells recommended, would "do more to retard the progress of [the] country toward commercial prosperity . . . than Davis, Lee, and all the heads of the rebellion accomplished."[37]

Kelley went even further in his depiction of Wells as an enemy of the American consumer. Aware of the militant low tariff sentiment in Western agricultural districts, he impugned Wells' integrity in a manner which might arouse the old anti-British nationalism that existed among farmers.[38] What could have brought Wells to the conclusion that American producers of "salt, pig-iron, lumber and other things essential to national independence" should accept a dismantling of the protective system, he asked. Wells' "devotion to the interests of England," Kelley answered. Such a reversal of policy would "restore to his English friends the monopoly of our market, at such prices as they might demand." In view of Wells' extended travel in England in recent years, Kelley charged, there was ample opportunity to avail himself of "the ability of their large array of able and well-paid counsel." "Whether he also was retained is for the present the subject of conjecture,"

he sniped.[39]

Kelley's vilification of Wells as a conspirator in the service of Great Britain was also pressed in an extended commentary on Wells' proposal to reduce the duties on Canadian coal. Kelley argued that Canadian ores had never offered significant competition to domestic producers because of the limited capacity of existing Canadian mining operations. Nevertheless, he noted, the duty on coal had served as a useful revenue measure since its institution in 1866.[40] The repeal of the duty would "take from the Treasury an average of from four to five hundred thousand dollars in gold annually and give it to the colonists as a reward for remaining contented subjects of her Britannic majesty." Kelley scornfully declared that the mere suggestion of such a "contribution," so "earnestly recommended by Commissioner Wells," violated his sense of "patriotism."[41]

Kelley's ardent defense of protective duties prompted an unexpected rejoinder on January 17, 1870, from the St. Louis Democrat. The editor wrote: "There are a great many more men in Congress and out of it who are bribed to advocate what they know to be against the public interest by American gold than by British." "We might easily retort on Mr. Kelley," he continued. "It would be easy to say that his personal interest, to the extent of $100,000, in iron works in Irondale, Ohio, bribes him to cast a vote

against the public welfare." Kelley spoke to this editorial comment in the House on January 20. "I have from time to time seen articles in the papers speaking of my great pecuniary interest in pig-iron," he began. "I did not know how to account for them until . . . one of the gentlemen from Ohio . . . handed me a letter, the printed heading of which informed me that 'William D. Kelley and Sons' are the proprietors of Grant Furnace, Ironton, Ohio." "I want to say I do not know my namesake, but was pleased to hear that he is a worthy and prosperous man with a large family of sons about him," Kelley quipped. "I never had means enough, being a lawyer whose services were not liberally requited, to embark in manufacturing pig-iron or any other commodity," he added. "God knows that, as I feel years creeping over me, I regret my past indifference to pecuniary matters and wish that I had been able to acquire some such property."[42]

In early February, the Congressional discussion of the tariff moved from incidental remarks to the nitty gritty of legislative action. On February 1, Robert Schenck, chairman of the Committee of Ways and Means, introduced a bill which called for the maintenance of the existing duty on iron and rolled steel, while providing for substantial reductions in the tariffs on tea, coffee, and sugar, along with numerous additions to the free list of articles that were not produced in the United States.[43]

The debate upon the Schenck bill began in earnest on March 16, and from that date until the first of April prepared speeches on the tariff question were delivered on almost every day the House was in session.[44] Then, on April 1, the reading of the bill by paragraphs for amendment began.[45] On May 11, while discussion was still in progress, Kelley rose to defend the maintenance of a substantial duty on rolled steel used in the production of springs and other component parts of railroad stock. Contrary to the views of low tariff advocates such as Horatio Burchard of Illinois, Kelley argued that although the introduction of less expensive steel products from England under a reduced tariff might encourage the reduction of transportation costs borne by agricultural producers, it would not ultimately resolve the farmers' marketing problems. Such a course would ruin the mills in Eastern manufacturing areas and prostrate labor's capacity to consume, he declared. As a result, Kelley stated, "the Northwest will frequently raise a crop for which there will be no market," for European demand was insufficient to consume the farmers' "surplus," let alone a major portion of their output. He concluded his remarks by renewing his plea for "a wide diversification of our industries, manufacturing and planting," for "there will be no advantage in cheap transportation for that which finds no market anywhere."[46] In short, Kelley hoped to preserve a protected home market

which, in his view, provided an essential framework for a more equitable distribution of wealth and resources.

By mid-May, the line-by-line exegesis of the tariff bill showed every sign of continuing with no end in sight. Schenck and Speaker Blaine consequently shelved its discussion until a parliamentary plan promising more rapid consideration could be devised. On May 16, Schenck introduced another revenue bill from the Committee of Ways and Means, H.R. 2045, which dealt with the "internal" taxes that were the bane of existence for most manufacturers and retailers.[47] Kelley had been a key architect of the tax reduction provisions of the new bill while in committee.[48] Although silent during much of the ensuing discussion, he did rise to oppose the provision which maintained the income tax instituted during the war and revised in 1867. In 1870, 250,000 persons out of a total population of 39,500,000 paid the tax, which imposed an assessment of 5 per cent on all incomes over $1,000 per year. Opponents of the tax, primarily the larger investors and propertyholders residing in the Northeast, complained that it tended to "'tax the quality out of existence.'" The Commercial and Financial Chronicle and the New York dailies which were particularly determined in their opposition to the tax argued that the improved condition of the government credit was a sufficient reason for the deletion of income tax revenues.[49]

Kelley thus found himself in the camp of longtime political opponents. With Benjamin Butler, an ally in numerous political battles of previous years, he suggested that the tax had always placed more burden on the consciences than the pocketbooks of the larger property-holders, but seriously hampered the smaller businessman's efforts to expand. Hence, while income tax supporters such as Austin Blair of Michigan claimed that every dollar not taken from the "rich men of the country must be laid upon the poorer men of the country," Kelley stood firmly behind his belief that the income tax was as harmful to small businessmen as levies on their sales and gross receipts.[50]

In view of the internal revenue bill's steady progress in the House, Schenck moved an amendment that would attach the deferred tariff revisions as an introductory section. Perhaps because the political focus of the debate had shifted to the income tax, he succeeded handily on June 4. Two days later, the House majority including Kelley passed a tariff and tax bill that constituted a compromise by all political forces. Low tariff advocates, primarily members representing Western constituencies, achieved a minor reduction in the duty on pig-iron, and joined with a sizeable group of Republicans from the Midwest and mid-Atlantic states to save the income tax. On the other hand, with the maintenance of the income tax assured, Kelley and

the Republican majority easily won a reduction in internal taxes except those on tobacco and distilled spirits.[51]

The tax and tariff bill was passed in an amended form by the Senate on July 6.[52] A committee of conference was organized to iron out the minor differences that had developed between the House and Senate versions. By virtue of their efforts in the drafting of the bill, Kelley and Schenck were appointed managers on the part of the House. They agreed to accede to the Senate demand to limit the extension of the income tax to the years 1870 and 1871, and to lower the rates from 5 per cent on incomes over $1000 to two-and-one-half per cent on incomes over $2000 per year. Both houses accepted the conferees' report on July 13.[53]

That night Kelley wrote his wife that the bill was "not all I wished for . . . but ought to animate a number of our industries and gladden the hearts of many of our people."[54] His guarded stance was well-chosen, because the bill was passed by an ephemeral coalition of groups with disparate aims. The men of the East who guided its passage, Republicans such as Schenck and Blaine of the House and Sherman of the Senate, did not share Kelley's aim to win a greater share of economic and political rewards for "that great mass of consumers who live by toil," particularly in undercapitalized industrial fields and in regions that increasingly played a tributary role

to the Northeast. Their conception of the national interest, as evident in the post-war debate on debt management, appeared to define the rapid accumulation of capital, rather than protection to the "artisan and laborer" and independent producer, as a necessary condition for American prosperity.[55] The high income recipients of interest on the government debt and subsidies to transportation, established primarily in the Northeast,[56] controlled the volume of savings required to accomplish this goal in the immediate post-war period, and the Republican leadership had been inclined to promote legislation that would enhance their investment opportunities. Tariff protection and monetary stability that could underwrite large scale enterprise in manufacturing and transportation were rigorously defended by these men, and compromise--as in the case of the 1868 Sherman funding measure--had been only reluctantly yielded when the risk of political disaster was great.

The Republican leadership thus served a social strata of considerable power. The political strength of their position was girded by the signs that the older mercantile elite were moving toward an acceptance and advocacy of their entrepreneurial strategy.[57] Kelley's personal power on the Committee of Ways and Means was probably enhanced by his rigorous advocacy of the leadership's trump card of protection. In a letter to Carey, he noted that the New

York press had included his name "in a list of men who from long service might justly hope for better positions than they now held."[58] However, Kelley's perspective on economic development was, in certain important respects, at odds with the orientation of the key men in his party.

Clearly, Kelley was impressed by the organizational talents of industrialists and "enterprising railroad men" whose investments in large, efficient Bessemer steel plants had reduced the price per ton of rails, ingots, and castings.[59] He believed such men would "make the United States commercially and politically independent of Great Britain" by supplying Americans with the "essential elements" for both peacetime construction and "modern warfare."[60] Moreover, Kelley apparently recognized that the promise of economic advancement in the East was no longer economic self-sufficiency, but the opportunity for "each laborer to make provision for age or adversity" and to own his own home.[61] Nevertheless, Kelley regarded a high rate of wages and the eight-hour day[62] as crucial aims of American "statesmanship." In his view, it was the responsibility of political leaders to urge industrial promoters to relieve the "artisan" of "exhausting toil" and to reward him with "fair American wages," while they strove to "increase the perfection and amount of the artisan's product." In this way, the industrial wage-earner would have the means and the time to provide his children with

the education "due to them," and would be spared the physical hardships that made his father "prematurely old."[63] In short, Kelley was friendly toward working standards and norms which restrained the transactional "liberty" of individual entrepreneurs and investors. Although most manufacturers considered ten hours a "natural" day's work and resisted higher wage demands, and the Republican administration hedged in its enforcement of the federal eight-hour law,[64] Kelley insisted that true "prosperity" was dependent upon the "steady employment and liberal wages" of "working people."[65]

During the Congressional recess Kelley was engaged in an election battle with William B. Thomas. A former Republican who served in a patronage post under Lincoln, Thomas was supported as an independent "reform" candidate by the Democrats. The details of the local campaign are not well known but the outcome was not as close as in the previous two canvasses. Kelley polled 14,324 votes to Thomas's 11,622 votes.[66]

Kelley's victory followed the birth of a second son, Albert Bartram.[67] "Bertie" as he was soon called was the last child born to the Kelleys and was a special delight to his father. When the long summer and fall recess ended, Kelley arrived in Washington "as lonely and homesick as [he] ever was in childhood." On the train from Philadelphia, his melancholy was at least temporarily mitigated

by his conversations with fellow passengers Charles Sumner and James Blaine. Kelley informed them he would introduce a resolution establishing a commission to begin the preparations for an international exhibition in Philadelphia during the nation's centennial year.[68] He also may have discussed a more controversial question with these foreign affairs experts--one which occupied much of Kelley's thinking during the coming lame duck session: the desirability of annexing Santo Domingo.[69]

Shortly after the new session began, the Grant administration and its allies in the Congress took steps to annex Santo Domingo in an effort to mollify agricultural unrest and cement the political support of interested investors such as Cyrus McCormick, Edward Prime, Benjamin Holliday and the New York banking houses of Spofford, Tileston and Company, Henry Clews, and possibly Jay and Henry Cooke. Grant's annual message of December 5, 1870, focused attention on the island's potential market for agricultural surpluses and industrial goods, its strategic location in proximity to an isthmian route to the Pacific, and the impetus which annexation might give to the expansion of the merchant marine.[70] The Republican leadership in the Senate initially sidestepped the issue of annexation by securing the passage of a resolution authorizing Grant to appoint three commissioners to tour the island and report on the "political state and condition of the

republic" and "such other information as the . . . commissioners shall deem desirable or important with reference to the future incorporation of the said Dominican republic into the United States."[71]

When the House considered the Senate resolution after the Christmas recess, the debate was rancorous. Fernando Wood of New York led the Democratic assault claiming that the island's inhabitants, "being mostly composed of a race whose blood is two thirds native African and one third Spanish creole," were "utterly incapable of civilization." "Every consideration to self-preservation . . . and the future well-being and good name of the American people," he continued, "should induce us to reject the infusion of so base an element into our personal and political nationality." Wood also suggested that the proposed venture was an under-the-table political deal between the President and the New York financial and mercantile interests which stood to profit by an expanded, protected trade with the country, as well as the development of harbor facilities, interior roads, and government and banking facilities.[72] When the vote was taken most Democrats opposed the resolution, perhaps agreeing with Wood or seizing an opportunity to embarrass the Republican President. Several old anti-slavery Republicans such as John Logan and John Covode, presumably less concerned with the racial questions raised in the debate, also opposed the measure, apparently

smelling the Grant deal or viewing the issue as less important than the subject of Cuban annexation which was also under discussion in Congress. In any case, the resolution was passed, with Kelley's support, on January 10.[73]

Kelley did not participate in the brief House debate, which was managed with a heavy hand by the Republican speaker, Blaine, so as to constrain the opposition. He did deliver prepared remarks on the issue of annexation several weeks later when the recently-passed resolution was under consideration by the House. In his remarks, Kelley revived a way of thinking, integral to his earlier anti-slavery position, which ran counter to his humanitarian urge to help America's agricultural and industrial producers as well as the people of Santo Domingo. This was a tendency to locate the sources or causes of domestic social peace and prosperity in a proximate frontier.[74] For the moment at least, the West and the South took a back seat to the tropics.

Following some advance publicity in the politically friendly Philadelphia Inquirer, Kelley delivered his speech on "Dominica" during the evening session of January 27, 1871.[75] He began by applauding Grant for his "keen perception of the commercial requirements of the country," namely the continual expansion of the "productions" of America's "fields and workshops." He "earnestly" advocated the "acquisition" of Santo Domingo because it would

"increase our ocean commerce," "stimulate shipbuilding" and thus enable the United Stated "to rely mainly upon a volunteer navy for war purposes," and it "would give us a depot and coaling station" that would assure "control of the passage through the archipelago." In order to accomplish these ends, Kelley hoped to "give republican institutions, common schools, a free press, our laws, language, literature and all the appliances of modern civilization" to the country's inhabitants. "Such are our responsibilities," he declared. Making the country over in America's image, in Kelley's view, would establish it as "the center of a world-wide and busy commerce." This, in turn, would "overthrow both slavery and Spanish supremacy" in the neighboring Cuba, which "owed its commercial importance to the fact that San Domingo has been distracted and desolated by war and oppression from the year of its discovery."[76]

In the realm of ideas, Kelley's advocacy of annexation was guided by his long-standing belief in the superiority of America's representative political institutions and a genuine and generous impulse to improve the quality of life on the island. Yet, his enthusiasm may have clouded his perception of Dominican events. Although an island plebiscite held in January, 1870, supported annexation, subsequent newspaper accounts claimed that the majority of rural inhabitants probably opposed annexation to the United States, owing to a widespread fear that it would restore

them to peonage. Kelley probably followed these developments in the daily Inquirer.[77] If so, his insistence on the "acquisition" of Santo Domingo would appear to be a departure from his avowed commitment to the principle of self-determination. Even granting that American political and cultural institutions were more desirable than those that existed, it certainly would not be idealistic to urge that the island's irresolute citizens follow the lead of the United States on such vital concerns.

A similar contradiction was evident in regard to the economic side of his position. He claimed that America should proceed, "not by ravishing Naboth's vineyard, but by confirming his title thereto and enabling him to enjoy in serene confidence his vine and fig-tree." Yet, by proposing that the United States regulate its trade with the island so that its people would remain primarily producers of agricultural goods such as coffee and sugar, and importers of manufactured goods and cereal grains, Kelley was recommending that the Dominicans trade under conditions established and controlled essentially by outsiders.[78] Such an approach was dangerous, for if American producers could not import what they needed or export what they wanted to sell, they would be inclined toward political and economic retaliation, which would only intensify the contradiction between ideals and reality. Furthermore, the economic consequences of this imperial orientation should

not have escaped one who was aware of the inequities in the neocolonial relationship between the metropolitan Northeast and the Southern and Western regions of the United States. Kelley had pointedly criticized the "banks, bankers, and speculators in government securities" from the "Atlantic cities" for selfishly and dangerously using their economic and political power to "monopolize or control" investment funds. He had condemned the policy of contraction as calculated "to diminish production and stimulate speculation," thereby destroying "all sense of security" among the "sagacious but prudent" producers of the developing South and West who would "gladly open coal mines and ore banks and build forges and furnaces and factories."[79]

Perhaps Kelley was aware of the political and economic dangers. He observed, in regard to his support for outright control of the island: "some of my friends . . . may deem me inconsistent."[80] However, his righteous enthusiasm, emphasizing political and social ideals that had inspired him throughout his adult life, led him to submerge his ideological commitment to equal economic opportunity at the water's edge.

Because of his support of the administration's annexationist stance Kelley was extended several courtesies by the White House. In late January he was given a warm reception at a lavish state dinner, and on February 10 he

was humored at a banquet during which the President graciously talked at length with his sister-in-law who was visiting friends in the Capitol.[81]

Kelley considered Grant a man of principle, with greater insight into political-economic questions than most observers conceded.[82] He was also apparently attracted to the President's jocular style in small, private gatherings. Nevertheless, his admiration for Grant's aptitude and manner did not diminish his awareness of their political differences. Moreover, he informed Henry Carey that he regarded Grant as the likely Republican standard-bearer in 1872.[83]

Kelley also apparently discussed Grant's renomination with Frederick Douglass, the most renowned black political figure of the time. In January, 1871, Kelley learned that Douglass had "brought his newspaper out in favor of protection." Kelley viewed this development with great interest, for he believed the paper was "destined to be a great power among the colored people of the South," and he still regarded the freedmen as integral to the success of his vision of a diversified, industrializing South.[84] In fact, Kelley urged one of his more generous financial backers, Joseph Wharton of Philadelphia, to contribute a sum of money to Douglass "to aid him in forcing his paper into Southern circulation."[85]

On May 2, 1871, Douglass sent Kelley a confidential

appraisal of Grant and the issues of the next presidential election.[86] Douglass was "troubled" by the mounting criticism of Grant from so-called liberal Republicans, fearing that party dissension would enable the Democratic party to sweep the South in the 1872 election. The Democrats, he believed, might accept the letter of the laws and amendments passed by Republican Congresses, but owing no commitment to their spirit they would soon make "the merest mockery of the best laws on the statute book." Hence, though never before a "party man," Douglass wrote that he found his "highest political duty" in "promoting the success of the Republican party" and General Grant, who had been "true to the cause" of his people and thus the "cause of human liberty."[87]

Further, Douglass regarded Kelley as a central figure in the achievement of a national Republican victory in 1872. He wrote: "You are one of the able men of the nation . . . who has never failed me or my people." Moreover, he considered Kelley "singularly fortunate" in remaining "free from all mere parochial quarrels with members of Congress or leading Republicans," and in his "possession of hearty nerve and ability."[88] Whether or not Douglass's faith in Kelley's republican vision and political clout was well placed can be ascertained by an analysis of the key debates of the Forty-second Congress.

"The Revolution Is Over"

The first session of the Forty-second Congress began in March, 1871, less than one year after the legislatures of 29 of the 37 states had validated the Fifteenth amendment. While the amendment was still being debated in Congress, Kelley had written that its ratification would at last make America's political institutions "truly republican."[89] He believed that the revolution of the 1860's would find its full realization in law through this measure. But, he was aware that a great question left unanswered was whether this dispensation could be maintained against its formidable enemies: many if not most white Southern wage-earners and tenant-producers; larger Southern producers who had moved from acquiescence in the black vote to outright resistance, and white Northern producers and investors who had come to regard the political conservatism of their Southern counterparts as an acceptable feature of a stable Southern political economy.[90] As Congress convened, the intransigence of the forces opposed to political equality was highly visible, as were the ineffectual enforcement provisions established by the federal government.

During the early days of March, 1871, the Northern press recorded a precipitous rise in the incidence of violent attacks by secret societies whose aim was the intimidation of politically active black and white

Republicans in the South.[91] These societies, most notably the Ku Klux Klan, were organized in the chaotic months following the war as Confederate veterans and unrepentant local Southern leaders used bizarre costume and physical intimidation to serve notice to the freedmen that they were, and should remain, lesser citizens without the means to realize the same or better livelihoods than their white "competitors." The Klan moved toward assault and summary punishment in a sustained fashion in the late 1860's and early 1870's as local Republican organizations demonstrated considerable political strength and a willingness to rebuild the Southern states along lines that promised greater economic and political opportunities for the freedmen.[92] Congress initially responded to the rise of organized violence by spelling out in detail the powers and responsibilities of federal officials in enforcing the Fourteenth and Fifteenth amendments and banning any interference with the right to vote on the basis of race. The enforcement acts of May 31, 1870, July 14, 1870, and February 28, 1871 prohibited disguised groups bent on injuring or intimidating others, provided special deputy marshalls to supervise elections and make arrests, and required written ballots in Congressional elections in cities with populations of at least twenty thousand.[93] Yet, in the largely rural South, federal judges and election officials were few in number, strained by the excessive

demands of broad geographic purview and, on occasion, temporizing. Klan members were thus able to avoid incarceration and even grow in influence.

On March 15, Representative Peters of Maine, introduced a resolution calling for the formation of a committee of thirteen Congressmen "to inquire into the condition of the late insurrectionary states so far as regards the execution of the laws and the safety of the lives and property of the citizens of the United States, [and] to report the result of their investigation to the House." The vote on the resolution was decided largely along party lines, with 126 voting for and 64 voting against the measure.[94]

Speaker Blaine, obviously anticipating the resolution as well as the outcome of the vote, announced his selection of the committee members moments later. Kelley was chosen but declined the nomination, stating that neither the condition of his "health" nor his "affairs" would permit him "to pledge the summer to any public duty." In early February he had written Caroline of their "embarrassed" financial state, perhaps owing to his inability to earn any substantial legal fees during the election campaign that coincided with the recess of the previous summer and fall. More important, he alluded to a "serious pulmonary affliction" that had "for some time" kept him "under medical care."[95] Although suffering from severe leg pain

which made the delivery of a speech nearly insufferable, he urged his colleagues on March 23 to "deal resolutely with the crimes which are now disgracing not only our country but republicanism and the age." When the radical Samuel Shellabarger introduced a bill, H.R. No. 320, to provide more stringent measures to enforce the Fifteenth amendment, including presidential authorization of martial law and suspension of habeas corpus, Kelley again rose to condemn the violent and discriminatory treatment of the freedmen in the South.

"The people of the South," he began, "are the children of the past." "Their deplorable condition is the result of the infernal system of slavery . . . I make due allowance for all that . . . Violence, sporadic, emotional, sudden, riotous, turbulent we were to expect." "But," he continued, "the possibility of organized, trained . . . bands of murderers who should murder for political effect came not within the scope of my imagination." The responsibility for this outrage, he argued, lay not with the "poor men, without visible means of support," who had taken up "new and costly rifles" in the Klan camps. The unhappy condition of the South was rather the result of "Democratic influence," that is, of the plans and influence of Southern leaders who hoped to drive Southern blacks "into silence and inaction," and in effect, "nullify the thirteenth, fourteenth, and fifteenth amendments to the Constitution."

Kelley suggested that if the Klan was not promptly suppressed, these leaders and their sympathetic allies in the North would soon establish a politically docile labor force in the South, composed of both blacks and those "northern men" who had purchased property in the region after the war. The result, in his view, would be the loss of a Republican constituency in the South, which would turn "backward a providential revolution."[96]

The power to suppress Klan violence was not only at the command of the federal government, Kelley declared, it was a duty "laid upon us by a Power higher than a written constitution." The "mission" of the "Heaven-inspired Republican party" was to turn mankind's historic yearning for self-determination into reality, to guarantee to every person "within our broad limits" the "enjoyment of life, liberty, and the pursuit of happiness." It was not enough to establish the "nominal right to the privileges of citizenship" without also ensuring "participation in the general administration of the government." Black Americans "must have not only . . . the right of suffrage, but must be recognized in all communities as . . . entitled to all rights, privileges, and immunities, and subject to all duties in common with other citizens."[97]

This was the political prescription which Kelley had advocated during his Southern tour in May, 1867. It was radical by virtue of its insistence on greater black

participation in government as well as broader access to educational institutions that were the enemy of "ignorance, subjection, and degradation." Yet, Kelley's appeal was limited by a conspicuous neglect of any equal insistence on compensatory measures that offered both blacks and whites freer access to the most significant lever of power in Southern society: productive property.[98]

Kelley recommended passage of Shellabarger's bill and strongly urged the "use of the Army," including "drumhead court-martial" to justify the shooting of Klansmen suspected of violent acts. After several weeks of acrimonious debate, the House passed the Ku Klux Klan bill with Kelleys' assent on April 7, 1871. Aligned against the bill were those, mostly Democrats, who considered it an unconstitutional subversion of local and state authority. Voting for the measure were the majority of Republicans, who favored it as a vehicle for party unity and as an essential means to preserve political order during the coming presidential canvass. The Senate likewise sustained the bill a week later. The administration of the new law was immediately frustrated in the South by the meager sum allotted for its enforcement, the discretion left to state legislators who still might sanction electoral restriction through redistricting, poll taxes, and literacy requirements, and the negligible number of federal troops in the South--4,000 in 1870. In fact, enforcement of the Klan Act's provisions was ultimately more

stringent and consistent in the North, where Republican officials used it to check the drift toward Democratic control in Northern cities and border swing states.[99]

Kelley's participation in House proceedings was quite limited for the balance of the session, presumably because of his circulatory ailment. Yet, the intense political oratory that filled the chamber during the debate over the Klan Act and the actual threat to the integrity of representative political institutions posed by the counter-revolutionary Southern violence had aroused his passion for the republican ideal of equal opportunity for social mobility. He was not confident that the ideal was adequately served by political safeguards alone. On June 12, in an address before a gathering in Philadelphia's Academy of Music, Kelley outlined his view of the economic conditions that would guarantee mobility to "laboring citizens." The occasion was a rally organized by directors of the Northern Pacific Railroad Company for the promotion of its bond sales.[100] As in his formal rebuttal to Commissioner Wells' report in January, 1870, Kelley defined the future of American democracy and material progress in terms of a diversified, integrated home market. No doubt to the pleasure of the railroad men who shared the dais, he cited the completion of a Northwestern transcontinental railroad network as a key vehicle for such development. But his argument was not in the least toadyish. Kelley noted with

considerable pride that he had advocated the building of such a system in the 1840's. He predicted that the completion of a Northern road would "develop a region not exceeded in its . . . varied mineral and agricultural resources," and would "open to settlement, under the homestead and pre-emption laws," a territory that could elevate "millions of poor and oppressed people" from Europe and "thousands" of America's "young men . . . picking up a precarious living" in the East to a position of "honest independence." In this way, a nation of "free, self-sustaining, and self-governing citizens" could be maintained. "If I am mistaken," Kelley added, "I have cherished the delusion through the greater part of my manhood."

The Philadelphia Inquirer reported that Kelley's speech abounded in "valuable information, eloquently and tersely set forth."[101] It was also notable for its implicit depiction of the East as a region of rather rigid social classes. During the war years, Kelley still assumed that the older, settled areas supported a thriving culture of independent producers who might inspire the freedmen with their work and "sense of proprietorship."[102] Now, he looked primarily to the West and the South[103] for the social mobility that might foster economic independence.

In July, 1871, Kelley set off to the West to repair his health and to confirm his hopeful conception of the region. He travelled by train to St. Louis and then over

the "Great American Desert" to Salt Lake City before turning for home. Upon his return, he accompanied a travelling companion, Dr. Latham, to the doctor's ranch near Fort Laramie, Wyoming. Kelley was apparently impressed with the territory and the condition of Latham's stock, for shortly thereafter he bought an interest in his friend's horses.[104]

While the trip appears to have improved his health and provided an opportunity to bolster his sagging fortunes, it was quite costly in personal terms. Before Kelley arrived in Philadelphia, his daughter Anna died. He later wrote his friend, Henry Carey, that his grief was more bearable than his inability to comfort Caroline, who had unselfishly cared for their children and tended to the family's business affairs during the long years of Kelley's Congressional service.[105]

Before the gloom of the fall had entirely disappeared, Kelley demonstrated that his spring crusade in defense of black voting rights was only part of a broader ambition to establish universal suffrage as the law of the land. Now, he was prepared to press this measure in its fullest sense, so as to include all women over the age of twenty-one. In an attempt to bring this campaign before his Congressional colleagues, he proposed a resolution that would permit his friend, Elizabeth Cady Stanton, and other leading feminists to be heard at the bar of the House concerning

"the political disabilities of the women citizens of the United States." Both Kelley and the suffragists apparently considered such an assault timely in view of the revived Congressional interest in the suffrage issue.[106]

Kelley's initiative may also have been related to his recent family loss. His concern for his wife's remorse and personal sacrifices may have evoked memories of a more distant past and the comfort of another woman who contributed much to his well-being. Kelley's mother, Hannah, had been burdened by a large debt bequeathed by his father who died of apoplexy when Kelley was two years old. To redeem the debt, she sold the family possessions at auction and was forced to take in laundry and sewing while managing a boarding house. One of Kelley's earliest political initiatives in Pennsylvania was to organize support for the passage of a state law exempting a widow's property from attachment to pay her husband's debts. This commitment in behalf of women's civil rights fell away as he became active in the antislavery movement, but surfaced again in 1870 as Kelley helped to establish the American Equal Rights Association.[107] Now, as his awareness of female talents and capacities was heightened by recent trauma, Kelley appears to have been aroused to renew and enlarge his political efforts in behalf of women's rights. However, his colleagues were not so inclined. His resolution was soundly defeated, with the bipartisan majority

presumably agreed that voting was not necessarily coextensive with citizenship as Kelley and the early feminists believed.[108]

During the second session of the Forty-second Congress, Kelley also persisted in his efforts to enhance the "value of life" of the "workingmen of the country."[109] In the course of the brief December debate on a bill to appoint a commission to investigate the "division of profits between labor and capital," Kelley was more explicit about his concern for the industrial worker.[110] He feared that the country's political and industrial elite were leading America "in the footsteps of the old nations," where wage-earners were denied the opportunity for meaningful political and economic participation. The danger, Kelley warned, was that the propertyless laborers of the East would consider their status "absolute," deny the "feasibility of cooperation" between "the laborers and capitalists of the country," and embrace the ideas that "lighted the fires of the Commune in Paris." He suggested that "notwithstanding their hard condition," Europe's "laborers" had demonstrated they had the "intellect" to realize that a private property system which could not routinely provide opportunities for citizens to achieve propertied status had failed to satisfy one of its central premises.[111]

For the moment, Kelley argued, America was spared a popular assault on the prerogatives of the propertied "by

reason of the extent and freedom of our public lands." In fact, the theory of the safety valve of Western lands was largely false. The federal homestead legislation provided no assistance to get wage-earners and tenant farmers to the trans-Mississippi region where most of the public domain was located. Since the necessary costs of transportation, draft animals, implements, and subsistence might be the equivalent of half a year's wages, it was virtually impossible for Eastern workers and their families to relocate. Moreover, few industrial workers had any experience with the demands and techniques of farming. In short, only a small percentage of all the surviving homesteaders were Eastern laborers, and these represented a still smaller percentage of the increasing population of wage-earners in the Northeast.[112] Nevertheless, Kelley's belief that free land fostered economic independence on the frontier endured and was quite prevalent within the labor movement as well.[113] His faith in the beneficence of the West's awesome natural resources and the impartiality of the State which laid claim to them was the element that kept the theory alive.

Yet, as in the case of his urge to Americanize Santo Domingo, there was a less than noble underside to Kelley's hope of rescuing American democracy through petty-proprietorship in the West. The convergence of his economic analysis and an intense emotional attachment to

the ideals it served inclined him to define the interests of the native Americans in the trans-Mississippi "garden" as identical with those of potential settlers in the East. This was not the case. Although generalizations about the numerous and diverse Indian cultures of the West are risky, it is perhaps safe to state that most held fundamentally different ideas about the ownership of natural resources. To these societies, the land and its produce were available for use by the tribe or clan; no person might claim a specific parcel of land and bar others from it. Crazy Horse, the Sioux chieftain, captured this orientation when he said, "One does not sell the earth upon which the people walk." The legal construct closest to this notion in American jurisprudence was the concept of usufruct, but even this practice presumed prior and exclusive ownership.[114] Kelley considered the communal, tribal orientation of the Western Indians "a vicious idea" which would eventually lead "to the destruction of the Indian race," presumably through the inefficient exploitation of their natural surroundings. Hence, he recommended that the federal government "offer inducements to the Indians to abandon their tribal relations, accept the habits of civilization, and become useful members of society."[115]

The imposition of this approach, which became offical policy in 1871, ultimately led to the deaths of more than 100,000 Indians through starvation, disease, or battle

wounds. Kelley never intended such a result. His purpose in supporting the "civilization" of the existing tribes was to offer an alternative to their military conquest or slaughter, as in the case of Custer's massacre of a Cheyenne village on the Washita River. However, Kelley underestimated the Indian determination to defend their way of life. Neither he nor any significant number of America's policymakers considered Indians as men with organized, defensible societies. If they had, agreement might have been reached on the basis of one Indian leader's simple, but rending logic: "When people come to trouble, it is better for both parties to come together without arms and talk it over and find some peaceful way to settle it."[116]

Kelley may have observed another novel economic orientation on the American scene. Its source lay within the labor movement and was centered about Ira Steward and his followers in the Eight Hour Leagues. Steward was a leader of the Machinists' and Blacksmiths' International Union and a prominent organizer in the eight hour movement that began before the Civil War. He shared Kelley's view that the shortening of the working day was a pivotal step in reshaping American social relations in a way consistent with the ideal of self-determination. "Men who labor excessively are robbed of all ambition to ask for anything more than will satisfy their bodily necessities," Steward

wrote. So long as the average day remained ten or more hours, what time had the working person to "write letters . . . to walk with his family" or "to study Political Economy, Social Science . . . and the ten thousand schemes with which our Age teems for the amelioration of man?" he asked.[117] Kelley expressed a similar concern in 1869. His solution, like Steward's, was the division of the "laborer's day" into three equal parts, including "eight hours of honest labor," "eight hours for rest," and "eight hours for recreation and study." "Humanity," Kelley wrote, must be "outraged" by the "fact that the millions whose toil produced all the wealth were compelled at the cost of sight and health" to labor long hours while "those who only bought and sold their productions were free from such exactions."[118]

However, in contrast to the National Labor Union[119] and radical Republicans such as Kelley, Steward did not consider a flexible greenback currency an indispensable companion to a shorter working day. He argued, correctly, that greenbackers--and protectionists who claimed that high tariffs necessarily meant higher wages--assumed that the idealized self-employed and smaller producers would "take care of the poor" after federal legislation provided for their needs. This was not, and could not be, the case, he claimed. According to Steward, the entrepreneur could not accumulate capital without suppressing his employees'

demands for a more equitable portion of the value of the day's labor. Hence, the economic burdens borne by labor were not attributable to the exploitative policies of financiers who opposed greenback inflation and squeezed the entrepreneur, but to the inherently unequal relationship between "those who buy day's works, and those who sell them." In his view, the "wage system" was the enemy of productive labor. Steward accordingly believed that the ideal of equal opportunity for economic advancement could not be realized in a competitive capitalist political economy. He declared that "every man is king" only in a society in which "every man will be a capitalist."[120]

Steward was unclear about how such a society could be constructed. He believed the legislative division of the working day equally between the laborer and the capitalist would encourage a "higher standard of popular intelligence" and an exchange of knowledge and wealth sufficient to provide the basis for a cooperative commonwealth. He neither foresaw any political expropriation of private property analogous to the Republican seizure of slave property, nor conceived of any political framework that could sustain the social relations of his commonwealth or prevent their reversion to the contemporary exploitative form.[121] His reliance on an impersonal, harmonious evolution gave his ideas an impractical quality, and left him without a convincing program that would make his contempt for the

self-made man or "one man power" politically sound in the eyes of the mainstream of the labor movement.[122] Nevertheless, Steward pushed the social debates of the early 1870's beyond the imagination of Kelley and other radical Republicans whose identification of wealth accumulation with the individual entrepreneur mystified the inequitable social essence of the property system.

As the Congressional session lengthened, Kelley focused his attention on several measures which he considered injurious to the welfare of productive labor. In March, 1872, Representative Garfield and a minority of hard-money Republicans in the House and Senate created a minor flap by attempting a mild contraction. Their aim was to redeem the temporary 3 per cent certificates authorized in 1867 for use as bank reserves. The issue of these bonds was designed by Congressional soft-money forces to partially offset the deflationary effect of Treasury Secretary McCulloch's greenback contraction and funding of compound-interest reserve certificates. Although the hard-money faction of the Republican party had come to accept a gradual, relative contraction of the currency--through fiscal equilibrium and business expansion--as a more desirable path toward eventual resumption than a drastic, forced reduction in the means of exchange, they presumably believed the special purpose of the 3 per cent issue had been served.[123] Since the House Committee on Banking

and Currency had refused to support the proposed retirement of the loan certificates, a serious battle was not in the offing. Nevertheless, Kelley rose to condemn the bill or any retirement of reserve certificates that did not provide for their redemption in greenbacks. This marked Kelley's return to the standard of the interconvertible bond, which he had deserted in January, 1868.[124] His renewed preference for the convertibility of bonds and greenbacks was in agreement with the official position of the National Labor Union, but there is no evidence to suggest that the policies of the labor organization influenced his position. It is more likely Kelley was serving notice that if the financial status quo established by the redistribution bill of July, 1870, was challenged, the result might be another radical assault on the prevailing monetary system in order to keep the "people's money" in circulation.

The currency bill was tabled indefinitely on March 7. At the same time, Kelley was at work in the Committee of Ways and Means attempting to resist any serious reductions in the protective system of tariff duties. The tariff controversy in the Forty-first Congress had not been settled, but rather sustained by the minor reductions in the law of July 14, 1870. By 1872, the low tariff forces of the West and South had been strengthened by the increasing organizational coherence and political clout of the

Grange, whose constituents were farmer businessmen primarily concerned with finding markets for farm surpluses and establishing lower, non-discriminatory railroad rates. Kelley was appointed to the Committee in December, 1871, by Speaker Blaine who recognized the determination of the agricultural protest movement and was inclined to make concessions to it in order to wed agricultural producers to the leading Republican conception of the national interest. Blaine's other appointments gave the committee a mild "reform" disposition.[125]

The tariff bill which chairman Dawes reported on April 16 proposed a horizontal reduction of 10 per cent on most classes of manufactured goods. Kelley, Horace Maynard of Tennessee, and a minority of the committee members opposed the bill.[126] During the general debate, which as usual consisted of prepared speeches, he rose to explain his opposition to the "fanaticism" of tariff reformers such as Horatio Burchard of Illinois, James Beck of Kentucky, Gustavus Finkelnburg of Missouri, and Michael Kerr of Indiana.[127] He declared that he hoped to "see the prostrate South stimulated by protective duties to develop its wonderful mineral resources," and the "agriculture of the West" rewarded "by a near market of consumers whose prosperity shall be so great that they will freely consume, at liberal prices, all that the West may grow . . . ." This goal could not be realized by the men who cry for

"revenue reform," Kelley argued. By reducing the duties on the import of manufactured goods, he continued, "you check the market for western grain for both men and animals employed in and about furnaces and forges" and "diminish the market for your own [industrial] products within the country." In addition, the consequent reduction of customs revenues would necessitate the maintenance of internal excise taxes, collected by a "corps of detectives" and requiring the "taking of an oath every week or every month to the honesty and fidelity of loosely-kept accounts."[128]

Kelley further criticized the reformers' claim that a reduction of duties would open a healthy international commerce. He declared that it would restrict trade "that can give development to American enterprise" because it would retain duties on items not produced in the United States, such as tea, tin, coffee, spices, and gums. This "illogical" approach was designed to provide adequate government revenue once "the productions of the cheap labor of Europe may be admitted at lower or nominal rates of duty." Such a plan was unacceptable to Kelley. It would jeopardize the "American rate of wages" and thus the national capacity to consume the agricultural surplus, he argued. In the long run, such reform would delay the application of "science and the mechanic arts" so that "the exhausting drudgery of labor may be lifted from the shoulders of the toiling masses and put upon organized iron

and steel moved by steam and guided by man or woman."[129]

Once again, Kelley pressed his argument for a protected home market. His elaboration of the benefits of interregional trade was not unique, but his passing allusion to the labor-saving impact of the application of "science and the mechanic arts" is interesting. As his earlier remarks in the House and at the Academy of Music revealed,[130] Kelley was inclined to acknowledge that the industrializing Eastern portion of the American marketplace was increasingly characterized by industrial investment on a large scale and, more important, by a permanent industrial wage-earning class.

On May 7, when the Committee of the Whole was to begin consideration of the tariff bill by sections for the purpose of amendment, Kelley moved to strike out the enacting clause. According to the rules of the House, such a motion was equivalent to a motion to reject the bill. To the surprise of both the bill's supporters and opponents, Kelley's motion was carried by a vote of 95 to 75. At this point, Speaker Blaine displayed equal mastery of parliamentary procedure by entertaining a motion to refer the bill to a standing committee. If carried, the bill would be sent to a committee with or without instructions and, when reported from that committee, could "'resume its original place on the Calendar.'" Chairman Dawes of the Ways and Means Committee moved that it be referred to his committee

with the provision that the 10 per cent reduction remain intact. Dawes's motion was carried and debate on the bill's details soon proceeded.[131]

Kelley continued to oppose the bill but his political backing weakened as the session neared an end and the summer's political canvass approached. On May 20, the tariff bill was passed by the House. The Senate concurred with the House measure on May 31 and the bill was signed by Grant on June 6.[132]

During the Congressional recess Kelley again travelled through the West, reaching San Francisco by mid-August. He delivered several speeches en route, extolling the home market theory, and presumably found time on his return to visit his stock of horses in Wyoming. If Kelley's "rest cure" indicated a lack of concern about the October election in his Congressional district, the results validated his complacency. He polled 20,955 votes to his Democratic opponent's 13,301.[133]

The outcome of the 1872 presidential canvass may have cheered those political observers, such as Kelley's friend Frederick Douglass, who regarded a Republican victory indispensable to the preservation of a national commitment to equal citizenship. Grant's electoral vote in November buried Horace Greeley who was the standard-bearer of the Democrats and Liberal Republicans. While their majority in the Senate was narrowed by rising Democratic strength in

the West and South, the Republicans enlarged their margin in the House.[134] The result of the fall elections gave an undue impression of Republican strength, however. Greeley's high tariff views discouraged support from Western dissenters, and in the South Grant's timely (and parting) pressure on federal marshalls preserved Republican power in hotly contested areas, particularly in South Carolina and Mississippi.[135]

Moreover, by the close of the year a number of developments foretold an emerging accommodation among the leading propertyholders of the North and South that would jeopardize the republican ideal of equal opportunity for economic advancement and political equality. During the previous two years formerly antagonistic mercantile and industrial interests had moved toward agreement on a common developmental strategy which promoted monetary stabilization, state subsidization of railroad investment and Western land development, and a moderate protective tariff.[136] Kelley feared that the fruits of such an approach would largely accrue to the incomes and influence of leading producers and investors in both regions, sending America down the path of the "old nations" of Europe. As an antidote, he urged the promotion of the spirit of "partnership" among "the laborers and capitalists of the country" and the settlement of the "public lands" with those who "live in poverty."[137]

By late 1872, a new dynamic equilibrium had also emerged in the political sphere. The leadership of the Democratic party had announced a new program of reconciliation, recognizing the legitimacy of the Thirteenth, Fourteenth, and Fifteenth amendments and calling for a return to specie payments. This "New Departure," outlined by Clement Vallandigham in 1871 and accepted as the official national line of the party in July, 1872, struck a responsive chord among Northern newspaper editors and in the Congress. Before the second session of the Forty-second Congress ended, the Republican majority had granted amnesty to approximately 20,000 former Confederates, entitling them to hold public office.[138] This did not mean the restoration of the pre-war order in the South. On the contrary, most of the "Redeemers" expressed an adaptive outlook. Though often fiercely anti-black and opposed to state expenses and taxes designed to democratize educational and other social institutions, the Redeemers, in votes and deeds, tolerated the possessive individualism that moved the North's political economy. Grant's second inaugural address implicitly recognized this political accommodation. Expressing the Republican leadership's willingness to disengage from federal enforcement of equal civil and political rights, Grant regarded the South as "happily rehabilitated" and declared that nothing would be done "to advance the social status of the colored man, except to

give him a fair chance to develop what there is good in him."[139]

Kelley might well have agreed with Georges Clemenceau's contemporary remark that the great American social revolution was "over." He wrote his friend, Elizabeth Cady Stanton, that he felt "solitary and alone" in his "position."[140] Certainly, his notion that the Declaration of Independence defined the national purpose[141] did not align with the dominant perspective of either party. The recent political realignment heralded a new era in which diverse groupings of commercial-financial and industrial capitalists came to identify their common interests as members of a dynamic social class. In the years that followed, Kelley was allied with those small agricultural entrepreneurs and labor groupings who were essentially united by their conception of the common good as something more noble than a larger gross national product.

NOTES

[1] The New York Tribune considered the readmission of the ex-rebel states in the summer of 1868 the "triumph of reconstruction." New York Tribune, May 12, 1868, p. 4.

[2] Carl Schurz, in Speeches, Correspondence, and Political Papers, ed. by Frederic Bancroft (New York, n.p., 1913), I, p. 419.

[3] Kelley, Speeches, pp. 397-402. The letter confirmed his renomination to Congress by the Republican organization of Philadelphia's Fourth District. With respect to his earlier comments, see Chapter 3, p. 129.

[4] Kelley, Speeches, pp. 398-399.

[5] Williams, Contours, pp. 314-315, 324-325, 338; William A. Williams, The Great Evasion (Chicago: Quadrangle Books, 1968), pp. 143-144.

[6] Kelley to Caroline Kelley, March 16, 1869; KPHSP; ibid., March 19, 1869, KPHSP; John Coburn to Henry Carey, April 9, 1869, Carey MSS, Historical Society of Pennsylvania.

[7] Kelley voted against the Public Credit Act, as did the radicals Butler, Covode, and Donnelly. See Chapter 5, p. 255.

[8] Kelley to Caroline Kelley, April 5, 1869, KPHSP. He was particularly proud of Florrie's progress, noting to his wife that she seemed to need "less of the exacting details of education than most children."

[9] Ibid., May 13, 1869, KPHSP; Congressional Directory for the First Session of the 41st Congress of the United States, 1st ed. (Washington, D.C.: n.p., 1869), pp. 53-57. For Kelley's account of the trip, see Kelley, Speeches, pp. 306, 455.

[10] The Kelleys apparently leased several residences in the Philadelphia area. For references to these rental properties, see Kelley to Caroline Kelley, July 17, 1867, KPHSP; ibid., July 17, 1868, KPHSP; ibid., March 26, 1869, KPHSP.

[11] Unger, Greenback Era, pp. 169-171. Kelley referred to his concern about the circumstances and effects of the crisis in the House in June. See the Congressional Globe, 41st Cong., 2nd Sess., p. 5020.

[12] Congressional Globe, 40th Cong., 2nd Sess., pp. 212-213. Also, see Chapter 5, pp. 245-246.

[13] John Sherman, Recollections of Forty Years in the House, I (Chicago: The Werner Co., 1895), pp. 451-452. United States Treasury Department, Annual Report of the Secretary of the Treasury on the State of the Finances for the Year 1869 (Washington, D.C.: n.p., 1869), p. xvii.

[14] Kelley to Carey, March 20, 1869, KPHSP.

[15] Congressional Globe, 41st Cong., 2nd Sess., p. 5020.

[16] See Chapter 5, pp. 243-244.

[17] See Chapter 6, pp. 281-282, 286.

[18] Kelley, Speeches, p. 399 (July 2, 1870).

[19] Ibid., pp. 285-286. Kelley was particularly impressed by the volume production associated with the Bessemer process. On his later views, see Chapter 7, pp. 378-379 and Chapter 8, pp. 414-415.

[20] Unger, op. cit., pp. 179-180, and fn. 90 (p. 180).

[21] J. Edgar Thompson to John Covode, January 30, 1868, Covode Papers, Western Pennsylvania Historical Society.

[22] Congressional Globe, 41st Cong., 2nd Sess., pp. 5066-5071, 5522-5523.

[23] Ibid., p. 3104.

[24] Ibid., p. 4238; Shannon, Farmer's Last Frontier, pp. 184-185.

[25] Congressional Globe, 41st Cong., 2nd Sess., pp. 4238-4239.

[26] Another, and in Kelley's view equally important "key" to American's commercial independence was the protective tariff. See Chapter 4, pp. 197-199.

[27] Congressional Globe, 41st Cong., 2nd Sess., pp. 4238-4239. An export balance in merchandise was not a

characteristic of American foreign trade until 1874. See Harold Williamson, ed., The Growth of the American Economy (New York: Prentice-Hall, 1946), p. 569.

[28] Congressional Globe, 41st Cong., 3rd Sess., p. 2.

[29] Unger, op. cit., pp. 165-167; Williams, Roots, p. 146.

[30] Congressional Globe, 41st Cong., 2nd Sess., pp. 4244-4245.

[31] Ibid., pp. 4471-4478.

[32] Ibid., p. 5302.

[33] Edward Stanwood, American Tariff Controversies in the Nineteenth Century (New York: Russell & Russell, 1967), pp. 158-160; Williams, Roots, pp. 141-142.

[34] U. S. Congress, House, Report of the Special Commissioner of the Revenue, 1868, House Exec. Doc. 81, 40th Cong., 2nd Sess., 1869; U. S. Congress, House, Report of the Special Commissioner of the Revenue, 1869, House Exec. Doc. 27, 41st Cong., 2nd Sess., 1870; Herbert Ferleger, "David A. Wells and the American Revenue System, 1865-1870," (unpublished Ph.D. dissertation, Columbia University, 1942), pp. 267-273; Fred Joyner, David Ames Wells, Champion of Free Trade (Cedar Rapids, Iowa: The Torch Press, 1939), ch. vi; Terrill, The Tariff, pp. 16-17.

[35] Kelley to Caroline Kelley, January 11, 1870, KPHSP.

[36] Congressional Globe, 41st Cong., 2nd Sess., pp. 371-372, 375-376 (January 11, 1870). On American food exports to Europe in these years, see Eric Hobsbawm, Industry and Empire (London: Penguin Books, 1975), p. 196.

[37] Again, the long-term results of the protective tariff were unforeseen, but the relative gains made by larger industrial producers under the system were far superior to any benefits accruing to smaller producers and skilled laborers. See Chapter 4, p. 200.

[38] Aside from the recent memory of English toleration of Confederate trade and privateering, other sources of anti-British nationalism included the competition of English-owned ranches and farms in the West and English restrictions against American agricultural exports. See Williams, Roots, pp. 25, 125, 140.

[39] Congressional Globe, 41st Cong., 2nd Sess., p. 370.

[40] The protective tariff on coal was passed after the abrogation of the Canadian reciprocity treaty in 1866. The leading forces against the treaty, which had taken effect in 1854, were Western farmers, hard-pressed by the stiff competition of Canadian grains, and coal producers in Pennsylvania, West Virginia, and the West who feared the competitive potential of Nova Scotian ore imports (which had increased from 88,531 tons in 1858 to 209,225 tons in 1865). Kelley's depiction of the Canadian coal imports as inconsequential was thus off the mark. See Coben, "Northeastern Business," pp. 68-69, 72.

[41] Congressional Globe, 41st Cong., 2nd Sess., pp. 374-375.

[42] Congressional Globe, 41st Cong., 2nd Sess., pp. 615-616.

[43] Ibid., pp. 950-951.

[44] Ibid., p. 2004ff.

[45] Ibid., p. 2354ff.

[46] Ibid., p. 3378.

[47] Ibid., pp. 3495-3496.

[48] Kelley to Caroline Kelley, February 23, 1870, KPHSP.

[49] Ratner, American Taxation, pp. 113, 116, 121-122, 141.

[50] Congressional Globe, 41st Cong., 2nd Sess., pp. 3993-3995.

[51] Ibid., pp. 4090-4091, 4107. Edward Stanwood's survey of tariff legislation, American Tariff Controversies in the Nineteenth Century, suggests that the reduction in the rate on pig iron from nine dollars per ton to seven dollars offered no relief for the agricultural producer who bought his manufactured goods in a market which remained well-protected, while selling his produce or grain in a "free" world market. Neither Stanwood's study nor subsequent treatments have explored the possible relation between the willingness of Midwestern Republicans to compromise on the tariff and income tax questions and the growing agricultural dissent in the Midwest over tariff policy. Moreover, there has been no extensive investigation of any

class differences that may have existed between small and larger manufacturers regarding the benefits of a continuing high tariff on manufactured goods in 1870. It is generally assumed that the split which developed within the ranks of industrial producers by the early 1880's was not evident at this early date. On the later split, see Chapter 9, pp. 439-440, 447, 451, 483.

[52] Ibid., p. 5238.

[53] Ibid., pp. 5516-5522.

[54] Kelley to Caroline Kelley, July 13, 1870, KPHSP.

[55] The quotations are from the text of Kelley's public letter of August 22, 1870, directed to the "Science Council of the Order of United American Mechanics." In the letter, Kelley spoke to organized labor's concern about proposals for the use of cheap Chinese labor in neighboring states, which Kelley opposed on the grounds that such persons seemed "to be brought hither by force or decoyed by false representation, for the purpose of being used without regard to their rights or those of the people at large." See Kelley, Speeches, pp. 404, 411.

[56] E. Digby Raltzell, Philadelphia Gentlemen: The Making of a National Upper Class (New York: Random House, 1958), ch. vi.; Ratner, American Taxation, pp. 136-137.

[57] See Chapter 6, pp. 273-274.

[58] Kelley to Henry Carey, January 15, 1871, KPHSP.

[59] Congressional Globe, 41st Cong., 2nd Sess., p. 370. Porter and Livesay's Merchants and Manufacturers (pp. 135-136) confirms Kelley's perception of the considerable economies of scale achieved in the primary iron and steel industries in the early 1870's.

[60] Congressional Globe, 41st Cong., 2nd Sess., pp. 369, 373.

[61] Kelley, Speeches, pp. 405, 421-422.

[62] During the first session of the Fortieth Congress, Kelley supported George Julian's bill declaring eight hours "a day's work for all laborers, workmen, and mechanics employed by or on behalf of the government of the United States." He apparently hoped that the bill would encourage shorter hours in the private sector. See the Congressional Globe, 40th Cong., 1st Sess., p. 425 and Chapter 9, pp. 442-443.

[63] Congressional Globe, 41st Cong., 2nd Sess., p. 369; Kelley, Speeches, p. 404. Kelley expressed similar sentiments during the tariff debate of the Thirty-ninth Congress. See the Congressional Globe, 39th Cong., 1st Sess., p. 3518.

[64] See Montgomery, Beyond Equality, pp. 150, 234, 248, 319-320.

[65] Kelley, "The New Northwest, June 12, 1871," Library of Congress, p. 492. See also, the Congressional Globe, 39th Cong., 1st Sess., p. 2203 (April 26, 1866).

[66] Poore, Political Register, p. 478; Philadelphia Public Ledger, October 12, 1870; Philadelphia Inquirer, October 12, 1870. Kelley's candidacy was no doubt aided by the donation of $650 from the Bituminous Coal Exchange, a liberal contribution by contemporary standards. Kelley alluded to his friend Henry Carey that he was uncomfortable with the association's subsequent efforts to remind him of their support for his protectionist stance. See Kelley to Carey, January 15, 1871, KPHSP.

[67] Biographical data on inventory sheet in the folder, "Family," in the Kelley Family Papers, Butler Library, Columbia University.

[68] Kelley to Caroline Kelley, December 4, 1870, KPHSP.

[69] The subject of annexation was a focus for considerable conjecture in metropolitan newspapers during the fall. See Allan Nevins, Hamilton Fish (New York: Dodd, Mead & Company, 1937), pp. 309-311.

[70] James D. Richardson, ed., A Compilation of the Messages and Papers of the Presidents (Washington, D.C.: Bureau of National Literature and Art, 1909), IX, pp. 4053-4054; Nevins, Fish, pp. 255-256, 261-264, 276, 501; Williams, Roots, pp. 146-147. American adventurers had promoted black colonization on the island during the war, but there is no evidence that the colonization of American freedmen was a major aim behind the Grant administration's proposal for annexation. See Hesseltine, Ulysses S. Grant (New York: Dodd, Mead & Co., 1935), pp. 197-206.

[71] Congressional Globe, 41st Cong., 3rd Sess., pp. 53, 271.

[72] Ibid., pp. 386-387, 413.

[73] Ibid., pp. 416, 431. The annexation treaty negotiated by the Grant administration did not fare as well.

Sumner's Foreign Relations Committee submitted an unfavorable report on the treaty, and the administration failed to rally a two-thirds majority on the Senate floor in behalf of the agreement. The investigative commission authorized by the Congress submitted a report favorable to annexation in March, 1871. However, by this time the treaty with Santo Domingo had expired and no additional Senate support had been won for its ratification. The only extensive published analysis of the main figures in this political drama is Nevins' biography of Hamilton Fish, op. cit., pp. 277-278, 316-333, 497-501.

[74] See Chapter 2, pp. 70-71.

[75] Philadelphia Inquirer, January 25, 1871. The Inquirer editor announced that Kelley would soon deliver a "voluminous" speech on Santo Domingo. On January 28, the editorial page praised Kelley's speech as the "most powerful argument made in Congress, either for or against [annexation]."

[76] Kelley, Speeches, pp. 427, 431, 433, 441, 446.

[77] Philadelphia Inquirer, January 14, March 9, 1870. Similar reports of island dissidence on the matter of annexation appeared in the New York Times in February and March, 1870. See Hesseltine, Ulysses S. Grant, pp. 200-201.

[78] Kelley, Speeches, pp. 431, 433, 437.

[79] See the Congressional Globe, 39th Cong., 2nd Sess., pp. 261-262; 41st Cong., 2nd Sess., pp. 4238-4239.

[80] Kelley, Speeches, p. 432.

[81] Kelley to Caroline Kelley, January 31, 1871; February 12, 1871, KPHSP.

[82] Kelley to Carey, March 20, 1869; Kelley to Caroline Kelley, March 12, 1870, KPHSP.

[83] Kelley to Carey, February 18, 1871, KPHSP.

[84] Kelley to Carey, January 15, 1871, KPHSP. In his polemic against Wells' report on January 11, 1870, Kelley argued that the protective system was the key to a progressive integration of the "unskilled" freedmen into the Southern economy, since it would foster mining and textile manufacturing firms that required men who "may not have" the training for the advanced "branches of mechanics." See the Congressional Globe, 41st Cong., 2nd Sess., p. 375.

[85] Kelley to Carey, January 15, 1871. Joseph Wharton, perhaps best known as the founder of the Wharton School of Finance, was at this time the principal investor in the Bethlehem Iron Co., afterward the Bethlehem Steel Corporation. As with J. Edgar Thompson, he was devoted to a high protective tariff on pig-iron, rolled steel and other manufactured goods and found in Kelley an especially determined advocate of such a policy. On Wharton's leading political and business interests, see The National Cyclopaedia of American Biography, XIII, pp. 82-83.

[86] Douglass to Kelley, May 2, 1871, KPHSP. In his letter, Douglass refers to a recent exchange of notes with Kelley, but any and all such correspondence was either lost or never collected.

[87] Douglass to Kelley, May 2, 1871, KPHSP.

[88] Ibid.

[89] Kelley to Howard M. Jenkins, January 12, 1869, KPHSP.

[90] Some of the more affluent Southern whites who were prepared to accept the terms of the settlement outlined by the Fourteenth amendment initially accepted black suffrage in order to gain effective leadership in state policy-making. These men changed their approach as Southern Republican legislative programs brought high taxes and encouraged significant political participation by thousands of poor whites as well as blacks. See William Gillette, Retreat From Reconstruction, 1869-1879 (Baton Rouge: Louisiana State University Press, 1979), pp. 22-28, 30; Kenneth M. Stampp, The Era of Reconstruction, 1865-1877 (New York: Random House, 1965), pp. 163-165; Williams, Contours, p. 313.

[91] New York Times, March 8, 1871; March 11, 1871.

[92] It was not the alleged vindictiveness of black leaders but rather their capacity to establish political equality and substantial economic opportunities for freedmen that prompted this change of strategy. Most of the new state constitutions written by Republican coalitions (all dominated by whites with the exception of South Carolina's) eliminated discriminatory systems of apportionment, converted many important political offices from appointive to elective positions, enlarged the rights of women, provided for substantial improvements in state systems of public education and established formal commitments to the infirm and poor. The more equitable tax

systems devised to support the staggering job of physical reconstruction and the development of state railroad lines and government services put an unaccustomed burden upon Southern landowners. The radical tax policies, combined with the democratization of political offices, was more than the essentially conservative Southern elite could accept. Thus, class and racial antagonisms reinforced each other, leading formerly accommodating Southern white producers toward clandestine support of extra-legal political violence. See William R. Brock, Conflict and Transformation: The United States, 1844-1877 (New York: Penguin Books, 1978), pp. 382-383; Stampp, Era, pp. 167-168, 180-185.

93 Congressional Globe, 41st Cong., 2nd Sess., pp. 3504, 3809; ibid., 41st Cong., 3rd Sess., 1281-1285, 1655.

94 Ibid., 42nd Cong., 1st Sess., pp. 116-117.

95 Ibid., pp. 116-117, 123, 247, 335-341; Kelley to Caroline Kelley, February 10, 1871.

96 Congressional Globe, 42nd Cong., 1st Sess., pp. 317, 338-340.

97 Congressional Globe, 42nd Cong., 1st Sess., pp. 339-341.

98 On Kelley's political views in May, 1867, see Chapter 5, pp. 233-235.

99 Congressional Globe, 42nd Cong., 1st Sess., pp. 522, 709; Gillette, Retreat, chapter 2. The real power under the Klan Act was granted to election supervisors who served in cities with populations over 20,000, all but five of which were in Northern or border states. Consequently, most of the enforcement expenditures were made in the North. Hence, it is not surprising that in the period, 1870-1877, only 34 per cent of all the cases tried in the South resulted in conviction, with only a handful of these convictions falling outside the highly contested districts of Mississippi, North Carolina and South Carolina.

100 The Northern Pacific was granted land and mortgage security in the fashion of the Union Pacific by Congress in May, 1870. Congressional Globe, 41st Cong., 2nd Sess., pp. 2867, 2869, 3263, 3853.

101 Kelley, Speeches, pp. 456, 465, 467, 469; Philadelphia Inquirer, June 13, 1871.

102 See Chapter 3, pp. 72-73; Chapter 5, pp. 243-244.

[103] On Kelley's hope for the development of petty proprietorship in the South, see Chapter 5, p. 233.

[104] Kelley to Caroline Kelley, July 23, 1871 and August 4, 1871, KPHSP. See also the reference to this trip in Kelley's letter to Caroline of January 23, 1873.

[105] Inventory sheet, "Family" folder, Kelley Family Papers, Butler Library, Columbia University; Thomas J. Durant to William Kelley, August 23, 1871, Kelley Family Papers, Columbia University; Kelley to Carey, September 9, 1871, KPHSP.

[106] Congressional Globe, 42nd Cong., 2nd Sess., p. 973; Lois W. Banner, Women in Modern America (New York: Harcourt, Brace, Jovanovich, Inc., 1974), p. 3.

[107] Greco, "Kelley," pp. 18, 29-31, 152-153. The American Equal Rights Association promoted political and civil equality for all persons, regardless of sex, color, or previous condition of servitude.

[108] Congressional Globe, 42nd Cong., 2nd Sess., p. 973. Kelley pressed similar resolutions throughout the decade, but was frustrated on each occasion. See, for example, the Congressional Record, 45th Cong., 2nd Sess., pp. 270, 320-321.

[109] Kelley cited this endeavor as the proper aim of the "statesman" in July, 1870. See Kelley, Speeches, p. 399.

[110] The bill, H.R. 374, was introduced by Representative George Hoar of the House Committee on Education and Labor. It was prompted by requests from American branches of the International Workingmen's Association, and by a general concern about the strengths and social trends of America's free labor society in the wake of the recent Paris Commune. See the Congressional Globe, 42nd Cong., 2nd Sess., pp. 102-105. The bill passed the House with Kelley's approval on December 20, 1871.

[111] Congressional Globe, 42nd Cong., 2nd Sess., p. 103. By 1870, the "exceptional" character of American social relations had largely vanished. Only about 33 per cent of all gainfully employed persons were actually self-employed or employers. In agriculture, only one out of four males was an independent producer. See Montgomery, Beyond Equality, pp. 25-30.

[112] See Chapter 2, p. 73, and Shannon, Farmer's Last Frontier, pp. 54-55.

[113] Montgomery, op. cit., pp. 233, 252. An early and perhaps the best analysis of the contemporary faith in the West as a safety valve can be found in Henry Nash Smith's Virgin Land, ch. XX.

[114] Dee Brown, Bury My Heart At Wounded Knee (New York: Holt, Rinehart & Winston, 1971), pp. 242, 273, 316; Alvin M. Josephy, The Indian Heritage of America (New York: Bantam Books, 1969), p. 26.

[115] Congressional Globe, 40th Cong., 1st Sess., p. 757; 42nd Cong., 3rd Sess., p. 613.

[116] Brown, op. cit., p. 122; Josephy, op. cit., pp. 51, 339.

[117] Ira Steward, A Reduction of Hours Is an Increase of Wages, 1865, Ira Steward Papers, State Historical Society of Wisconsin, pp. 2, 14.

[118] Kelley, Speeches, p. 279.

[119] The Baltimore program of the National Labor Union identified the "' intelligence and the independence of the working classes'" as the key to the success of the new republic, and regarded the eight-hour day as the prerequisite for the fullest development of such qualities. See Montgomery, Beyond Equality, p. 177.

[120] Montgomery, op. cit., pp. 255-256; Steward, "Tariff and Wages," unpublished manuscript, Steward Papers, State Historical Society of Wisconsin, pp. 3, 5; Steward, Reduction of Hours, p. 21.

[121] Steward, "Wages and Wealth," unpublished manuscript, Steward Papers, State Historical Society of Wisconsin, pp. 4, 5; Steward, Reduction, p. 21.

[122] Montgomery, op. cit., p. 250.

[123] Sharkey, op. cit., pp. 81-82; Congressional Globe, 42nd Cong., 2nd Sess., pp. 1508-1509.

[124] See Chapter 5, p. 245.

[125] Congressional Directory For the 2nd Session of the Forty-Second Congress of the United States of America, 1st ed. (Washington: n.p., 1872), pp. 61-66; Stanwood, American Tariff Controversies, p. 178; Williams, Roots, pp. 147-150; The Nation, April 18, 1872, p. 250.

[126] Congressional Globe, 42nd Cong., 2nd Sess., pp. 2653; ibid., Appendix, May 1, 1872, 301.

[127] Kelley to Carey, June 6, 1872, KPHSP. Kelley noted that he welcomed the fire of these spokesmen because he believed their ardor would spoil their logic and thus weaken their case.

[128] Congressional Globe, 42nd Cong., 2nd Sess., Appendix, op. cit., pp. 304, 308.

[129] Ibid., pp. 301-302.

[130] See Chapter 6, pp. 269-270, 302-303.

[131] Stanwood, American Tariff Controversies, p. 182; Congressional Globe, 42nd Cong., pp. 3157-3159; Philadelphia Inquirer, May 7, 8, 1872.

[132] Congressional Globe, 42nd Cong., 2nd Sess., pp. 3211, 3311, 3632; Stanwood, op. cit., p. 183.

[133] Congressional Globe, 42nd Cong., 3rd Sess., p. 758; Poore, Political Register, p. 478; Philadelphia Inquirer, October 9, 1872. National issues appear to have dominated the fall canvass in Philadelphia. Benjamin Butler, James Blaine, and Ulysses Grant campaigned in the city, waving the "Bloody Shirt" by identifying the Democrats with the Ku Klux Klan. See the Inquirer, September 18, 25, 27, 1872.

[134] Philadelphia Inquirer, October 9-10, 1872; Gillette, Retreat, p. 71.

[135] Gillette, op. cit., pp. 42, 62, 65.

[136] See Chapter 6, pp. 273-274.

[137] Congressional Globe, 42nd Cong., 2nd Sess., p. 103 (December 13, 1871). Also, see Chapter 6, pp. 306-307.

[138] Gillette, Retreat, pp. 71-72; Hesseltine, Ulysses S. Grant, pp. 257-258; Montgomery, Beyond Equality, p. 354; Congressional Globe, 42nd Cong., 2nd Sess., pp. 3381-3383, 3738.

[139] C. Vann Woodward, Origins, p. 20; C. Vann Woodward, Tom Watson: Agrarian Rebel (New York: Oxford University Press, 1972), pp. 65-67; Montgomery, Beyond Equality, p. 385; Gillette, Retreat, p. 73; Olsen, ed., Reconstruction and Redemption, pp. 84, 134-135.

[140] Kelley to Elizabeth Cady Stanton, December 13, 1872, KPHSP.

[141] See Chapter 6, p. 300.

CHAPTER 7

"The People's Money"

> I trust that the greenback will never be deprived of its legal-tender character and the people be thrown back upon State banks or any other corporate contrivance for currency. The issue of money is an attibute of sovereignty that should never be delegated by the government.
>
> William Kelley, 1873

> I should be glad if the Republican party could take some conservative step looking toward specie payments.
>
> James Garfield, 1874

> The Working people of this country . . . suddenly find capital as rigid as an absolute monarchy.
>
> National Labor Tribune, 1874

> I have abated no jot or tittle of my republicanism.
>
> William Kelley, 1875

Before Grant's second administration began, Kelley's reputation was tarnished by scandal. Yet, his political laurels had barely wilted before the public eye was fastened on a financial panic that grew into the worst general economic collapse in American history. During the long years of the depression, from 1873 to 1878, Kelley built a reputation as a champion of "laboring people," namely, wage-earners and "men of enterprise." As in the years of political reconstruction that followed the Civil War,

Kelley regarded the harmonious association of these productive "citizens" as the essential condition of progress and democracy in America.[1] The dramatic and disturbing business failures and steadily climbing unemployment of the mid-1870's were attended by social conflict that challenged Kelley's hope for economic cooperation. He interpreted the crisis as a "commercial revulsion" brought about by "unwise and unpatriotic" financial legislation. As a remedy, Kelley looked primarily to the ameliorative effects of an abundant currency, and came to view the national government as the only legitimate arbiter of the amount and character of the means of exchange.

The Credit Mobilier Scandal

Before the economic collapse that began in late September, 1873, Kelley passed through another crisis bred on personal weakness and the broader interplay of corporate malfeasance and political opportunism. During the election campaign of 1872, the Democratic New York Sun published an account of a stockholders' quarrel within the Credit Mobilier which suggested that Kelley and other prominent Republicans had accepted bribes in 1868 to prevent investigation of the company's profits. The Credit Mobilier was a construction company primarily concerned with moving securities rather than earth. It was essentially a fiscal agency organized by the larger stockholders of the Union

Pacific Railroad. These men generally occupied the same role of principal owners and directors in the new company, paying themselves in the Union Pacific's first mortgage bonds, its common stock, and cash from stock sales for their efforts in promoting actual construction of the railroad. Thus, men operating in one capacity gave themselves contracts in another. Since the actual construction costs were often much lower than the value of the security issues voted by these bipartite officials, enormous profits were realized. In 1868, the Credit Mobilier declared dividends amounting to $230 on each $100 invested in the Union Pacific's first mortgage bonds and $515 on each $100 of preferred stock taken in the railroad. The fruits of these transactions were even sweeter by virtue of the limited liability owed by these men under the Credit Mobilier's corporate charter for any construction or operating debts of the railroad. The Sun alleged that the leaders of the railroad and construction company had been wary of any public investigation of their methods and benefits for fear of any resulting lack of confidence in future security issues. Consequently, Oakes Ames--a director of the Credit Mobilier and a Representative from Massachusetts--had been authorized to distribute shares of Credit Mobilier stock to his colleagues to prevent such an inquiry.[2]

Soon after the House was organized in December, 1872, an accused Republican Congressman, Speaker James Blaine,

demanded an investigation of the affair in order to clear the names of his party colleagues and steal the fire of their Democratic opponents. Republican Luke Poland of Vermont was appointed to head the Select Committee on Alleged Bribery of Members which included Nathaniel Banks (Republican, Massachusetts), James Beck (Democrat, Kentucky), William Niblack (Democrat, Indiana), and George McCrary (Republican, Iowa). By the end of the Christmas recess, Kelley had been pilloried by the Democratic press, particularly those editors most hostile to his protectionist views. His wife, Caroline, wrote that she could not "go into society" and maintain her "equanimity." Kelley's reply was reassuring, claiming that his integrity would be "more widely conceded before sixty days have passed than it has ever been." But, he was forced to admit that the public accusations against his character were "painful."[3]

During the first weeks of January, those members who allegedly received Credit Mobilier stock from Ames were called before the select committee to give testimony. Kelley's turn came on January 16. During his examination by the committee, Kelley disclosed that he met Ames by accident, "on the curbstone," one day in December, 1867, and during the course of their conversation he alluded to his financial affairs, "then not in the most flourishing condition." He stated that Ames offered him an investment, "a speculative thing," which would "be of better character"

than the five shares he owned "in a Pennsylvania railroad" and his "small interest in a street railroad of Baltimore." Kelley described the terms of the agreement at length. Ames agreed to purchase ten shares of Credit Mobilier stock worth one thousand dollars in exchange for a simple interest payment of 7 per cent, or seventy dollars. If the expected dividends from the stock should eventually pay for the $1,000 purchase price plus the "rental" fee, the stock would be transferred to Kelley's name. Further, if the dividends amounted to more than the principal and interest, the difference would belong to Kelley, The transaction was "between friends," according to Kelley, "one of whom was in affluent circumstances and the other seriously embarrassed." In other words, Kelley claimed Ames was gambling that the Credit Mobilier dividends would soon repay his kindness and at the same time extend some sorely needed cash to Kelley.[4]

On the third of January, 1868, the Credit Mobilier declared a dividend of 80 per cent on its Union Pacific stock, which was paid in the form of Union Pacific bonds. The following June, a cash dividend of 60 per cent was declared. Ames sold the bonds he received and, together with the June cash dividend, made $1,376 on the $1,000 he invested in Kelley's behalf. Since the par value of the stock and the interest thereon amounted to $1,047 in June, 1868, Ames owed Kelley $329 according to their agreement.[5]

Kelley stated that he never owned any Union Pacific

stock, but he admitted "it was not my fault that I did not get it." Kelley also told the committee that subsequent to the aforementioned transaction he was again "pressed for money" and received from Ames a loan of $1,000, to be repaid out of future Credit Mobilier dividends.[6] Presumably, the second loan from Ames was akin to the first, that is, an advance on securities in Ames' name but entailing risks "owned" by Kelley.

When questioned by Representatives Poland and McCrary as to the propriety of attempting to purchase Credit Mobilier stock, Kelley stated "I cannot see that any member of Congress was precluded from making a purchase of that stock more than he would be from buying a flock of sheep, the value of which could be affected by a change of the tariff on wool or woolen goods." He did declare, however, that if he held any interest in a government-subsidized corporation while legislation pertinent to that concern was pending in Congress, he would not consider it proper to vote on such legislation.[7] Though the issue was not raised by the Poland committee, Kelley ignored the question of the propriety of a Congressman's shadow investment in a firm whose incorporators reportedly traded government subsidy bonds (of the Union Pacific Railroad) for personal gain rather than the financing of actual railroad construction.

With respect to the charge that he "was sought to be

bought" by Ames, Kelley responded that the original loan was "purely personal." Further, he stated that Ames was not "stupid enough to invest his money with any such view in one who, for more than a quarter of a century, had been an enthusiast in the work for the promotion of which he was supposed to be purchased." He recalled that in 1846 he "entered upon a movement" in favor of a federal grant "to aid in the construction of a railroad from the base of Lake Michigan to the waters of the Columbia River and Puget Sound." He also mentioned his consistent support for the transcontinental railroad bills that had passed previous Congresses, including his recent efforts in behalf of the Northern Pacific Railroad.[8]

Kelley's colleague, John Logan of Illinois, offered a similar defense during his testimony before the select committee. He stated that "there was no necessity for Mr. Ames or anybody else making a bargain to obtain my influence; my constituency was favorably disposed toward the road . . . and I have always voted to sustain [it]." Moreover, he implied that he would likewise disqualify himself from voting on legislation affecting corporations in which he held a proprietary interest.[9]

While the committee heard testimony and labored with its report, Kelley tried to "abide . . . the torrent of abuse" to which he and his family were subject. He wrote Caroline that he was especially outraged by the "dogs" of

the Philadelphia Bulletin who misrepresented him before his constituents. Striking a more positive note, he added: "If my position on the Credit Mobilier shall not be approved by the country I am grievously mistaken."[10] The next day he wrote, "I never stood higher in the estimation of my associates on [the] floor."[11]

Yet, as the days wore on, Kelley's patience faltered. He was especially concerned about the adverse effect which the scandal had on his family. He asked Caroline to "tell [Willie] to keep a stiff upper lip and he will find that he may still pride himself on his father's integrity and the public recognition thereof."[12] A few days later he tried to console his wife. "I cannot arrest the tongue or pen of calumny," he wrote, "but I should be able to inspire you with confidence in my integrity and veracity." He reminded her of the "unkindness" of Philadelphia's Democratic papers during his judicial campaign in 1851 and later in regard to his support for Fremont in 1856. "Have faith my dear wife that the sun will again shine and that your husband is the man you have believed him to be."[13]

On February 21, 1873, the Poland Committee submitted its report to the House. Kelley's testimony was generally corroborated by the other witnesses before the committee although the report disclosed a "variance" in the account given by Oakes Ames. According to the committee's findings, Kelley received a $750 loan from Ames subsequent to the

original stock transaction, rather than the $1,000 Kelley reported. Moreover, although Kelley denied receiving any dividends from the Credit Mobilier stock which Ames ostensibly held for him, the committee found that Kelley had received $329 in the form of a check written on the Sergeant-at-Arms of the House. In both cases, the committee accepted Ames's recollections as opposed to Kelley's.[14]

It appeared to Kelley, as Representative Stevenson of Ohio later claimed, that the committee "believed [Ames] in order to damn him." The "absurd report," he wrote, "may require an exhibition of my affairs fuller than I would voluntarily make." Such a disclosure would reveal "a life of self-denial . . . as is utterly inconsistent with venality on my part."[15] Kelley was likewise irate about the mischievous reaction of the "free trade press" to the committee's revelations regarding his dealings with Ames. The New York Evening Post apparently trotted out Kelley's mythical interest in iron works to prove him "guilty of every species of political corruption," and the Philadelphia Bulletin accused him of feigning illness during the summer of 1868 in order to "avoid supporting Grant." Kelley regarded these accusations as "groundless lies," which could not "influence public opinion for any considerable time."[16]

As the press assaults intensified, the Philadelphia Inquirer, a Republican paper sympathetic to Kelley's currency views,[17] injected an air of objectivity that served

Kelley's cause. Although the Inquirer began its coverage of the Credit Mobilier investigation by acknowledging the "suspicion of impure dealing" attached to the alleged transactions between Oakes Ames and other members of Congress, it reminded its readers that the "guilt" of any individual Senator or Representative had not been proven "in such a way . . . as would satisfy a jury." Moreover, the paper's coincidental reporting of Kelley's concern over reports of antiblack electoral abuses in the South during the 1872 election provided an antidote to press diatribes questioning Kelley's professed "opposition to all forms of injustice."[17]

The "agony" of the House debate over the Poland committee's findings lasted almost one week. On the 27th of February, the House considered resolutions regarding the conduct of Kelley, Ames, James Brooks of New York, and Samuel Hooper of Massachusetts. In quick fashion the House voted to "absolutely condemn" the conduct of Representatives Ames and Brooks, a step short of formal censure. Next, Milton Speer of Pennsylvania moved that Kelley receive the "unqualified censure" of the House for his "receipt and use" of dividends which "arose from a dishonest contract and arrangement between the . . . Credit Mobilier and the Union Pacific Railroad Company, which company was and is largely indebted to the United States."[18] It is unclear what considerations prompted Speer to move such a severe resolution.

Yet, in view of the Poland Committee's unanimous feeling that Kelley was "without any guilty purpose," he overplayed his hand and was immediately beseiged by Republicans and Democrats alike who considered Kelley's censure and likely expulsion "entirely unjust" without further testimony from witnesses besides Ames and the other accused.[19] Benjamin Butler initiated the defense, and was followed by Job Stevenson of Ohio and George McCrary of Iowa. McCrary's supportive comments were perhaps the most effective in view of his service on the investigative committee and participation in the questioning of all witnesses before that body. He reminded his colleagues that no resolution of censure had been passed against Ames or Brooks, although they were the only men against whom the committee rendered a judgment. It was remarkable, according to McCrary, that Kelley "shall be placed in the same attitude and subjected to the same or greater punishment."[20]

Kelley was then entitled to the floor. In an emotional speech, he stated that it was his firm belief that any members who had served with him during the previous twelve years would testify to his integrity, "in spite of past partisan or personal controversies." But, he added, "my witnesses have not been heard. The committee acting as a grand inquest ignored the charges against me and yet I am showing cause why I should not respond by standing up for sentence." "Should the Congress of the United States so

deny me the privileges accorded to the veriest criminal," he continued, "I may and will teach the boy who bears my name, when he shall meet any of you, to challenge you as to the blamelessness of my life among you. It shall be his privilege to ask . . . whether for the best twelve years of his life he did not place . . . before his associates in every walk of life the example of a life of labor and self-denial."[21]

Kelley proceeded to the full exhibition of his affairs that he had dreaded, in order to prove to his colleagues that his political career stood for devotion to principle, rather than the pursuit of financial security and fringe benefits. In the years of his Congressional tenure, he claimed to have bought "one bond, not in my own person, but through my counsel, Henry C. Townsend . . . and through the same hand, without ever having seen it, sold it." Sensing his perilous position, he divulged in pitiful detail a past full of financial embarrassment. Kelley explained his difficulty in holding on to the rental property he had purchased in Philadelphia to provide "something for the support of my widow and children if I should be summoned hence." In a less dramatic tone, he described the terms of a loan he required in the summer of 1869, which included a collateral of $10,000 in railroad bonds that an unnamed friend had put up for him. The interest on this loan was $360 a year. "If I had known that I was owner of stock and bonds

of the Union Pacific railroad," he asserted, "I should hardly in my poverty" have accepted such an encumbrance.[22]

Kelley closed his comments with the claim that the principle of "equal justice" was in as much jeopardy as his political career that day. "With three years of broken health I approach the threshold of threescore years," he said. "It is not therefore for myself that I plead when I ask you to maintain the law and to give me . . . those privileges which are secured to the vagrant, to him who is charged with petit larceny or to the assassin who has deliberately murdered his brother-man."[23]

Whether chastened by Kelley and his defenders, or more likely content with a minor housecleaning that might remove the shadow of bribery from the party, the Republican majority refused to vote on the Speer resolution, agreeing instead to the tabling motion of Kelley's friend Horace Maynard of Tennessee. In similar fashion the House disposed of the resolution condemning Samuel Hooper's conduct. Before the day's session was over, the Poland committee was relieved of any "further consideration of the subject referred to by them" by a vote of 114 to 75, with 51 abstentions.[24]

Thus ended the official inquiry into Kelley's private and political affairs. His veracity was called into question by the Poland committee and, judging by the "torrent" of criticism that swept his family, his standard of official propriety fell short of the popular ideal in his district.

Yet, despite the pyrotechnics of hostile newspapers and Congressmen, no lasting stigma hung about Kelley's reputation as a result of the investigation. His indiscretion was clear, but it was inspired by a passing avarice rather than political venality. Kelley's constituents may have shared this estimation of his behavior, for his Congressional seat was not seriously challenged in the next election.[25] In any case, the attention of his constituents and the nation was soon distracted by a whirlwind of traumatic events.

During the long recess which followed the close of the lame duck session of the Forty-second Congress in March, 1873, Kelley did not retreat from the public eye. He toured the "Northwest" with his "venerable friend," Henry Carey. While traveling, he was struck by the unusually high rates of interest being asked for commercial loans.[26] The money stringency he observed was one of several important signs of the overproduction and instability that characterized the American political economy by mid-1873. Money markets were weakened by the outflow of gold that accompanied the sale of American securities by Europeans to cover the costs of the Austro-Prussian and Franco-Prussian wars. Moreover, the enormous capital losses resulting from the recent fires in Boston and Chicago along with the related pressure on insurance company finances still exerted an unsettling effect on investment in capital-intensive industries. More

important, the slackening pace of railroad construction and the steady rise in the agricultural surplus combined with falling prices heightened the fears of major investors that a massive contraction was unavoidable. The break came with the collapse of Jay Cooke and Company, the nation's largest investment banking house, on September 18, due to the institution's overextended commitment to the expansion of the Northern Pacific railroad. The ensuing panic lasted for about ten days, as leading stocks lost more than half their value and hundreds of national banks failed to satisfy the scare withdrawals of their depositors.[27]

Before Kelley returned to Washington in October, the panic had been brought under control by the Treasury's reissue of retired greenbacks and Grant's assurances to major investors that the Treasury's greenback "reserve" would continue to be available to meet business needs if the nation's major lending institutions eased their loan policies. Yet, the executive response was clearly a temporary expedient that could not resolve the serious competitive problems of the system that caused the financial panic.[28] Congressional discussion of proposals to reform the system soon followed and initially centered on various plans to end the depression by juggling the money supply. Kelley was an active participant in this discussion.

The Currency Debates of 1873-1874

In late October, Kelley travelled to Washington to assess the administration's efforts to stabilize the nation's banking and credit institutions. He did not arrive as an impartial observer, for in a few days--after meeting with the President and Secretary of the Treasury Richardson--he announced his plan for management of the financial crisis and reform of the monetary system. The vehicle for his views was the Philadelphia Press, owned and edited by his friend, Colonel John Forney.[29] On October 30, Forney interviewed Kelley and on the following day published his comments along with an introduction praising Kelley's "careful inquiry and mature reflection" regarding "the monetary troubles that have overtaken the country."[30]

Kelley observed that "a return to specie payments" appeared to be the "paramount object" of the proposals he had heard during his brief stay in the Capitol. He noted that "two general plans" seemed to dominate these proposals: one would accomplish resumption "by the contraction of the currency" and the other "by the imparting of flexibility or elasticity to that currency, involving at times an expansion thereof." Kelley favored the latter approach. Specifically, he proposed an interconvertible bond-currency scheme. According to this plan, small denomination government bonds paying 3.65 per cent annual interest or one cent a day for each $100 invested would be issued, "payable

principal and interest in lawful money," that is, greenbacks. The new bonds would stabilize the monetary system by tying interest rates to the changing volume of greenback currency in circulation at different times of the year. If greenbacks were in excess, encouraging unproductive speculation in stocks and bonds, commercial interest rates would presumably drop below the bond rate of 3.65 per cent, sending the legal tenders out of the channels of trade and into the fixed-rate federal bonds. On the other hand, if an increased demand for currency drove commercial rates above 3.65 per cent, the new bonds would be cashed and more money would be available for loans to capital-starved entrepreneurs. Kelley thus proposed to put a ceiling over, and a floor under, interest charges at a rate which would ostensibly ensure a cheap and flexible medium of circulation and promote industrial investment. Moreover, Kelley suggested that his bond-currency scheme would eventually facilitate specie resumption because of its proviso that the Treasury invest a certain portion of the greenbacks obtained from the new bond issues in "five-twenty gold-bearing bonds," which in turn would provide the Treasury with gold that could be put toward the retirement of its own gold-paying interest obligations. He later supplemented this proposal with an option on the part of the Treasury to issue additional greenbacks for use solely as a "redemption fund" in the event that the Secretary's

purchase of gold bonds depleted the supply of greenbacks necessary to meet an "unusual call" for the conversion of 3.65 bonds.[31]

Kelley's interpretation of the causes of the financial crisis confirmed his belief in the virtues and fundamental "harmony" of aims within "productive enterprise," that is, "businessmen," farmers, independent tradesmen, and wage-earners. He still included "the most substantial and productive" industrial companies in these ranks and lamented the "shrinkage of values" in their stocks. Yet, his rhetoric clearly stressed the "staggering problems" which the economic breakdown posed for the "laboring people," whose "fathers, sons, and daughters all toil." Kelley located the responsibility for the existing economic difficulties among the "robber chieftains," the "capitalist" bankers and brokers who had "transmuted the sweat of the laborer's brow into palatial mansions and magnificent equipages." According to Kelley, these "gamblers in stocks, gold, and bonds" had made their fortunes on the basis of the inflexibility inherent in the relationship between the banking-currency system and the seasonal swings of agricultural credit demands.[32] Kelley described the relationship in the following fashion. "Take as an illustration the case of the farmers of Missouri, Wisconsin, and Illinois who may have a thousand or a few hundred dollars for which they have no employment," he said. "They deposit their

money with the bankers in their neighborhood, at a low rate of interest. Inasmuch as this money is deposited on call, these bankers cannot loan it on mortgages or long notes to their customers, but they can and do send it to Chicago, St. Louis, or Milwaukee at an increased rate of interest," Kelley argued. "Speculation in stocks is not strong in those Western cities so the banks there send their money to New York where it is again loaned on call at still higher rates." "Being on call," he continued, "the banks cannot invest it permanently and they, in turn, loan it on call at a still higher rate of interest to bankers and brokers . . . who again lend it at from one-quarter to two and a half cents a day to what is called 'the street,' or the parties who get up corners in gold and stocks." This "row of bricks," as Kelley described it, would fall apart if the credit extended by Wall Street brokers and bankers could not be retrieved when "the original depositors want their money" and "call on the bankers with whom they deposited," who "call upon Chicago, St. Louis, and Milwaukee and so on to the end of the line." The result would be the ruin of the small producer and wage-earner whose uninsured deposits would be claimed by the creditor or banker up the line who was in a better position to sense a panic and cover some of his potential losses.[33]

Kelley's comments aptly described the speculative pyramid of bank notes and greenbacks which accumulated in

New York's financial district during late spring and summer, enhancing the possibility of overextension and crisis.[34] His proposal, the interconvertible bond, offered more than a remedy for periodic panics, however. Its employment of bills of "Lincoln green" as the exclusive currency of the nation implied a major redistribution of income away from the country's leading investors and savings institutions--the "gamblers" in Kelley's nomenclature--through the supersession of the national banks' circulation. Kelley did not elaborate on the future intended role of the national banks. He suggested they might simply serve as quasi-public repositories of investment funds and vehicles for the reciprocal conversion of 3.65 bonds and greenbacks when he expressed his hope that the "people" would never again be "thrown back" upon "corporate contrivance[s] for currency."[35]

This was a radical notion. In the eight years that had elapsed since the system was firmly established, national banks and their bond-secured banknotes had been inextricably integrated into investment patterns that chiefly benefited high-income recipients. This situation developed in several ways. First, the national bank notes, which constituted a loan without interest from the people to the banks through the agency of United States bonds, were owned by investors who profited from their issue in the form of private loans. Second, bank notes tended to be more valuable in urban, industrial centers, particularly in the Northeast, due to

the capital requirements for organizing a national bank and the prohibition of loans on the basis of real estate collateral, a rule which inhibited bank organization in predominantly agricultural areas where land was the major capital asset. This maldistribution was reinforced by credit risk considerations. Bank officials tended to be stingy in the loans they would extend to, for example, small farmers of the interior whose needs and reliability were more suspect than those of established firms in urban areas. Finally, the pyramidal deposit and reserve structure which Kelley condemned tended to shift the savings of the countryside toward the call loan market of New York.[36]

Kelley's financial scheme would supplant the national bank note circulation with a currency whose volume was managed by Congress. This was not an irrational or emotional approach. It was based on his belief that the "issue of money is an attribute of sovereignty that should never be delegated by the government."[37] Kelley had never explicitly stated this premise before, although his mercurial support for the interconvertible bond in the late 1860's and early 1870's suggests that he had considered its implications.[38] In theoretical terms, the concept of a government obligation to establish and allocate the means of exchange was consistent with the "producer philosophy" that he had embraced, with varying emphasis, since the 1840's. Kelley had long held that labor was the source of wealth and was manifested

in production. Now he explicitly declared that money was properly nothing more than the accumulated measure of labor's product, with no intrinsic value. He soon expounded on this theme, declaring, on January 10, 1874, that the "real measure of value" should be the "money of account" established by each nation. He denied that a commodity such as gold could properly serve as a standard of value, because it "sometimes measures two and a half times as much as at others."[39]

In policy terms, Kelley's correlative assumptions that value was derived from production and that money was simply a measure of value were the force behind his determination that the rate of interest should correspond to the average increase in national productivity each year, or 3.65 per cent (one one-hundredth of a per cent each day). The currency system would then serve the active labor of "thousands of men of energy, enterprise, and judgment," and would no longer be dependent on the needs of "bullion and credit mongers."[40] The practical extension of this notion, which Kelley never stated, would seem to be the establishment of a purely functional or caretaker role for commercial bankers, who would be responsible to undefined Treasury guidelines rather than their own capital needs and expectations.

Kelley's firm embrace of an exclusive greenback currency was not simply a derivative of his interpretation of

the origins of the unfolding economic depression. Presumably, Henry Carey's endorsement and the support of a substantial number of Pennsylvania ironmasters in the fall of 1873 influenced his now unshakeable commitment to the scheme.[41] Government issue of a managed paper currency was also endorsed by the Industrial Age, the organ of the Illinois Farmers Association, and the Industrial Congress, the successor to the National Labor Union.[42]

Kelley introduced his bond-currency plan, H. R. No. 41, on December 4. The bill was referred without discussion to the Banking and Credit committee, as were similar measures introduced by Clinton Merriam of New York and Field of Michigan.[43] In view of the plethora of proposals submitted during the first days of the session, Speaker Blaine and the Republican committee chairmen apparently preferred to sample public opinion and the attitudes of leading members before drafting any working proposals for floor debate. So, Kelley's bill remained in committee as the holiday adjournment approached.

It appears that Kelley's was the most comprehensive and provocative greenback scheme before the House. The New York Herald prophesied that it would be the pivot of a final compromise in that expansionist body and sent a reporter to interview Kelley "for the purpose of getting . . . the line of argument he [would] adopt when the subject [was] presented for debate."[44] During the interview

Kelley claimed the economic crisis was the result of a decade-long arrangement that "falsified the promise contained on the face of every greenback." Kelley referred to the Congress's refusal to condone the receipt of its legal tenders in exchange for the interest-bearing securities that supported government subsidies and expenses. He argued that as a result of this policy, seasonally idle, irredeemable greenbacks were inevitably sent to "Wall Street for the purpose of speculation and the manufacture of corners in gold, bonds, and currency." This in turn led to apprehension among "parties holding good securities" that they might not be able to convert their investments into currency for routine commercial exchanges, and created the financial and emotional climate for panic selling and the hoarding of currency. Kelley promised that his plan would cure this condition: "so long as the whole people shall know that whoever holds a 3.65 bond can go to the Treasury and get currency for it, a great commercial crisis will be impossible."[45]

When Congress reconvened, Kelley aggressively stumped for his measure on the House floor. On Saturday, January 17, 1874, before an audience on the floor and in the galleries that was reportedly larger than any "since Thad. Stevens made his famous reply to Andrew Johnson's speech [of February 22, 1866]," Kelley delivered some prepared remarks in its behalf. His chief antagonist was George Hoar, an early

supporter of McCulloch's contraction policies and later a convert to the gradual, growing-up-to-specie approach to the resumption of specie payments.[46] Hoar tried to trap Kelley, who was known to have supported the gold-interest provisions of the war-time loans. He queried: since Kelley now advocated the refunding of the outstanding coin-interest obligations into greenback-paying 3.65 per cent bonds, thus "repudiating" his earlier commitment, would he similarly revoke his pledge to redeem the greenbacks in coin? Kelley replied that the "faith of the Government" was pledged to eventual resumption. But, he added that this obligation could be satisfied without further increases in gold-bearing loans abroad (as Hoar desired) or a dramatically favorable shift in America's balance of payments. "By substituting greenbacks, dollar for dollar, for national bank notes," the government would be spared an annual expense of $20 million in gold interest on the bonds securing the national bank currency. This relief, along with the estimated annual savings of $20 million derived from the conversion of long-term interest-bearing bonds into 3.65 per cent bonds would enable the Treasury to increase its purchase of gold. The reduction of the Treasury's gold-interest payments and the enhancement of the greenbacks' value through their use as investible funds would gradually lower the gold premium, according to Kelley, until gold and paper currency were again convertible at par. To strengthen

his claim that such "steadiness" was as important to his currency scheme as "elasticity" in the greenback volume, Kelley indicated he would accept a greenback ceiling of $400,000,000, the total before McCulloch's contraction in 1866. This offer was in fact inflationary, for the existing greenback ceiling was $365,000,000.[47]

Kelley's presentation was unconvincing in the eyes of the moderate Republican leadership of the House. Two days after the Kelley-Hoar confrontation, Chairman Maynard of the House Banking and Currency committee announced that he was instructed to "adversely" report Kelley's bond currency bill. The committee had just completed almost three weeks of public hearings on the nation's finances. Among the broad range of views expressed in the hearings was the outright hostility to further paper issues shown by leading investors such as George Coe, Henry Kidder, Frederick Tappan, John Murray Forbes, and the Amhearst economist, Amasa Walker. These men objected to a fiat currency in principle, and the recent panic which was heightened by a surfeit of greenbacks in New York call markets had intensified their interest in opposing an expansion of paper currency. In contrast, a contingent of iron manufacturers favored a more elastic paper currency. This option more closely conformed to the sentiment of the committee which reported a mildly expansionist "free banking" proposal pinned to the national bank currency on January 29. Such

a measure satisfied the pivotal Republican center for several reasons. The greenback redemption scheme had been championed by Midwestern Democrats despite the aggressive opposition of the commercial and financial interests that dominated the party's leadership. Their opportunism and often-tainted wartime reputations as "peace" men or Copperheads prompted many Republicans to adhere to a middle course of "responsible" currency reform which promised moderate bank note expansion while preserving the integrity of the securities--a large portion of which were 5-20 war bonds--which helped preserve the Union victory. More important, perhaps, Republican moderates generally approved of the investment trends fostered by the close integration of national banks and industrial production that had developed since the war.[48]

Kelley subsequently moved to have his measure considered in the Committee of the Whole, which would assure the propriety of discussing its provisions in the debate over the Banking and Currency committee's bill or other related measures. He was successful in this parliamentary maneuver but while winning the day he lost the battle. His plan was not debated on the floor for the balance of the session, although he managed to keep it under formal consideration by the Ways and Means committee until June.[49]

As with Kelley's measure, the Banking and Currency committee's free-banking bill, H. R. No. 1572, called for a

greenback ceiling of $400,000,000. Otherwise, the bill departed in substance from Kelley's plan, expanding the amount of national bank notes in circulation by ending note limitations tied to paid-in capital. In other words, note expansion was to be as free as deposit expansion. Further, as an alternative to Kelley's proposal to prevent panics by directing the seasonally high volume of call money into 3.65 bonds, the bill required that banks deposit 5 per cent of their note issues in a central redemption fund in New York to assure some elasticity in case of sudden currency stringencies.[50]

While debate on the bill slowly evolved, Kelley and James Beck, a Democrat from Kentucky, attempted to transform it into an anti-bank, interconvertible bond-currency scheme. On April 10, Kelley moved an amendment that would require the Treasurer to convert any sum of greenbacks "not less than fifty dollars" that was presented to him or his agents into "an equal amount of bonds of the United States . . . bearing interest at the rate of 3.65 per cent per annum." His amendment also called for the Treasurer to redeem these 3.65 bonds on demand in greenbacks, and in other ways promoted the features of H. R. No. 41. Without debate, and by a very close vote, his ploy was defeated with 120 members voting for and 122 members voting against the amendment. The next day a similar strategem sponsored by Beck was likewise defeated.[51]

On April 14, the House passed the "free-banking" bill by a slim majority of 129 to 116. Joining Kelley in the opposition were the fiscal conservatives E. R. and George Hoar who presumably regarded the bill's provision for a modest inflation of national bank notes as a step toward the repudiation of the sanctity of prevailing debt-financing arrangements.[52] The Hoar brothers also tried in vain to prevent the House's approval of Senate bill No. 617 which increased the national bank circulation by $46 million and expanded the legal tenders to the limit set by the free-banking bill. House concurrence in the Senate's "inflation bill" prompted an organized protest movement supported by leading commercial bankers of New York and Boston, along with academic theorists such as Charles F. Adams and Francis Walker. Apparently, their pressure on the President was a decisive factor in his veto of Senate bill No. 617 on April 22.[53]

From the inflation bill veto to the summer adjournment, the House free-banking bill, H. R. No. 1572, was the focus of the Congressional currency debates. Kelley's greenback heresy was by now embraced by the Iron Age, the quasi-official journal of the Iron and Steel Association which represented ironmasters in Pennsylvania and the old Northwest. Other soft-money publications, including the Midwestern farm journals Indiana Farmer and Western Farm Journal and urban papers such as the Cincinnati Enquirer

bitterly assailed the concentration of banknotes in New England and "Wall Street," but--unlike Kelley--campaigned for an expansion of greenbacks and national bank notes.[54]

When the Senate refused to accept the House bill which expanded the national banknote currency without a concomitant retirement of greenbacks, a conference committee was formed. On June 13, Horace Maynard, co-manager on the part of the House, reported the committee's findings. In a major concession to the anti-greenback forces in the upper house, the conference bill called for the retirement of $37.50 in greenbacks for every additional $100 of national bank notes issued under the bill's free-banking provision, looking to the ultimate reduction in the greenback currency to $300,000,000. Significantly, the anticipated greenback contraction would not necessarily be offset by a lasting expansion of national bank notes. The free banking feature was simply an enabling clause; bank note expansion could be reversed at the private discretion of national bankers and no provision was made for a concomitant reissue of greenbacks. This package was unacceptable to Kelley. Joining him in the opposition were the Hoars, Henry Dawes, and others who opposed any expansion in the currency, along with most Democratic greenbackers. In the vote, the nays prevailed and, under Speaker Blaine's direction, the House moved to appoint a new conference committee.[55]

On June 18, the second conference committee's report

was submitted to the House. There were several key changes. The greenback limit was set at $382 million, allowing for some increase in the volume of greenbacks then in circulation--approximately $371,400,000.[56] In addition, the pro rata retirement of greenbacks in favor of bank notes was dropped and a redistribution of $55 million of bank notes from the Northeast to "those States and Territories having less than their proportion of circulation" was required.[57] In view of the pending adjournment, the conference bill was clearly the most expansionary remedy which could be expected before the next session began in December. Moreover, the bank note expansion and redistribution it authorized appeared to promise some relief for the struggling producers in currency-poor regions as well as credit-hungry manufacturers in capital-intensive industries such as iron and steel.[58] These considerations moved Kelley to vote along with the majority in favor of the amended bill. In view of his greenback preferences, Kelley probably agreed with Horace Maynard who felt the second conference bill contained "beneficent provisions . . . but at the same time [was] not a settlement of the question." With the Senate's confirmation of the previous day, the bill was sent to the President who signed it on June 20.[59]

As the Congressional session ended, Kelley wrote Caroline that he hoped to devote the entire recess to his "private affairs" so as to relieve them "from pecuniary

embarrassment." He surmised that recent public improvements in the vicinity of their several rental properties had made them "ripe for market," and he apparently intended to take advantage of this fortuitous circumstance.

Caroline may have received his domestic blueprint with a heavy sigh, since this was a season of political turmoil and her husband had never been able to avoid politics once ideological commitments had been clearly drawn. Kelley was acutely aware that his seven-month long assault on the existing banking and currency system had brought meager results. In the same letter he exclaimed that the "hard money plan must be antagonized by my plan of greenbacks and convertible bonds" in the fall election. In addition, Kelley noted he was dictating letters to "such thoughtful men" as "Carey, Baird, and Forney," hinting that he was prepared to engage in an aggressive campaign for his views.[60]

Kelley wasted little time. He was drawn into the fray by his old adversaries at the Philadelphia Bulletin. His friend, Col. Forney of the Press warned him that the Bulletin's editors were working closely with local "Grant men" to unseat him in November because of his heretical views on currency matters. Apparently, this alliance was behind the refusal of the Philadelphia Republican caucus to renominate Kelley. Without the support of either the Republicans or the Democrats Kelley threw his energies into the contest as an independent. As he prophesied in June,

it was an "exciting campaign" but the results were far from extraordinary. Kelley defeated his opponent, as he had in his previous seven attempts, winning approximately 58 per cent of the 21,500 votes cast.[61]

Other Republican incumbents did not fare as well. Some, such as greenbacker Benjamin Butler of Massachusetts, blamed their defeat on the "moneylenders." Yet, most Republican losers probably suffered from Democratic criticism blaming Republicans for the depression, particularly if they failed to dissociate themselves from their party's strategy for financing American economic development. Democratic greenbackers in the old Northwest of Ohio, Indiana, Michigan, and Illinois defeated fiscal conservatives as well as moderate Republicans who favored a mild expansion of national banknote currency. For the first time since the 1858 elections, the House of Representatives fell into the Democratic column. The formidable Republican House majority of 107 votes in the Forty-third Congress had been supplanted by a Democratic majority of 60, while the Republicans clung to a slim majority in the Senate.[62]

As the lame duck session of the Forty-third Congress convened in December, 1874, Kelley resumed his legislative assault on the prevailing institutional bases of the banking and credit system. The occasion was the consideration of his bond-currency bill, H. R. No. 41, in the Committee of the Whole. Referred during the previous

session to the bottom of the Speaker's calendar after its adverse introduction by the House Banking and Currency committee,[63] the measure surfaced as the "money question" was revived by the President's provocative annual message calling for the repeal of the Legal Tender Acts and the funding of the outstanding greenbacks into a long-term bond.[64] Chairman Maynard of the Banking and Currency committee was responsible for the introduction of Kelley's bill since his committee had formal jurisdiction over currency matters before their referral to the Committee of the Whole. In view of Maynard's free-banking preference, his parliamentary responsibility to open and close debate on the bill was problematic to Kelley. It was comparable, in Kelley's words, "to placing an infant to nurse with those who have an interest in its destruction." Upon Kelley's friendly chiding, chairman Maynard relinquished the bill's management to its author.[65]

Kelley began the debate by decrying "the evil counsels which today seem to control" both the House and the Senate. These counsels were "capitalists" who insisted on gold as the medium of federal debt retirement. According to Kelley, their maintenance of the arrangement by which greenbacks were not received "for customs" or as payment for interest-bearing loans while constituting the primary "compensation" for "labor's toil and the farmer's produce" represented a "repudiation" of the "people's money." Moreover, he

charged that the irredeemable character of the greenbacks encouraged investors to "hoard" them when productive industry was idle, so as to enhance their value as against the diminished exchange-value of "mills, factories, forges, furnaces, mines, farms and homes" that were garnished for "sheriff's or marshall's sales." As an alternative, Kelley asked, why not permit the American people "to lend to the Government that which the Government forces them to take as money?" Interest would then be paid "to those from whom [the government] has drawn . . . money by hard and heavy taxation." Further, the availability of interest-bearing obligations paying 3.65 per cent interest in greenbacks would offer "businessmen" a modest source of income to partially offset their poor returns in depressed markets.[66]

After repeating the crisis theory and greenback scheme which he voiced at the outset of the first session of the Forty-third Congress,[67] Kelley pressed ahead with a social criticism as shrill as some of his wartime blasts against the "slaveholding oligarchy." His premise was that the interconvertible bond system was inherently more democratic in its social bearing than the existing national banking system. "Are bankers more numerous than laborers or farmers?" he asked. Since they were not, where was the justice in a system in which investors or "capitalists" garnered "abounding wealth" while "honest laborers are

compelled to seek refuge in the almshouse or commit petty crime to secure the shelter of the jail?" If the federal government received greenbacks for interest-bearing investments, and paid the interest on those securities in the same currency, the fruits of the national debt would accrue to more Americans. More important, Kelley argued, the interconvertible bond would presumably revive the fortunes of struggling entrepreneurs whose properties and "energies" had been "paralyzed" by credit stringencies engineered by "greedy holders" of gold interest-bearing loans.[68] The vital link between the national bankers and the national debt was thus interpreted as an elitist, and economically stifling circumstance, as was the development of national banks as financial agencies pooling the savings of the public for industrial investment at terms determined by private stockholders.

Kelley's ideological thrust was extended by Benjamin Butler, who followed with an impassioned speech. He stated that one-quarter of the nation's estimated $16 billion of private property consisted of capital "loaned for purposes of investment, not for purposes of use in business." This capital was "salted down," or invested in bonds and "securities of various descriptions," particularly government issues, which were bought and sold to enhance personal incomes rather than to provide working capital. The "difficulty" facing Americans, according to Butler, was

that the holders of this "invested debt" were the chief beneficiaries of post-war fiscal policy rather than the "business man who is using his capital in productive enterprises of one sort or another."

Garfield countered with the credible charge that the Kelley-Butler approach was "perfectly adopted to the work of destroying the confidence of leading capitalists and businessmen, and leading them to hold their money back from investment for fear of spoliation and loss."[69] Certainly, the interconvertible bond scheme was costly to those whose investments would be refunded at lower rates of interest, payable in depreciated paper. If such a course were legislated, a flight of capital to gold-bearing investments abroad or a virtual "lock-up" of investible funds at home was apparently a strong possibility, considering the threats voiced by groups of investors before Grant's veto of the inflation bill.[70] Presumably, neither these investors nor Garfield believed Kelley's earlier pledge to work toward an eventual resumption of specie payments. Theirs was a reasonable stance in view of the fact that Kelley never repeated this promise after his exchange with George Hoar in January, 1874. However, Garfield refused to debate Kelley and Butler over the long-term social implications of an exclusive greenback currency. Although he privately hoped "some conservative step" would be taken "toward specie payments," Garfield and other Republican

leaders such as Henry Dawes of Massachusetts feared a full-blown financial discussion would invite further political damage by revealing party dissension on the eve of the 1876 Presidential campaign. After Garfield relented Dawes successfully moved that the Committee of the Whole rise without reaching a decision on Kelley's measure, thereby removing it from a privileged position on the Speaker's table.[71]

Kelley reported the day's debate to Caroline. He noted: "Mssrs. Carey, Baird and many others write me glowingly of the stand I have taken. But the partisan press and leaders speak of me in quite other tones."[72] To parry the press criticism at home, Kelley saw that his defense of the interconvertible bond was carried verbatim in the Philadelphia Inquirer.[73] Meanwhile, his Congressional opponents organized a momentary legislative truce so the more conservative Republican Senate caucus might devise a currency bill that would appear to settle the money question without significantly altering any of the nation's basic financial and fiscal arrangements.[74]

Senator Sherman, working with Dawes and Blaine of the House,[75] developed a plan with three main features: the replacement of worn fractional paper currency with new silver coins; a prorated reduction of greenbacks under a free-banking provision allowing banknotes to expand with deposits; and a fixed date for resumption (January 1,1879).[76]

This measure, which Sherman steamrolled through the Senate on December 21, 1874, spurned the demands of determined greenbackers by reviving the greenback contraction clause dropped from the June banking bill. Yet, determined "goldbugs" were likewise antagonized by the unworkable resumption clause. As Carl Shurz pointed out, it would be impossible to redeem the outstanding greenbacks simply through the raising of a gold fund as provided by the bill.[77] On balance, however, the Sherman plan's promise of bank note expansion and its pious commitment to a resumption date satisfied most Republican Senators that their party was responsive to the contemporary popular clamor for both note expansion and a redeemable currency.[78]

The House found the Sherman scheme more difficult to swallow. But the adroit parliamentary maneuvering of Banking and Currency committee chairman Maynard, which stifled debate, won the day for the bill's supporters. Kelley's was one of the 98 nays versus 136 yeas and 54 abstentions. Joining him in the opposition were Dawes and the Hoars who found the resumption clause too dilute, as well as greenbackers Beck and Field.[79]

On January 15, the day after Grant signed the Resumption Act, Kelley wrote his daughter, Florence, that he was "disgusted with the result of the financial question." "It has," he surmised, "made Mr. Carey swear incontinently."[80] Soon, Kelley began a series of speeches and

appearances to encourage political support for the act's repeal.[81] And he gave this campaign on behalf of the "people's money" a symbolic send-off. As if to establish the dignity and ideological content of his mission, he introduced a resolution to "restore the writing of the original manuscript of the Declaration of Independence."[82] Kelley offered no supporting comments before the resolution was passed, so we can only speculate upon his timing and motivation. This is clear: he regarded the Declaration as the political paradigm of American society[83] and he considered the fiscal policy of the Grant administration antithetical to the egalitarian thrust of that document. The Resumption Act, he wrote, "will make the money of the rich man more valuable."[84] In the months that followed the March adjournment of the Forty-third Congress, Kelley set out--in the language of the Declaration--to define "the long train of abuses" which his party had condoned.

His thoughts were briefly diverted from the "subjects of currency and the revenue" by the company of his son, Willie. From the day of the recess until the first week of April, the two travelled in the South with the hope of repairing respiratory ailments that had been plaguing them.[85] Pliny Freeman, one of the few larger businessmen behind Kelley's interconvertible bond scheme, thought Kelley's fondness for cigars was at the root of his suffering and sent some medicine to his hotel in Charleston,

South Carolina.[81] During these weeks, Kelley's "principal employments" were "sleeping and eating."[87] However, his readings and his contact with local political figures occasionally turned his thoughts to more substantive issues. Kelley wrote his wife that he was pondering "the base stuff of which royalty and aristocracy was made."[88] Presumably, these were more than idle reflections. Earlier, he had publicly identified the "robber chieftains" of banking as a new American royalty,[89] as had the leading labor paper, the National Labor Tribune. "The working people of this country," the tabloid declared, "suddenly find capital as rigid as an absolute monarchy."[90] Upon his return to the North, Kelley served notice that "labor, and not coin" or capital had the only rightful claim to social precedence in America.[91]

He joined Moses Field in organizing a greenbacker convention that met in Detroit in late August. By now, Kelley's consistent interpretation of financial issues and emergent social trends in terms of an ongoing struggle between the "producing classes" and "capital" had aroused the ire of the conservative Northern press. Murat Halstead's Cincinnati Commercial published a cartoon depicting Kelley as a Jacobin brandishing a bullionist heart on a spear, and the Cincinnati Gazette accused Kelley of wishing "to set up a division of classes, to divide the laboring class from the rest, and to persuade the working men that their

interests were hostile to the rest." The New York Times, which provided the only detailed account of the convention proceedings, also noted the ideological nature of Kelley's "usual line of argument."[92]

The Detroit gathering was a one-day affair which more closely resembled a rally than a convention. With Thomas Durant presiding,[93] "about a dozen persons" delivered speeches promoting the "unclean doctrine" of the interconvertible bond. According to the Times, Kelley was the keynote speaker. Before an audience "composed largely of working men," Kelley denounced the Resumption Act as a "cruel and infamous law which, if not repealed, would rapidly concentrate in the hands of a few people all the property in the United States."[94]

Reportedly in "bad health," Kelley spoke without notes and delighted the crowd with his "reverberating cadences." His purpose in speaking was to "force his financial views" into the debates highlighting the hotly contested gubernatorial campaigns in Ohio and Pennsylvania. Neither party had adopted his interconvertible bond scheme, although the Democrats in both states had endorsed resolutions for the repeal of the Resumption Act, and Kelley presumably wished to keep his plan in the public eye so it might be a prominent issue in the coming presidential canvass.[95]

The New York Times opined that the Detroit meeting was significant because it was typical of the numerous

rallies featuring greenback supporters that summer. The movement, continued the Times correspondent, would "become serious and dangerous" if any but "played-out politicians be lured" to it.[96] In Ohio, Democratic greenbackers behind an anti-contraction platform which urged the withdrawal of the national bank currency mounted a serious campaign, indeed. Except for the late and furious stumping of Republican stalwarts and an infusion of Republican funds, the Democrat William Allen would have defeated the Republican Rutherford Hayes.[97] Garfield later accused Kelley of throwing his influence against Hayes, but the charge was probably unfair. At no time did Kelley publicly support a specific Democratic candidate. Moreover, Hayes acknowledged Kelley's party loyalty and all available reports of Kelley's travels in Ohio indicate he was interested in converting Republicans to his ideological position rather than electing Democrats.[98]

In Pennsylvania, as in Ohio, the greenback standard was carried primarily by the Democrats whose greatest support resided in the western iron and coal producing counties. Kelley would neither support the Democratic gubernatorial candidate Pershing nor the Republican governor, Hartranft. He wrote that the state convention's support for the Resumption Act had "excluded" him from any official endorsement of the Republican candidates for state office, and he found the Democrats no more attractive in view of their

tepid support for the national civil rights legislation of recent years. Refusing to "go upon the stand" and ask his constituents "to endorse a policy which . . . must, if persisted in, work almost universal ruin among the producing classes of the country," Kelley instead agitated for his interconvertible bond plan in letters to the press.[99] He also sponsored a state greenback convention at Mt. Union, Pennsylvania upon his return from Ohio. The Mt. Union gathering resembled the Detroit conclave in its purpose and the make-up of its audience, but could not agree on a financial program.[100]

The Pennsylvania Republicans staved off the Democratic challenge on November 2.[101] On election day, Kelley addressed his constituents in an open letter to the Philadelphia press. He argued that the repeal of the Resumption Act was the "paramount" issue of the day, and he promised to "strive, by all honorable means," to secure its repeal during the coming sessions of Congress. In Kelley's view, the measure violated the egalitarian principles upon which the Republican party was organized. He was "ever ready" to defend those principles, whether with respect to political or economic issues, for, he declared, "I have abated no jot or tittle of my republicanism."[102]

Before he could resume his fight on the House floor, several allied political organizations withdrew their support from the greenback cause. Kelley's relentless

defense of the "laborer's . . . estate" and his provocative rhetoric were instrumental in this break. On the eve of the Ohio balloting, the Industrial League led by prominent Pennsylvania industrialists such as Joseph Wharton and William Sellers denounced Kelley's 3.65 bond plan as "revolutionary," and advised its constituent iron and steel producers to withhold their support from such an approach. Moreover, the Iron and Steel Association's Iron Age denounced Kelley's bond scheme or any other mode of greenback expansion as "extreme" and "experimental" legislation creating uncertainty and social instability. Editor John Williams thus refined an anti-labor editorial stance that surfaced during the journal's coverage of the labor protests and strikes of the previous two years. Implicitly espousing an ethic that sanctioned capital accumulation over the interests of productive labor, the Iron Age came down clearly on the side of Resumption.[103]

The apostasy of the manufacturers did not prompt Kelley to abandon his belief in the essential harmony of interests within American industry. Until and beyond the resumption of specie payments in January, 1879, Kelley's rhetoric continued to blur the social differences between industrial employers and employees, as it highlighted conflict between industrial "producers" who "toil[ed] for their living" and "capitalists" ("bankers" and "brokers") who "lived on incomes."[104] Yet, as manufacturers moved in a bullionist

direction, there is a discernible shift of emphasis in Kelley's speeches and writings. In particular, his concern for "industrious laborers" and "employing mechanics" becomes more emphatic in the late 1870's,[105] and the "businessmen" behind the nation's industrial "establishments" recede from the obvious position of honor accorded them in his monetary and tariff polemics of the 1860's and early 1870's.[106]

The impetus for Kelley's subtle drift in thought might possibly lay elsewhere. His constitutents, "mostly skilled workmen,"[107] were breaking new ideological ground. As the depression deepened, the Philadelphia press reported an increasing number of local work stoppages and incidents of industrial violence which provided tangible evidence of disharmony among industrial "producers."[108]

In the record of Kelley's speeches, interviews, and correspondence, there is no explicit admission that either labor's increasing trade union consciousness or the crumbling of manufacturing support for greenback legislation was a critical development. Yet, as the nation entered its centennial year, Kelley was clearly more bitter about the "financial disaster" wrought by "schoolmen and abstractionists" and the "corporate consumers of the profits that should reward labor and well-directed enterprise."[100] Moreover, he was determined that the "currency of the country . . . should always be legal tender money emitted by the Government," rather than the "banknotes" of the

"greedy and mismanaged banks."[110] Ironically, at a moment when his greenback theory separating the form and function of money was emerging most clearly, Kelley's immediate and intense demand for monetary inflation pushed him toward a practical remedy with a contradictory theoretical premise.

NOTES

[1] On Kelley's view of the harmony of interests between entrepreneurs, wage-earners, and farmers, see Chapter 4, pp. 198-199. Chapter 5, pp. 243-244; Chapter 6, p. 303. According to the editorial page of the Philadelphia Inquirer (July 15, 1873), Kelley extolled the "strong points of advantage possessed by the co-operative system" to the Executive Committee of the Philadelphia Soldier's Colony on July 14, 1873. The Colony was apparently attempting to settle veterans on Western public lands, in communities that stressed harmonious association among employers and employees. No other reference regarding this address or the Colony has been found.

[2] Kirkland, Industry Comes of Age, pp. 54-55; Hesseltine, Grant, pp. 310-311; Josephson, Robber Barons, pp. 91-93, 163-165; Kelley testimony, U. S. Congress, House, Reports of Committees of the House of Representatives for the Third Session of the Forty-second Congress, vol. 1 (Washington, D. C.: Government Printing Office), 1872-1873, p. 202.

[3] Congressional Globe, 42nd Cong., 3rd Sess., pp. 11-12, 1883; Kelley to Caroline Kelley, January 9, 1873 and February 23, 1873, KPHSP. William Merrick (Democrat-Maryland) replaced Beck on the committee before the hearings began on December 12, 1872.

[4] Kelley testimony, op. cit., pp. 197-198, 202-203.

[5] Congressional Globe, 42nd Cong., 3rd Sess., p. 1838; Kelley testimony, op. cit., p. 199.

[6] Kelley testimony, op. cit., p. 201.

[7] Ibid., pp. 200, 204; New York Times, January 17, 1873.

[8] Kelley testimony, op. cit., pp. 200-203. Specifically, Kelley cited his June, 1871 speech at the Academy of Music in Philadelphia. See Chapter 6, pp. 302-303.

[9] John A. Logan Papers, Library of Congress, Box 46, 1873 file.

[10] Kelley to Caroline Kelley, January 27, 1873 and January 30, 1873, KPHSP.

[11] Kelley to Caroline Kelley, January 31, 1873, KPHSP.

[12] Kelley to Caroline Kelley, February 2, 1873, KPHSP.

[13] Kelley to Caroline Kelley, February 7, 1873, KPHSP. See Chapter 1, p. 17.

[14] Kelley testimony, op. cit., p. 201; Congressional Globe, 42nd Cong., 3rd Sess., p. 1838; McCabe, Behind the Scenes in Washington, pp. 261, 268-269; Robert Bruns and Arthur Schlesinger, Jr., Congress Investigates: A Documented History, 1792-1974 (New York: Chelsea House Publishers, 1975), vol. ii, p. 1858.

[15] Congressional Globe, 42nd Cong., 3rd Sess., p. 1838; Kelley to Caroline Kelley, February 21, 1873, KPHSP.

[16] Kelley to Caroline Kelley February 23, 1873, KPHSP.

[17] Philadelphia Inquirer, January 8, 16, 25, March 3, 1873.

[18] Kelley to Caroline Kelley, February 24, 1874, KPHSP; Congressional Globe, 42nd Cong., 3rd Sess., pp. 1833-1844. For the Poland committee's view of Brooks' conduct, see Rep. McCrary's comments, Congressional Globe, 42nd Cong., 3rd Sess., p. 1838.

[19] See McCrary, ibid., pp. 1837-1838.

[20] Ibid., p. 1838.

[21] Ibid., p. 1840.

[22] Ibid., p. 1841.

[23] Ibid.

[24] Ibid., pp. 1843-1844; James A. Garfield, The Diary of James A. Garfield, Vol. II, ed., Harry J. Brown and Frederick D. Williams (3 vols.; East Lansing: Michigan State University Press, 1967), p. 156.

[25] See Chapter 7, pp. 365-366.

[26] Congressional Record (hereafter cited as C. R.), 43rd Cong., 1st Sess., p. 3603 and 45th Cong., 3rd Sess., p. 1365.

[27] New York Times, January 19 and January 21, 1873; Josephson, Robber Barons, pp. 169-170; Williams, Roots, pp. 176-177; Unger, Greenback Era, pp. 213-215.

[28] The postwar integration of the national marketplace through, for example, railroad construction and a uniform system of national banking, along with an expanding commodity output per worker (due to a tremendous investment in fixed capital) opened a period of gathering economic crisis by the early 1870's, in the sense of a sharpening conflict between the growth of productive power and of business profitability. Overproduction of a relative nature, that is, a surplus of goods at prices that were unremunerative from the producer's standpoint, was the obvious manifestation of this conflict in both the agricultural and industrial spheres of the economy. On the secular economic trends of the 1870's, see Williams, Roots, pp. 176-177; Vatter, Drive to Industrial Maturity, pp. 242-245; Williamson, Late Nineteenth Century American Development, ch. 5.

[29] See Chapter 2, pp. 39-40.

[30] Philadelphia Press, October 31, 1873.

[31] Ibid., October 31 and November 6, 1873.

[32] Ibid., November 6, 1873; New York Herald, December 22, 1873.

[33] Ibid., October 31, 1873.

[34] Kirkland, Industry Comes of Age, pp. 31-32; Hicks, Populist Revolt, pp. 91-94; Unger, Greenback Era, p. 115; Sharkey, Money, Class, and Party, p. 230.

[35] New York Herald, December 22, 1873.

[36] Richard Sylla, The American Capital Market, 1846-1914 (New York: Arno Press, 1975), pp. 51-52; Robert Sharkey, "Commercial Banking," in David T. Gilchrist and W. David Lewis, eds., Economic Change in the Civil War Era (Greenville, Del.: Eleutherian Mills-Hagley Found., 1965), pp. 29-30; Charles Conant, A History of Modern Banks of Issue (New York: Putnam's Sons, 1909), pp. 411-412; Shannon, Farmer's Last Frontier, pp. 185-186.

[37] New York Herald, December 22, 1873.

[38] See Chapter 4, pp. 196-197; Chapter 5, pp. 224-225, 244; Chapter 6, p. 313.

[39] C. R., 43rd Cong., 1st Sess., p. 564.

[40] Ibid., p. 727.

[41] On the position of Carey and the iron manufacturers, see Unger, Greenback Era, pp. 223-224.

[42] See Montgomery, Beyond Equality, pp. 440-443; Unger, Greenback Era, pp. 228-233. On the rise and development of farmer greenbackism, see Unger, op. cit., and Williams, Roots, pp. 182-183.

[43] C. R., 43rd Cong., 1st Sess., p. 62; Philadelphia Inquirer, December 5, 1873.

[44] New York Herald, December 22, 1873.

[45] Ibid.

[46] Kelley to Caroline Kelley, January 19, 1874, KPHSP; Unger, Greenback Era, pp. 143, 191. For a brief biographical description of Hoar, see the National Cyclopaedia of American Biography, vol. 1, p. 453.

[47] C. R., 43rd Cong., 1st Sess., pp. 726-729.

[48] Unger, Greenback Era, pp. 218-219; C. R., 43rd Cong., 1st Sess., pp. 1007-1009, 4833; Montgomery, Beyond Equality, pp. 346-347, 350.

[49] C. R., 43rd Cong., 1st Sess., pp. 2590, 2802-2808.

[50] Ibid., p. 1007. See section 21 of the National Banking Act of June, 1864, in Charles Dunbar, Laws of the United States Relating to Currency, Finance, and Banking (Boston: Ginn & Co., 1897), p. 181. The act dictated that at least 50 per cent of each bank's subscribed capital was to be "paid-in," whether in the form of in-bank reserves or as securities invested on call. At no time was the amount of notes issued by a bank to exceed the amount of paid-in capital.

The original version of H. R. No. 1572 did not include a clause providing for gradual specie payments beginning July, 1876, as Irwin Unger states. See the Greenback Era, p. 219, for Unger's analysis.

[51] Edward McPherson, Hand-Book of Politics for 1874 (Washington: Solomon & Chapman, 1874), pp. 168-172.

[52] C. R., 43rd Cong., 1st Sess., pp. 728,3073.

[53] Ibid., p. 3078; Unger, op. cit., pp. 235, 240-242.

[54] Unger, op. cit., p. 243.

[55] C. R., 43rd Cong., 1st Sess., pp. 4958-4961.

[56] Report of the Monetary Commission of the Indianapolis Convention (Indianapolis: The Hollenbeck Press, 1900), p. 548.

[57] Ibid., p. 5147.

[58] Irwin Unger argues, convincingly, that this promise was not realized. By the 1870's the issue of banknotes had become less profitable to the larger, established national banks than "check money," or the creation and management of checking accounts for borrowers. So, the response of the Northeastern banking community to the new law's expansionary provisions was disappointing to "soft money" men. Moreover, in view of the depressed business conditions in the West and South, few new banks were organized to effectuate the redistribution authorized by the bill. See the Greenback Era, pp. 61, 264.

[59] C. R., 43rd Cong., 1st Sess., pp. 5316, 5189; Kelley to Caroline Kelley, June 22, 1874, KPHSP.

[60] Kelley to Caroline Kelley, June 14, 1874, KPHSP.

[61] Ibid., June 10, 1874; Greco, "Kelley," pp. 17-18; Kelley to Caroline Kelley, June 14, 1874, KPHSP; Poore, Political Register, p. 478; Philadelphia Public Ledger, November 4, 1874; Philadelphia Inquirer, November 4, 1874. During the campaign, Kelley was probably aided by the "Radical Club," a group of unidentified Philadelphians who shared Kelley's radical greenback views. The Philadelphia Inquirer of October 29, 1874, notes Kelley's membership in the club and mentions its commitment to an exclusive greenback currency.

[62] Unger, op. cit., pp. 249-251; Tribune Almanac, 1874, pp. 44-45; U. S., Department of Commerce, Bureau of the Census, Historical Statistics of the United States, 1789-1957, p. 691; De Alva Stanwood Alexander, History and Procedure of The House of Representatives (New York: Houghton Mifflin Co., 1916), p. 412.

[63] See Chapter 7, p. 359.

[64] C. R., 43rd Cong., 2nd Sess., p. 3.

[65] Ibid., pp. 20-22.

[66] Ibid., p. 22.

[67] See Chapter 7, pp. 349-353.

[68] C. R., 43rd Cong., 2nd Sess., p. 22.

[69] Ibid., pp. 22026.

[70] Unger, op. cit., pp. 240-241.

[71] C. R., 43rd Cong., 2nd Sess., p. 26; Unger, Greenback Era, p. 251.

[72] Kelley to Caroline Kelley, December 9, 1874, KPHSP.

[73] Philadelphia Inquirer, December 11, 1874.

[74] Unger, op. cit., pp. 252-256.

[75] Ibid., pp. 252-253.

[76] C. R., 43rd Cong., 2nd Sess., p. 208.

[77] The bill anticipated a balance of $300 million greenbacks in circulation after the prorated reduction. C. R., op. cit., pp. 205-206.

[78] Unger, op. cit., pp. 256-257.

[79] C. R., 43rd Cong., 2nd Sess., p. 319.

[80] Kelley to Florence Kelley, January 15, 1875, KPHSP.

[81] Kelley to Caroline Kelley, February 16, 1875, KPHSP.

[82] C. R., 43rd Cong., 2nd Sess., p. 1600.

[83] See Kelley's comments in the Congressional Globe, 38th Cong., 2nd Sess., p. 282, and Chapter 6, p. 320.

[84] Kelley, "To the Citizens of the Fourth Congressional District," November 2, 1875, Library of Congress.

[85] Kelley to Caroline Kelley, March 8, March 11, and March 18, 1875, KPHSP.

[86] Kelley to Caroline Kelley, March 18, 1875, KPHSP. On Freeman's political affiliations, see Unger, op. cit, pp. 114-119.

[87] Kelley to Caroline Kelley, March 27, 1875, KPHSP.

[88] Ibid., March 20, 1875, KPHSP.

[89] See Chapter 7, p. 351.

[90] Herbert Gutman, Work, Culture and Society in Industrializing America (New York: Vintage Books, 1977), pp. 51-52.

[91] Kelley was quoted in a Washington Star article attached to a letter from Whitelaw Reid, dated July 28, 1875. Kelley Papers, Harvard University Libraries. Presumably, he had in mind the inclusive contemporary definition of "labor."

[92] Unger, op. cit., p. 278; New York Times, August 26 and August 28, 1875.

[93] Durant's association with Kelley was not new. In August, 1871, Durant sent Kelley a letter of condolence on the occasion of his daughter Anna's death. Durant to Kelley, August 8, 1871, Kelley Family Papers, Columbia University Libraries.

[94] New York Times, August 28, 1875.

[95] Ibid., Unger, Greenback Era, pp. 268-273. The Philadelphia Inquirer closely followed Kelley's campaign trip in Ohio and prominently reported Henry Carey Baird's defense of the 3.65 bond in August. However, the paper never formally endorsed Kelley's interconvertible bond plan. See the Inquirer, August 4, 5, 17, 20, November 2, 1875.

[96] New York Times, August 28, 1875.

[97] Unger, op. cit., pp. 277-282.

[98] C. R., 45th Cong., 1st Sess., p. 385 and 45th Cong., 2nd Sess., p. 1605; Unger, op. cit., p. 275; Kelley's letter to his constituents, November 2, 1875, Library of Congress.

[99] Frank Evans, Pennsylvania Politics, 1872-1877 (Harrisburg: Pennsylvania Historical and Museum Commission, 1966), pp. 192-200; Kelley's letter to his constituents, op. cit.

[100] Erwin Bradley, Simon Cameron, p. 366.

[101] Roy R. Glashan, American Governors and Gubernatorial Elections, 1775-1978 (Westport, Conn.: Meckler Books, 1979), p. 260; Philadelphia Inquirer, November 3, 1875.

[102] Kelley's letter to his constituents, November 2, 1875, Library of Congress.

[103] Unger, Greenback Era, pp. 284, 325; Gutman, Work, Culture, and Society, pp. 321-336. See also W. T. K. Nugent, Money and American Society, 1865-1880 (New York: The Free Press, 1968), pp. 213-215.

[104] For a sampling of Kelley's "producer philosophy" in the mid-to-late 1870's, see C. R. 43rd Cong., 2nd Sess., p. 21 (December 8, 1874); ibid., 45th Cong., 1st Sess., pp. 432-437 (November 15, 1877); and Kelley, "The Causes and Authors of the Financial Depression," Library of Congress (August, 1877), p. 19.

[105] C. R., 44th Cong., 1st Sess., p. 1173; Kelley, "Causes and Authors," pp. 5, 8; C. R., 45th Cong., 1st Sess., p. 435; ibid., 45th Cong., 3rd Sess., pp. 1346-1369.

[106] See Chapter 4, pp. 194, 196, 198; Chapter 6, pp. 269-270, 303. By 1884, he was publicly questioning his notion of an identity of interests between industrial capitalists and industrial wage-earners. See Chapter 9, pp. 467-471.

[107] C. R., 44th Cong., 1st Sess., p. 1173.

[108] Philadelphia Inquirer, January 16, March 31, 1874, et passim. Some of these labor actions may have been inspired by the contemporary initiatives of Pennsylvania's railroad workers who struck the Pennsylvania Railroad system in late 1873 and 1874. See Gutman, Work, Culture, and Society, ch. 6.

[109] C. R., 44th Cong., 1st Sess., pp. 1173, 1175.

[110] Ibid., p. 1175.

CHAPTER 8

Kelley and Silver

> If we cannot have greenbacks interchangeable with bonds, give us the double standard. We could possibly bear the strain of a return to specie payments on this double basis.
>
> Workingman's Advocate, 1876

> The adoption of a bi-metallic standard is a violation of the natural laws of supply and demand, and an attempt to provide for the survival of the unfittest.
>
> Abram Hewitt, 1878

> The poor are a great deal less poor and a great deal less numerous than they would be, except for the service of capital, of which they enjoy the greater part of the benefit.
>
> Edward Atkinson, 1879

> It is labor and not coin that supports the public credit and the framework of society.
>
> William Kelley, 1877

In the Forty-fourth and Forty-fifth Congresses, Kelley continued to look to the interconvertible bond-currency plan as the best means to prevent the concentration of wealth and social power, and thereby promote equal opportunity in the American marketplace.[1] Yet, during the course of Congressional debate over fiscal and monetary policy, he was attentive to those who favored remonetization of the old 412.5 grain silver dollar. As Kelley warmed to the

doctrine that metallic inflation would advance the "employment of productive industry,"[2] he was drawn into a practical political alliance with his old adversaries across the House aisle.

Kelley's first significant brush with the issue of silver coinage was in the early 1870's. As Chairman of the House Committee on Coinage, Weights and Measures he served as floor manager for a coinage bill first introduced in April, 1870, that aimed to discontinue the standard 412,5 grain silver dollar, thus eliminating the bimetallic nature of the nation's coin supply. During the last session of the Forty-second Congress in December, 1872, Kelley resigned his chair on the Coinage committee to head the newly organized Select Committee on the Centennial Celebration. From that time until its passage in February, 1873, the coinage bill was under the direction of Samuel Hooper of the House and John Sherman of the Senate. Kelley supported the bill because silver coin had all but vanished from circulation, owing to the premium held by silver over gold in world markets from the 1830's. In 1862, when specie payments were suspended, the value of the silver in the subsidiary silver coins totaling one dollar in face value was $1.0416. By 1873, the premium had fallen to 100.46 but silver was still earning more for its producers in bullion markets than it would have at the United States mint under the coinage ratio of silver to gold (16 to 1). The "fractional"

paper currency first issued in 1863 to replace the smaller denomination silver coins that had disappeared from circulation thus appeared to Kelley, and the majority of the "soft-money" Congressmen, as an adequate medium for ordinary exchange on the eve of Grant's second inauguration.[3]

Yet, by the fall of 1875 increased American production and the German demonetization of silver had prompted a drop in silver's market price to 96.43 cents on the gold dollar.[4] In early 1876, numerous currency experts and urban newspapers publicly raised the issue of the remonetization of silver at the old ratio of 16 to 1. "Hard-money" Congressmen and major investors were among the earliest supporters of the restoration of silver coinage. Leading bankers such as H. C. Fahnestock of New York's First National Bank, August Belmont, and J. P. Morgan favored the revival of a subsidiary silver coinage as an aid to the eventual resumption of specie payments and as a means for the redemption of the despised greenback currency.

By the spring of 1876, a limited restoration of subsidiary silver coins had been endorsed by diverse and often hostile social groups, including the aforementioned financial leaders as well as silver mine owners and inflationists in currency-poor regions of the South and West.[5] In the Congress, the discussion of silver coinage quickly became a generalized debate over complete restoration of a bimetallic currency. Before the battle was joined, however,

the Congress dealt with an issue to which Kelley had devoted much attention in recent years: the promotion of an international exhibition of industrial and artistic productions on the occasion of the one-hundredth anniversary of the signing of the Declaration of Independence. Kelley had been the chief Congressional spokesman for the commission authorized in March, 1871, to oversee the building of a suitable exhibition center in Philadelphia and to raise the public and private funds necessary for its completion.[6] While failing to win a Congressional grant to underwrite the exhibition, Kelley managed a bill in 1874 which authorized a federal loan of $3,000,000 to sustain the construction of the center. The centennial celebration appealed to him on the basis of "higher, more noble motives" than the flaunting of America's "natural resources." "Let us . . . make this centennial year a year of jubilee," he said. "Let us prove to [the world] that republicanism is peace and order and liberty."[7]

By early 1876, the exhibition had attracted such attention from foreign producers and political authorities that the previously stingy national legislature considered a bill to appropriate $1,500,000 for the completion of the centennial buildings "and other preparations."[8] With Kelley's active support, the bill passed the House and Senate, and received President Grant's assent on February 17, 1876.[9]

Several days later, Kelley urged the repeal of the Resumption Act as a large step toward ringing in the year of jubilee he envisioned. Claiming the support of his constituents--"mostly skilled workmen"--and "more than a million honest, earnest republicans," he argued that specie resumption achieved by a prorated reduction of greenbacks and the issue of gold bonds would deprive American commodity markets of a "competent medium of exchange in adequate volume." This might benefit the "corporate consumers" but would reduce "hitherto prosperous employing mechanics to poverty, and industrious laborers to pauperism." Kelley closed with an appeal for his interconvertible bond bill and a warning: "the party, democratic or republican . . . which forces resumption of specie payments prior to the practical extinction of the national debt . . . will be trampled under the foot of the people."[10]

Apparently, the new House leadership was not easily moved by threats of political retribution. Speaker Michael Kerr of Indiana and fellow Democrats William Morrison of Illinois and Samuel Cox of New York--chairmen of the Ways and Means and Banking and Currency committees, respectively --were "hard money" men. From the first days of the session they had moved as forcefully as their Republican predecessors in blocking currency legislation contrary to their conception of the party's, and the nation's, best interests. Had Kelley introduced a repeal resolution, it

likely would have been buried in committee as were those introduced by William Holman and John Atkins.[11] However, conservative party leaders were under increasing pressure from anti-resumption coalitions within and outside the halls of Congress. The first political alliance representing the major farmer and labor protest groups, the Independents, which had been formed in the fall of 1875, was clearly disturbing Democratic and Republican stalwarts with its call for a third-party campaign to fight resumption.[12] In Congress, a more immediate challenge was raised by Kelley and other greenbackers who initially resisted legislation to implement Sherman's resumption plan through the issue of fractional silver currency, then found silver coinage a valuable asset in the design for a decentralized banking and currency system.

In early March, Democrats Morrison and Randall joined Republicans Hale and Garfield in promoting the release of subsidiary coins under the provisions of the Resumption Act for replacement of worn greenbacks. Their "silver resumption" bill was opposed by Kelley, who considered it "unwise" and "wasteful" because of the "public revenue" it would commit to the purchase of silver and the costs of its manufacture into coin. Further, he considered the measure an unnecessary and discriminatory subsidy to silver mine owners. Joining Kelley in the opposition were the Democrats Franklin Landers of Indiana and William Holman of Indiana

who favored extending the legal tender power of silver coins, and hard money men such as Abram Hewitt and Fernando Wood who considered the measure a bonanza scheme for enhancing mineowner profits. The bill passed the House on March 30, with most members apparently unmoved by charges that it was more than a simple administrative necessity.[13]

In the Republican-controlled Senate, debate on the House bill quickly grew into a more general debate on the merits of remonetizing silver largely because of Democrat Lewis Bogy's remarks in favor of immediate and full restoration of the old 412.5 grain silver dollar. However, under Sherman's leadership the measure remained largely unaltered as an appropriation bill to facilitate the redeeming of fractional greenback notes with subsidiary silver coins. After the House approval of the Senate version, the measure was signed on April 17.[14]

Sometime after the House debate on the "silver resumption" bill, Kelley came to accept a remonetized silver coinage. His about-face was influenced by his reading of the Belgian economist, Emile Laveleye. In December, 1876, he informed the House that the "sad experiences of the past three years" and the writings of "De Laveleye" had informed his "imperfect knowledge" of monetary matters. Specifically, he cited Laveleye's opposition to mechanistic gold standard polemics which touted gold as a metal of unvarying value and supply. In truth, Kelley argued, the values of both

silver and gold fluctuated routinely. Thus, he suggested, the conservative interest in maintaining the value of coin-based payments, such as interest on the public debt, would be better served by the "double standard."[15]

Kelley's appraisal of Laveleye's work omitted any reference to paper currency, presumably because Laveleye was not a greenbacker. Yet, Laveleye's social philosophy corresponded at many points with the producer-oriented ideology that lay behind Kelley's greenbackism. Laveleye preached bimetallism because its expansion of the quantity of money seemed to serve the productive enterprise of debtors. According to Laveleye, the "adoption of gold as the exclusive money . . . [was] an anti-democratic and an anti-economic measure, since it favor[ed] the bondholder at the expense of labor, idle capital at the expense of active capital."[16]

Kelley's support for silver also may have been influenced by the favorable response of the House to a limited restoration of silver as a subsidiary coin in March, 1867.[17] The early Congressional silver forces represented a diverse constituency. Chambers of Commerce in expanding Midwestern cities, some farm producers, the Knights of Labor's National Labor Tribune, and individual merchants from Chicago, Toledo, and St. Louis all favored remonetization.[18] Many had been greenback supporters, and of this number most regarded silver as a useful supplement to paper currency.

Yet, some early silverites had been reluctant converts to the greenback cause in the early 1870's because of the pull of traditional notions about the intrinsic value of specie. The Congressional and press debates that publicized the market decline in the price of silver bullion revived the allure of the silver dollar among these moderate greenbackers.[19]

While the writings of Laveleye and the growing strength of public support for silver probably encouraged Kelley's conversion to bimetallism, the decisive factors appear to have been his distrust of national bankers and his skepticism about the prospects for specie payments so long as the federal debt was paid in gold. In Kelley's estimation, the payment of America's bonded debt in gold, according to the spirit of the Public Credit Act of 1869, would preclude the establishment of a gold reserve sufficient to withstand a run by greedy bankers, who could be expected to stockpile greenbacks for redemption on January 1, 1879. The payment of a portion of the foreign debt in silver dollars and the circulation of silver coinage in the United States now seemed a viable second line of defense against an expected shortage of fractional currency on resumption day.[20] Although he still regarded his interconvertible bond scheme as the most efficient and democratic basis for domestic exchange and debt payments,[21] Kelley was impressed by the tactical advantages of silver. By the end of May, 1876, he had

become a floor leader in the remonetization movement.[22] His most vocal allies on the money question were no longer predominantly Republican; Butler, Covode, and Field among others were gone. In the emerging silver debate, Kelley's expansionary approach was most consistently favored by Democrats William Holman, Franklin Landers, John Atkins, and Richard Bland.

Congressional debate over the question of a bimetallic currency resumed in June. After two days of indecisive discussion on the merits of a bimetallic coinage in the Senate,[23] the House took up two bills related to the "silver resumption" act of April. Republican advocates of a limited restoration of silver coinage to facilitate resumption joined with House supporters of full remonetization to pass a resolution substituting $10 million dollars in subsidiary silver coin for an equal amount of dollar note greenbacks. Kelley opposed this measure which supplemented the Act of April 17 allowing the exchange of subsidiary coins for "fractional" note greenbacks.[24] He objected to the use of silver "as a mere token coinage" while gold remained the unit of account in foreign trade and debt payments. Implicit in Kelley's criticism was an awareness that the volume of notes which could be brought for conversion on January 1, 1879 would be reduced and the path to resumption consequently eased.[25] On the same day, June 10, Samuel S. Cox and Samuel Randall pushed through a

measure authorizing another $20 million dollars of subsidiary silver coins without denoting any equivalent redemption of greenbacks. Though Roger Mills of Texas sensed a ploy to allow the Treasury to quietly retire an equal number of greenbacks, the House majority apparently accepted Cox's presentation of the bill as an emergency measure to alleviate a stringency in the lesser currency and voted in its favor.[26]

The Cox-Randall bill was then bounced back and forth between the two houses of Congress as competing coalitions attempted to mold it into a more general measure that would settle the evolving silver debate.[27] On July 24, Kelley brought forward a measure designed to resolve some of the confusion surrounding the diverse amendments and substitutes and, perhaps, subvert the entire gold resumption effort. He introduced a remonetization proposal calling for recoinage of the silver dollar at the 16 to 1 ratio of 412.5 grains of silver bullion and the restoration of its "legal-tender character."[28] Recoining the "dollar of the daddies" with silver that had a current bullion value of approximately 93 cents and an actual ratio to gold of 17.12 to 1 would bid up the premium on gold and soon drive it from the channels of foreign trade and debt financing. As a result, private and public debts would have to be repaid in legal tenders--silver coins and greenbacks--which would entail losses or diminished returns on investment for the nation's creditors.

Moreover, the resumption of gold payments would be indefinitely postponed unless or until silver was issued with a grain content more closely equivalent to the value of the gold dollar.[29] Kelley was aware that the unlimited coinage of silver would in effect establish the silver dollar as the legal unit and measure of value, and he did not flinch from the prospect.[30] His commitment to the repeal of the Resumption Act was still primarily expressed in appeals for the "people's money," that is, greenbacks (as opposed to national bank notes). However, Kelley's ability to recognize the limits of possible political action--a talent much in evidence during the emancipation and reconstruction debates of the 1860's--appears to have pulled him in the direction of any reform, including silver remonetization, that might serve his goal of resumption repeal.[31]

The key Democratic proponents of full remonetization likewise considered silver a valuable weapon in the legislative assault on the Republican resumption policy.[32] Democrat Franklin Landers had rallied this sentiment during the debate on the Republican-backed subsidiary coinage bill in late June. His proposed amendment calling for full remonetization of silver was unacceptable to the Senate, but it had passed the House by a 111 to 55 majority with 123 members not voting.[33] The abstentions of anti-silver Republican members from the Midwest were particularly high, presumably indicating the cautious political instincts

of members who chose not to defy the growing silver sentiment in that region.[34]

When Kelley's bill was considered a similar spread was evident. However, the measure was not under the tutelage of a standing committee, so a two-thirds majority was necessary to suspend the rules before a final vote could be taken. The motion to suspend failed by six votes, 119 to 68, with 97 members not voting. Again, the abstentions attributable to the Midwest and Far West were significant.[35] If Republican incumbents had not expected to defend their records before determined pro-silver constituents in the coming presidential election, the official opposition to Kelley's resolution as well as the Landers amendment might have been larger.

Kelley's remonetization proposal was clearly more popular with the Democrats, who endorsed this motion 82 to 37, while the Republican representatives voted 37 to 31 against the plan. The partisan nature of the pro-silver forces in the House meant that further efforts to restore the silver coinage to full legal tender status would likely remain in Democratic hands. Nevertheless, Kelley worked energetically in behalf of the full remonetization of silver for the balance of the decade. His abiding interest, however, was the repeal of the Resumption act, and his preferred means of exchange remained the greenback, interchangeable with government bonds. He campaigned for his

greenback views at the Republican national convention in June but was not given a serious hearing.[36] After the session ended in August, Kelley returned to Philadelphia to press his "heresy" among his constituents.

The most serious issue debated in Pennsylvania during the presidential campaign of the summer and fall of 1876 was resumption, not the "Southern Question." The Independent Greenback party, while lacking cash and an energetic standard-bearer,[37] rallied considerable labor support in the coal mining and iron manufacturing counties where the effects of the depression were most severely felt. Knights of Labor members were among the most active supporters of the Independent repeal ticket in these areas.[38] Yet, even where the "money question" was paramount, as in Ohio and Indiana, the Greenbackers were unable to break the ties of traditional party loyalties. Many Democratic greenbackers apparently remained in the fold despite their national platform's hard-money orientation, because of the party's repeal majority in the House. On election day, the independents received only 7100 votes in Pennsylvania and 80,000 votes nationwide.[39]

Kelley campaigned as a Republican in his district as well as in areas of greenback strength in western Pennsylvania and Ohio. He later stated that his purpose was to "induce greenbackers like myself to see reasons for supporting the [Republican] ticket," despite the national

platform's commitment to the Resumption Act.[40] Perhaps he believed that Republican defections to the remonetization movement in the last session of Congress portended a shift in the party ranks toward the parallel movement for repeal.[41] In any event, his greenback stance was popular among workingmen in Philadelphia's Fourth Congressional district, a fact which probably inclined local Republican slatemakers to once again court his candidacy. Kelley was unmoved by their interest and was "unwilling to seem to beg or barter for a renomination."[42] He did accept their call, however, and in late September he spoke at a Republican-sponsored rally in Philadelphia's Horticultural Hall.[43] On election day, Kelley confirmed the faith of his Republican backers by notching an impressive electoral victory against the Democrat John T. Schod.[44]

The disputed results of the Presidential election soon occupied Kelley's attention. Neither presidential candidate had garnered the 185 electoral votes necessary to a choice, though the Democrat Tilden claimed 184 undisputed electoral votes to Hayes's 165. Of the 20 disputed votes, 19 were in the South including 8 from Louisiana, 7 from South Carolina, and 4 from Florida. Both parties soon dispatched committees to confer with local officials in these states in order to develop their claims to the disputed electors. Kelley was one of the Republican travelers led by Senator Sherman.[45] When the "special committee"

completed its work and returned to Washington for the second session of the Forty-fourth Congress, its members may reasonably have assumed that all other matters for debate would pale before the electoral crisis. Kelley had other thoughts, as did his House allies, Democrats Richard P. Bland and William Holman.

Soon after Congress convened, Representative Bland's bill to remonetize the 412.5 grain silver dollar was introduced as the regular order of business. The measure had been brushed aside by Speaker Kerr and Samuel Cox at the close of the first session and upon its introduction a similar move was attempted by the Speaker and Milton Durham of Kentucky, on the grounds that the Congress should await the report of the Monetary Commission appointed in August before reopening the financial debates of the previous summer.[46] Kelley rushed to the defense of the bill. He noted that its provision for the restoration of the old silver dollar at the pre-1873 ratio to gold of 16 to 1 was identical with the substance of the bill he attempted to introduce in July. Kelley claimed the measure had not lost its urgency because the irredeemable nature of much of the nation's currency depreciated the value of the "labor and accumulated property" of most Americans. Taking a page from the canon of hard-money ideologues Garfield and Hewitt, he called for the honoring of the Public Credit Act which declared that the obligations of the United States should

be paid in "coin" or its equivalent.[47]

Kelley's preference for an "equivalent," namely the greenback, made his appeal for silver coinage less effective than William Holman's. Representative Holman stated that "labor and the great interests that are immediately identified with our productive industries" would be best served by the "unrestricted coinage and unlimited legal tender standing of silver." The obstacle to this restoration, he declared, was "capital," that "small body of people" who "are always at the seats of power" and "control our financial affairs." Only these men might benefit from a financial policy which repudiated the greenback and preserved gold coin as the medium of payment for "the vast body of debts, public and private."[48]

Following Holman's speech, Richard Bland moved for a vote on his bill. In the tally, 120 Democrats and 44 Republicans voted for the measure while 17 Democrats and 34 Republicans voted against. Seventeen Republicans shifted from opposition to the Kelley bill of July to approval of the identical Bland bill,[49] a conversion which no doubt elated Kelley. Before he could savor the victory, however, the Republican chairman of the Senate Finance committee--Senator Sherman--made it clear that he would delay debate on the measure until the next Congress met in the fall of 1877, at which time the Monetary Commission's report would be available and a new Executive would be established.[50]

With the Senate deferral of the latest silver challenge, the Congress focused on the question of the presidential succession. Recent evidence strongly suggests that Hayes's eventual inauguration was assured by the Republicans' position of strength in the national government and the moderating influence of Northern Democrats, rather than any willingness on the part of Southern Democrats to trade away Tilden's vistory for patronage posts and internal improvement subsidies.[51] An electoral commission of 5 House members, 5 Senators, and 5 Supreme Court Justices was created to review the conflicting returns and determine the "true and lawful" vote of each state.[52] By February 23, the commission had assigned each of the 20 disputed electors to Hayes. On February 21, Kelley predicted the Hayes victory in a letter to his wife. He regarded the previous day's vote on the Louisiana electors as the turning point and remarked that the excitement was intense.[53]

At the time of the election settlement, Kelley was preoccupied with the "terrible condition of bankruptcy" evident in his district. He assured his wife that their meager reserves were safely invested in real estate, with the exception of some nearly worthless "Baltimore stock." During the long recess that followed the close of the electoral crisis session, he was active in denouncing the "mistaken financial policy" which he considered the cause

of the "want" he surveyed.[54]

The highlight of his campaign was an article which appeared in the Iron Age in August, entitled "The Causes and Authors of the Financial Depression."[55] The magazine was now more clearly representative of the larger established manufacturing firms in the iron and steel industry, as evidenced by its recent depiction of an exclusive greenback currency as "revolutionary."[56] However, the tabloid's editor John Williams published Kelley's polemic in deference to the service which he and Carey had given to the trans-Allegheny iron and steel interests in the late 1860's and early 1870's, when an expansionary currency was uniformly advocated to protect still-narrow profit margins from commercial crises and stiff price competition.[57] Kelley began by charging that behind the "poverty and despair" overshadowing the land were the "false teachings of purblind and shallow schoolmen." Their approach, characterized by a "scarcity of money," was "announced by Mr. McCulloch in the latter part of 1865 . . . and . . . with the sanction of Congress has been pursued by all his successors in the Treasury Department." The purpose of this policy, he continued, was to establish a currency system based on gold which would provide a high rate of return to "holders of national, state, municipal, corporate, and private debts." Kelley declared that this "blood-letting" could not resolve the disequilibrium in capital and money markets created by

the war because it "ignored the palpable truth that it is labor and not coin that supports the public credit and the framework of society,"[58]

As an alternative to the "undesired purpose" of the nation's "rulers," Kelley recommended the promotion of the "home market," aided by "the interconvertible bond system." He noted that the press had recently been burdened "with plans for the extension of our foreign trade as a means of relieving our people from want and despair begotten of enforced idleness."[59] William Evarts, the new Secretary of State, had echoed the sentiment of leading agricultural journals in July when he stated there could be no end to the depression "until some comprehensible policy [was] adopted to disenthrall the contracted sphere of American trade."[60] However, in Kelley's view, such expressions were ill-advised for they failed "to conceive the magnitude of the home market." "Under a more statesmanlike management" of the debt and currency--namely, the funding of interest-bearing obligations in greenbacks--a new "impulse of enterprise, skill, and capital" would develop that would increase the demand for products from all regions, according to Kelley. In support of his plea he cited Treasury Secretary Salmon Chase's last report of December, 1863, which suggested the desirability of "temporary loans" or convertible bonds. Moreover, he even alluded to John Sherman's brief flirtation with the interconvertible bond during the

debate on the Funding Act of 1868. Are the American people ready to believe that Chase was a lunatic, or Sherman (the new Secretary of the Treasury) "bereft of reason?" he asked.[61]

On September 22, 1877, he followed the same line of argument in a letter to the Philadelphia Times. Writing from his home in West Philadelphia, Kelley once again argued that the key to American prosperity lay in a financial scheme based on a balance of convertible paper money and silver coin, rather than an export-oriented political economy and a monometallic, gold-based currency.[62] The existing banking and credit system compelled "the enterprising and producing classes to pay tribute to "capitalists" who controlled the national banknote currency and promoted fiscal policies which hastened a return to gold as the standard of value in which domestic prices were quoted and in which business was transacted. This developmental strategy had failed to achieve a "harmony of the interests of [the] State and its people," he wrote, for it primarily served the interests of a minority. Kelley prophesied only "discontent" and "disorder" if it was pursued.[63]

Kelley carried his attack to the floor of the House when the Forty-fifth Congress convened in October, 1877. From that time until the passage of the inconclusive silver compromise known as the Bland-Allison Act in February, 1878, Kelley's main objective was the repeal of the Resumption

Act, and this remained his leading political aim until the successful resumption of specie payments on January 1, 1879. Repeal was also the primary goal of the majority of his colleagues in the Democratic-controlled House, as the floor debates soon revealed.

Shortly after the House was organized,[64] Kelley helped open the discussion of the ponderous "money question" in a jocular fashion. During the time allotted for the introduction of petitions and memorials on October 25, he presented an appeal in his behalf, as a "citizen of the United States." Amidst "great laughter" he asked Congress to "so ameliorate the financial system of the Government that the laboring people . . . shall be able to sell their labor and not be compelled to appeal to the Government for the means to pay for the expatriation of themselves and their posterity . . . ." Four days later, as the Speaker entertained motions relating to banking and currency matters, Kelley's approach was more decorous as he and twelve other members submitted repeal resolutions.[65] At this juncture, Democrat Thomas Ewing--the leader of the anti-resumption, pro-silver majority on the Banking and Currency Committee--[66] moved to survey the strength of the House repeal coalition. On October 31, he reported a repeal resolution identical with Kelley's and, once the bill was read and recommitted to the committee for later presentation as part of the regular order of business, moved that the routine vote to

recommit be reconsidered. According to the House rules, unless his motion to reconsider was tabled, the substance of Ewing's bill could be debated. Predictably, the pro-resumption forces, led in this instance by Omar Conger of Michigan, attempted to stifle such discussion by tabling the motion. In the vote that followed, the tabling motion was defeated by a margin of 138 to 116. Kelley voted with the majority which in effect expressed an inclination to support a repeal resolution. However, Ewing elected not to pursue the matter further until the House soft-money forces could agree on a timetable that would assure successful votes on both the repeal of the Resumption Act and the full remonetization of silver.[67]

Meanwhile, Kelley pushed his greenback heresy at every opportunity. On November 1, he interrupted Benjamin Willis, a pro-resumption Republican from New York, in the course of remarks favoring the national banknote currency. Willis had just argued that although banknotes were secured by and redeemable in greenbacks, their bond collateral and their endorsement by bank officials made them the "best, cheapest, and safest paper money." In a scornfully derisive comment, Kelley commended Willis for demonstrating that in currency matters, the "shadow [the national banknote] is far more valuable and enduring than the substance [the greenback]." The next day, Kelley joined his allies Bland, Reagan, Buckner, Atkins, and Greenbury Fort (Republican, Illinois)

in support of another test vote on resumption promoted by Thomas Ewing. Once again, the House majority refused to table discussion of Ewing's repeal resolution, H. R. No. 805.[68]

Though actively pursuing the objective of repeal, Kelley was no longer a floor leader in the currency debates. This may be illustrated by the exchange between Kelley and Representatives Ewing and Buckner on November 3. In the morning hour, the House again took up Ewing's resolution and, as before, Ewing and Buckner managed the discussion so as to gauge the measure's support without forcing a decision on its content. Kelley was apparently oblivious to the planning behind this parliamentary maneuver and criticized the Democrats' dilatory tactic as unfriendly to the cause of resumption repeal. He likened the abortive discussion to that which preceded the House vote on resumption in January, 1875. Recalling that the act was "rammed down the throats of those who protested against it," Kelley expressed the hope that the Ewing resolution would be discussed at length before a final vote was taken, so as to impress the Senate and the nation at large with the earnestness and depth of House support for repeal. Both Buckner and Ewing voiced a mutual concern for extended debate on the merits of repeal, but privately feared that open debate would provide the measure's opponents with too many opportunities to delay its passage or dilute its

content. Hence, they had been working to rally enough support to carry both repeal and remonetization by quick votes under the suspension of House rules.[69] Kelley's exclusion from the forging of this strategy was perhaps a measure of his reputation among Democrats. Although one of the most ardent and consistent opponents of the resumption of specie payments, Kelley was also renowned as a loyal Republican whose affinity with Democratic greenbackers had often been tempered with criticism of the post-war Democratic support for lower tariffs and the studious neglect of equal political and civil rights for black citizens. In short, Kelley was an ideologue whose political value to Democrats in a Democratic-controlled House was presumably diminished in proportion to the ardor with which he maintained antagonistic social views.

By November 3, the Democratic leaders of the anti-resumption and remonetization forces in the House had worked out an arrangement whereby H. S. No. 805 and Bland's silver bill, H. R. No. 1093,[70] would be managed toward immediate votes. The strategem was partly successful, as the Bland bill was passed under a suspension of the rules by the mandatory two-thirds majority on November 5. Kelley was one of 163 members who supported the bill.[71] The second half of the package, Ewing's repeal resolution, was not brought to a quick vote, however, because pro-resumption men were able to delay a decision while the time allotted for the

bill expired on November 3. Ewing's resolution was made a special order for Tuesday, November 6, but this opened the bill to a process of amendment and debate which lasted for over two weeks.[72] During this period Kelley spoke on several occasions in behalf of repeal.[73] On November 15, he delivered a prepared speech which recapitulated his long and fervent opposition to resumption.

Kelley recalled a speech he delivered on January 3, 1876, against resumption through a contraction of the greenbacks.[74] On that day, he prophesied that such a course would "make the money of the rich man more valuable" by strengthening the relative importance of the national bank-note currency and, thereby, the social power of the major investors in the national banking and credit system. Kelley noted, correctly, that his prophecy had come true, and located the blame with the leading national bankers and investors who hoped to "obtain control of the entire circulation of the country" and use "their might and power to control our legislation." Aligned with these men, according to Kelley, were the "blind" politicians such as Hugh McCulloch who preferred promises to pay "made by a private corporation" to money made by "a government which has the right and power" to declare its promises legal tender. Kelley pleaded with his colleagues to "grasp" the political implications of this transfer of income to large property holders, as enforced by a decade of fiscal and monetary

policy, before a "plutocracy" comparable to that which "owns England and most of her people" came to control the destiny of American society.[75]

As Kelley spoke, he grimaced with pain from "an unlucky accident that came near ruining [his] spine."[76] On the eighth of November, as he was "hurrying on business" near the Interior Department building, he "trod upon a substance that had softened" and "fell in such a way" as to seriously injure his back. By the fifteenth, the muscles in the lumbar region of his spinal column had gone into spasm, and in the morning after his extended remarks on the resumption issue he was unable to rise from his bed. From that time until the Christmas recess he appeared in the House only for important votes or committee meetings.[77] One of these occasions was the House vote on the Ewing resolution repealing resumption on November 23. After seventeen days of debate on numerous unsuccessful amendments and substitutes, Kelley and a majority consisting of predominantly Democratic members passed the bill by a margin of 133 to 120.[78]

As the holiday vacation arrived, Kelley travelled to his home in Philadelphia "hoping for rest and the tender offices of [his] family." But upon his return, his son Will, "the only one who ever grew to manhood and who had just crossed its threshold," was shot by a prowler. During much of the recess, he stayed at Will's side in the hospital,

concealing his own condition from his family until he was "utterly prostrated." After only a few days of "confinement," he left his bed to return to Washington and the next act in the financial drama.[79]

By early January, public attention had been focused upon the Bland bill. Both its supporters and opponents viewed the decisive House majority for the measure in early November as a harbinger of Senate approval and had been working energetically to rally public pressure to their advantage. The response of European investors to the House vote seemed to confirm this premonition; within a week the purchase of 4 per cent bonds for gold to be applied as a resumption reserve had completely halted.[80] As the first session resumed, Kelly roused himself to what many considered the final lines of battle on the issue of silver restoration. By virtue of their unsparing political efforts, it is likely that Kelley and many of the key players in earlier repeal battles now viewed full remonetization of silver, rather than the Ewing repeal resolution, as the reef on which Treasury Secretary Sherman's gold resumption plans would founder. In fact, Kelley had apparently turned his back on the controversial interconvertible bond. After his letter to the Philadelphia Times in September, 1877, Kelley's public statements on the money question lack any references to the bond-currency scheme he had championed since the 1860's, and show a pragmatic appreciation of the

wider following which silver brought to the repeal cause.

In late January, 1878, Kelley joined a bipartisan coalition of House Democratic and Republican supporters of the Bland bill whose purpose was to mount a propaganda campaign in urban districts where newspapers and journals were abundant and readily accessible to an aroused public.[81] This "Silver Union" was not monolithic in its politics, as it included Republican resumptionists Jacob Cox of Ohio and Joseph Cannon of Illinois. However, the anti-resumptionists such as Kelley, Bland, and Ewing were willing to unite with principled bimetallists who might sway Senate Republicans toward support of remonetization as a preliminary to resumption. In their view the incentive for silver restoration had become less important then the expected result: the postponement and possible rescission of the policy of gold resumption.[82]

Arrayed against Kelley and his allies was a looser, but more powerful coalition of Congressman, economists, academic theorists, and financial and business leaders primarily from the Northeast.[83] This alliance also sheltered diverse financial views. Some were gold monometallists such as the economist David Wells, Representative James Garfield, Edward Atkinson, Senators James Blaine and Justin Morrill, national bankers George Coe and H. C. Fahnestock, and international financiers such as August Belmont, J. P. Morgan, and Joseph Seligman. Others, including New York

banker George Walker, Harvard economist Francis Amasa Walker, American Social Science Association officers S. Dana Horton and F. B. Sanborn, Treasury Secretary Sherman, Secretary of State Evarts, and Senators Allison and Wallace, wanted to restore legal bimetallism on a limited scale to expedite specie resumption but only on the condition that an international agreement was first reached with the Latin Union, England, and Germany fixing gold-silver ratios. Whatever their individual views, these men were united by a commitment to the national banking system and the resumption of specie payments on January 1, 1879. Moreover, the focus of their political pamphleteering and lobbying was selective: Treasury Secretary Sherman and Senate Finance committee chairman Allison were advised and cajoled to amend the Bland bill in a manner that mollified the silverites without opening the door to "wild experiments which would convulse the country." President Hayes was also implored to use his offices to seek an accommodation short of the free and unlimited silver provisions of the Bland bill and, failing that, to stop the silver juggernaut with a veto.[84]

Such an agreement was engineered by Allison and Wallace in committee. In the bill they reported to the Senate, the unlimited coinage provision of the House version had been deleted and the standard silver dollar, although legal tender for all debts, was to be issued in amounts no less

than $2 million or more than $4 million monthly. In addition, silver's coinage was placed on government account, which assigned all minting profits to the Treasury rather than bullion sellers, who were receiving the margin between silver's market price and the higher mint offer. Moreover, Allison won acceptance for the conservative-backed call for an international conference to stabilize mint ratios between the two precious metals. With the timely assistance of informal pressure applied by converted goldbug Hugh McCulloch, the amended measure passed the Senate on February 16, 1879.[85]

Kelley and his associates in the "Silver Union" split over the Senate amendments when the bill was sent back to the House on February 21. The majority, including Republicans Butler and Cannon, supported the committal of the measure to Buckner's Banking and Currency committee for the purpose of returning the original Bland bill for House debate. Kelley sided with the large minority who favored concurrence with the Allison version as a step toward eventual free and unlimited coinage. He was apparently as credulous as Bland, who confidently asserted that if the new coinage did not provide sufficient economic relief there would be enough votes for soft-money advocates to pass additional legislation "issuing paper money . . . to stuff down the bondholders until they are sick." Most Republican bimetallists and the anti-resumption Democratic silverites

outside the caucus were prepared to support the Senate revisions, as were many of the goldbugs from both parties who viewed the Allison amendments as a necessary concession. In the House tally, the Senate version was carried by a vote of 203 to 72, with 17 members not voting. Kelley and leading anti-resumption silverites such as Bland, Buckner and Fort supported the bill, while their political confederates Reagan, Atkins, Butler, and Ewing opposed the plan.[86]

The last scene in the drama involved President Hayes's veto on the grounds that foreign and domestic holders of resumption bonds and other United States securities might be paid in depreciated silver dollars.[87] Both the House and the Senate voted to override the veto on February 28, as both sides remained largely intact.[88] Clearly, Hayes's concern did not move the Republican framers of the Senate-grown compromise. They apparently believed the Allison amendments had removed the inflationary threat posed by the original Bland bill, and they maintained that the compromise package would provide, in William Wallace's words, "greater stability and regularity in financial affairs" by easing resumption. These features, along with Sherman's expected discretion in limiting silver purchases to the monthly minimum, were thus considered a sufficient antidote for any anxiety experienced by bondholders about gold's sanctity.[89]

Moreover, instead of being dismayed by their temporary association with anti-resumptionists such as Kelley, these men probably agreed with Jacob Cox who wrote David Wells that the alliance was necessary to prevent the accomplishment of "really dangerous things." "We [Republican bimetallists and other pro-resumptionists] have simply been using them," Cox added.[90] There was more than a little bluster to this claim, since Kelley and other anti-resumptionists were seasoned politicians eager for opportune compromises that might serve their "dangerous ends." Yet, Cox, Wallace, and Allison, starting from a small core of pro-resumption bimetallists in both houses, deftly talked the Allison amendments through the Congress, with the timely assistance of broad-minded financial leaders such as Fahnestock, Seligman, and Belmont who preferred the measures of "honest silver men"[91] to the "evil . . . which could follow from another year of agitation."[92] Hence, Cox and his allies, including men of diverse functional interests, could claim most of the credit for the Bland-Allison Act's passage.

One final assault on resumption was made by Kelley and the predominantly Democratic greenback forces. The Ewing repeal bill had been referred to the Senate Finance committee on November 26, 1877,[93] where it remained lodged throughout the debate on the Bland bill. The objective of Kelley and the repeal proponents was to force the measure out of

committee by drawing public attention to the dilatory tactics of Senate Republicans. After "one hundred and nine days" of involuntary silence on the floor due to his difficulty in standing, Kelley rose to support the repeal resolution. Since the measure was not a regular order of business, he asked for time under "a question of privilege" on the pretext of responding to personal criticism made by Representative Garfield in a pro-resumption speech just prior to Kelley's accident. Once Kelley had defended his right to speak, Garfield interrupted, acting the injured party and insisting that Kelley explain why he should not be considered "communistic" for "arraying labor against capital" in previous anti-resumption speeches. Before Kelley could dispose of Garfield's red-baiting charges, his time expired.[94] Other efforts in the House and Senate to discuss the Ewing resolution were similarly foiled by Speaker Randall or Republican leaders in the Senate.[95] Finally, the House greenbackers, apparently conceding all hope for a repeal measure, acted to protect the existing greenback limit. Republican Greenbury Fort introduced a bill forbidding the Secretary of the Treasury to cancel or retire any more of the United States notes and requiring him to reissue the greenbacks that reached the Treasury vaults. Kelley and over two-thirds of his House colleagues passed the bill and sent it to the Senate on April 29, 1878.[96] After a delay of almost a month, during which time

Sherman and the Republican leadership convinced Senate resumptionists that passage of the weak greenback measure would stop the repeal agitation, the Senate passed the Fort bill.[97]

During the spring session, Kelley wrote to his wife of his habit of looking at "primary causes and ultimate consequences."[98] If he was candid with himself, he would have concluded in May that the hopes of the repeal coalition at the opening of the Forty-fifth Congress had been crushed beyond any chance of fulfillment. And the "primary cause" of this turnaround could be located in the skillful organizing and political maneuvering of a small minority of Republican leaders and their allies among the nation's leading bankers and investors. These men blunted the silver drive and halted the repeal movement as Secretary Sherman was negotiating the crucial loans necessary to build up the specie reserves required for resumption. With the success of Sherman's bond offers and the checking of the anti-resumption forces, resumption was assured.[99]

On February 14, 1879, Kelley reflected on the debates and financial episodes of the previous year, declaring somewhat wistfully that "those who have resisted the retirement of our legal-tender paper money" might "exult" in their efforts.[100] Certainly, the Congressional elections which followed the tumultuous second session of the Forty-fifth Congress had renewed hope among greenback advocates,

as the national Greenback-Labor party candidates garnered almost one million votes. Yet, only one National running against both a Republican and a Democrat won, and most of the twenty-odd greenback Congressmen claimed by the third party were Democrats running with National Greenback-Labor endorsement.[101] The Nation's summary was more apt than Kelley's: "in their present stand on the currency question" the sound money men were "on safe and winning ground."[102]

In the months that followed, Kelley tried to continue the "contest between the bank-notes and the money of the people."[103] Before the end of the Forty-sixth Congress he lent his support to Representative James Weaver's abortive attempt to have "all currency, whether metallic or paper . . . issued and its volume controlled by the government."[104] However, with the accomplishment of resumption and an easing of economic troubles largely due to a temporary boom in farm exports, the "money question" temporarily receded from the center of political discourse. As the decade of the 1870's ended, Kelley's attention was drawn to the mounting export expansion movement which looked to external markets as the key to resolving social and political tensions at home.[105] By the time the Republicans recaptured the House in 1880, the "father of the House," as he was now styled,[106] had once again staked his hopes for the prosperity of productive labor on the preservation of the protective tariff system.

NOTES

[1] See C. R., 44th Cong., 1st Sess., p. 1175 (February 19, 1876); 45th Cong., 1st Sess., p. 220 (November 1, 1877); 45th Cong., 4rd Sess., pp. 1359, 1363, 1364 (February 14, 1879).

[2] Kelley, "Causes and Authors," pp. 19, 24.

[3] Weinstein, Prelude, pp. 21-22; Congressional Globe, 42nd Cong., 2nd Sess., pp. 130, 2311; C. R., 45th Cong., 1st Sess., p. 1265; Paolo E. Coletta, "Greenbackers, Goldbugs, and Silverites: Currency Reform and Policy, 1860-1879," in H. Wayne Morgan, ed., The Gilded Age: A Reappraisal (Syracuse: Syracuse University Press, 1963), p. 121; Paul M. O'Leary, "The Scene of the Crime of 1873 Revisited: A Note," Journal of Political Economy, LXVII, No. 4, (August, 1960), p. 390; James Kindahl, "Economic Factors in Specie Resumption: The United States, 1865-1879," Journal of Political Economy, LXIX, No. 1 (February, 1961), p. 41; Walter Nugent, The Money Question During Reconstruction (New York: W. W. Norton & Co., 1967), p. 87. The Coinage bill received 110 ayes and 13 nays in the House. See the Congressional Globe, 42nd Cong., 2nd Sess., pp. 3882-3883.

[4] C. R., 45th Cong. 1st Sess., p. 1265; Report of the Monetary Commission of the Indianapolis Convention, p. 556.

[5] Weinstein, Prelude, pp. 49-52, 56-59, 86, 124-125.

[6] C. R., 43rd Cong., 1st Sess., pp. 809-816, 3600.

[7] Ibid., pp. 3600-3605, 4430.

[8] C. R., 44th Cong., 1st Sess., p. 291.

[9] Ibid., pp. 635, 1037, 1148.

[10] Ibid., pp. 1173, 1175, 1177.

[11] Ibid., pp. 207, 318; Unger, op. cit., p. 290.

[12] Unger, op. cit., pp. 300, 304, 306.

[13] C. R., 44th Cong., 1st Sess., pp. 1687, 1762-1772, 1990-1993, 2082-2088.

[14] Ibid., pp. 2254, 2341-2351, 2418, 2513.

[15] C. R., 44th Cong., 2nd Sess., p. 170.

[16] Nugent, Money and American Society, p. 194.

[17] During House debate on the "silver resumption" bill in March, an amendment raising the value of individual silver coins to $25 was easily passed. This amendment was deleted in the Senate version which was accepted by the House in April. C. R., 44th Cong., 1st Sess., pp. 2084-2088, 2389.

[18] Unger, Greenback Era, pp. 332-333, 339 (fn. 74). According to Unger's evidence, the drive to remonetize silver did not become a widespread popular movement among agrarian producers until mid-1877. See p. 339, fn. 74; p. 342.

[19] Weinstein, Prelude, p. 182; Unger, op. cit, pp. 336, 338.

[20] C. R., 44th Cong., 1st Sess., p. 1175, 4559.

[21] Ibid., p. 1175.

[22] Ibid., pp. 2998-2999, 3555-3556.

[23] Ibid., pp. 3673-3687.

[24] Ibid., p. 3747.

[25] Ibid., p. 4559.

[26] Ibid., p. 3747.

[27] The Randall bill was never passed, but constituted the guts of the subsidiary coinage bill passed by the House on July 13, and by the Senate on July 14. C. R., 44th Cong., 1st Sess., pp. 4550-4563, 4565-4568.

[28] Ibid., p. 4855.

[29] Coletta, "Greenbackers," pp. 119-120; Nugent, Money Question, pp. 91, 95-96. Kelley did not acknowledge that such monetary inflation would diminish the purchasing power of labor's wages. He assumed that high tariffs and an abundant, government-managed currency encouraged expansion in industry and agriculture and raised wages through steady and full employment. See Chapter 4, pp. 197-201; Chapter 6, pp. 269, 278, 315.

[30] C. R., 44th Cong., 1st Sess., p. 4559.

[31] See Chapter 8, pp. 393, 409.

[32] Weinstein, Prelude, pp. 106-107.

[33] C. R., 44th Cong., 1st Sess., pp. 4211-4215. House-Senate conferees later dropped the amendment and the bill was enlarged to include an additional issue of subsidiary coinage while dropping the legal tender standing of the silver trade dollar authorized by the Coinage Act of 1873. Kelley opposed the conference report because of its deletion of the remonetization provision. Ibid., pp. 4550-4563, 4565-4568.

[34] Weinstein, Prelude, p. 113.

[35] C. R., 44th Cong., 1st Sess., p. 4855.

[36] Unger, op. cit., p. 308.

[37] The 85 year-old ironmaster Peter Cooper was the presidential nominee. See Unger, op. cit., pp. 308-312.

[38] Ibid., pp. 301, 314-315; Kelley to Caroline Kelley, June 6, 1876, KPHSP; Philadelphia Inquirer, October 3, 26, November 7, 1876.

[39] Unger, op. cit., pp. 318-319; Philadelphia Public Ledger, November 8, 1876.

[40] Kelley to Caroline Kelley, September 28, 1876, KPHSP; C. R., 44th Cong., 1st Sess., p. 385.

[41] The Republican opposition to Landers' remonetization amendment in June was weaker than the margin against a similar proposal at the outset of the silver debate in March. See Weinstein, op. cit., p. 113.

[42] Kelley to Caroline Kelley, June 21, 1876, KPHSP.

[43] See the Philadelphia Inquirer, September 25, 1876. At the rally, Kelley chose to "abstain from questions" that had "divided" him "from the party" (namely, the money question), so as not to embarrass the more orthodox Republican speakers on the dais.

[44] Poore, Political Register, p. 478; Philadelphia Public Ledger, November 8, 1876. Kelley's success was probably no more gratifying than Florence's recent acceptance by Cornell. His "bright and energetic daughter" had

achieved some notoriety in the spring with the publication of a pamphlet "in behalf of the workingwomen," and her admission to the predominantly male-oriented college ranks affirmed her determined commitment to equal opportunity for social mobility and economic independence--her father's guiding political dogma. See Kelley to Caroline Kelley, May 30, 1876, KPHSP; Lois Danner, Women in Modern America, pp. 32-33; Edward T. James, ed., Notable American Women, 1607-1950, Vol. II (Cambridge; The Belknap Press, 1971), p. 316.

[45] Randall and Donald, Civil War and Reconstruction, p. 688; Kelley to Caroline Kelley, November 24, 1876, KPHSP; Garfield, Diary, III, pp., 350, 385; Philadelphia Inquirer, November 27, 1876.

[46] C. R., 44th Cong., 1st Sess., p. 5232.

[47] Ibid., 44th Cong., 2nd Sess., pp. 163-171.

[48] Ibid., p. 171.

[49] Weinstein, Prelude, pp. 191-193.

[50] C. R., 44th Cong., 2nd Sess., pp. 196, 647.

[51] Michael Les Benedict, "Southern Democrats in the Crisis of 1876-1877: A Reconsideration of Reunion and Reaction," Journal of Southern History, XLVI, No. 4 (November, 1980), pp. 489-524. Benedict rejects Woodward's claim that an outright bargain was struck between Northern Republicans and Whiggish Southern Democrats over primarily economic issues. According to Woodward, Hayes and his supporters agreed to back federal legislation that would subsidize the building of the Texas and Pacific Railroad and the repair of war-wrecked Mississippi River levees in return for Southern Democratic support for his inauguration. See C. Vann Woodward, Reunion and Reaction (Boston: Little, Brown, 1951), pp. 22-50, 68-100; and Woodward, Origins of the New South, ch. II.

[52] C. R., 44th Cong., 2nd Sess., pp. 197-198, 929, 1050. Leading Republicans supported the commission idea to avoid the onus of inaugurating their candidate by force. Democrats welcomed it as their only chance to elect Tilden. When the commission voted along party lines to give all the disputed electoral votes to Hayes, the Democratic caucus, controlled by Northern Democrats who feared political violence and further sectional hostility (which had traditionally worked to the advantage of Northern Republicans) abided by the decision. The minority of Northern Democrats

and the many Southern Democrats who hoped to prevent the consummation of the electoral count by filibustering were defeated by Speaker Randall (acting in obedience to the Democratic caucus) and promises of local autonomy tendered by the Hayes Camp. See Benedict, "Southern Democrats," pp. 509-520.

[53] C. R., 44th Cong., 2nd Sess., pp. 1701-1703; Kelley to Caroline Kelley, January 21, 1877, KPHSP.

[54] Kelley to Caroline Kelley, February 21, 1877, KPHSP.

[55] Kelley, "The Causes and Authors of the Financial Depression," Library of Congress.

[56] See Chapter 7, pp. 377-378.

[58] Kelley, "Causes and Author," pp. 4, 7-8. On the nature of the war-induced changes in investment patterns and the long-term process of adjustment to these changes, see Jeffrey Williamson, Late Nineteenth Century American Development (New York: Cambridge University Press, 1974), chs. 1, 5.

[59] Kelley, "Causes and Authors," pp. 5, 12.

[60] Williams, Roots, pp. 207, 210-213, 480.

[61] Kelley, "Causes and Authors," pp. 9, 15-17. See also, Chapter 5, p. 246.

[62] Kelley, "French Finance," Library of Congress, pp. 18-19, 22-24.

[63] Ibid., pp. 19, 22.

[64] Samuel J. Randall succeeded the recently deceased Michael Kerr as Speaker. Apparently, Randall's political debt to the Ohio Democracy led him to appoint the anti-resumption Ohioan, Aylett Buckner, chairman of the Banking and Currency committee. See Unger, op. cit., p. 353.

[65] C. R., 45th Cong., 1st Sess., pp. 165, 172.

[66] Weinstein, Prelude, p. 236.

[67] C. R., 45th Conf., 1st Sess., pp. 203-205; Unger, Greenback Era, pp. 353-354; Philadelphia Inquirer, November 1, 1877.

[68] C. R., 45th Cong., 1st Sess., pp. 220, 225-226.

[69] Ibid., pp. 228-232; Weinstein, op. cit., p. 236.

[70] The Bland bill was first passed by the House in December, 1876, but its consideration by the Senate was blocked in the Finance committee by John Sherman. See Chapter 8, pp. 405-406.

[71] C. R., 45th Cong., 1st Sess., p. 241.

[72] Ibid., p. 242.

[73] Ibid., pp. 271, 275, 278, 385.

[74] Kelley's first speech against resumption was in January, 1866. See Chapter 4, pp. 192-195.

[75] C. R., 45th Cong., 1st Sess., pp. 432-437.

[76] Ibid., p. 436.

[77] See Kelley's reflections on the injury in C. R., 45th Cong., 2nd Sess., p. 1604.

[78] C. R., 45th Cong. 2nd Sess., p. 1604

[79] Ibid., 45th Cong., 2nd Sess, p. 1604. Will, Jr. died in Wallingford, Connecticut on November 14, 1942.

[80] Williams, Roots, p. 214; Unger, op. cit., pp. 355-356, 358.

[81] Most of these members represented Midwestern constituencies. Weinstein, Prelude, p. 293.

[82] The Nation, January 24, 1878, p. 49 and January 31, 1878, p. 69.

[83] Apparently, no similar cohesion among leading bankers, merchants and manufacturers emerged in regions outside the Northeast. See Weinstein, Prelude, pp. 263-277, 284-285, 298.

[84] Belmont to Sherman, November 19, 1877, Sherman Papers, Library of Congress; Weinstein, Prelude, pp. 136-137, 251-262, 264, 321; Jacob Cox to David Wells, February 28, 1878, Wells Papers, Library of Congress.

[85] The Nation, February 21, 1878; McCulloch to James Garfield, January 30, 1878, Garvield Papers, Library of Congress; C. R., 45th Cong., 2nd Sess., p. 1112.

[86] Philadelphia Inquirer, February 19, 1878; C. R., 45th Cong., 2nd Sess., pp. 1243-1285.

[87] Weinstein, Prelude, pp. 305, 337, 344-345.

[88] C. R., 45th Cong., 2nd Sess., pp. 1409-1411, 1419-1420.

[89] Ibid., pp. 726-727.

[90] Cox to Wells, February 28, 1878, Wells Papers, Library of Congress.

[91] Fahnestock to Rugherford Hays, quoted in Weinstein, Prelude, p. 322.

[92] William Windom, quoted in Weinstein, Prelude, p.323.

[93] C. R., 45th Cong., 1st Sess., p. 635.

[94] Ibid., 45th Cong., 2nd Sess., pp. 1604-1607.

[95] Unger, op. cit., pp. 371-372.

[96] C. R., 45th Cong., 2nd Sess., pp. 2928-2929.

[97] Ibid., p. 3871; Unger, op. cit., p. 373.

[98] Kelley to Caroline Kelley, March 10, 1878, KPHSP.

[99] Unger, op. cit., pp. 370, 397-401.

[100] C. R., 45th Cong., 2nd Sess., p. 1359.

[101] Unger, op. cit., pp. 393-394.

[102] The Nation, November 7, 1878, p. 277.

[103] C. R., 45th Cong., 2nd Sess., p. 1363. See the letters Kelley wrote to the Philadelphia Times during his European tour following the spring recess in 1879. These letters were published in pamphlet form upon his return in September, 1879. Kelley, "Letters From Europe," Library of Congress, passim.

The Philadelphia Inquirer now apparently shunned Kelley's soft-money views. During the 1878 electoral campaign, the editor chided Kelley for his "partiality for Greenback money." See the Inquirer, October 7, 1878.

[104] C. R., 46th Cong., 2nd Sess., pp. 2139-2142,

[105] Williams, Roots, pp. 194, 202, 215-222, 229, 304.

[106] To my knowledge, the first time Kelley was so designated on the floor of the House was by John Atkins on March 9, 1878. The title was a traditional one given to the member with the longest continuous service.

CHAPTER 9

Disillusionment With Attainment

> There was a time when the United States was the workingman's country . . . the land of promise for the workingman . . . We are now in an old country.
>
> Labor Standard, 1876

> A civilization that permits man to be the greatest enemy of man . . . is a cheat and a sham; the political economy that permits it is a falsehood and a fraud . . .
>
> J. Willett, 1885

> It is as if we were somehow being endow'd with a vast and more and more thoroughly-appointed body, and then left with little or no soul.
>
> Walt Whitman, 1871

> Looking back . . . I see that there was . . . a safeguard which does not exist in these times . . . There was sympathy between labor and its employers.
>
> William Kelley, 1884

> What the heart holds to becomes truth, as far as we know the truth.
>
> William Faulkner, 1940

At first glance, William Kelley passed the last ten years of his life adrift from the continuing movement of certain farmer and labor groups to restore and extend a more balanced and equitable marketplace. In December, 1881, at the age of sixty-seven, he became chairman of the House

Ways and Means committee and, with the close cooperation of dominant metropolitan leaders such as William McKinley, Samuel Randall, Joseph Cannon, and Justin Morrill,[1] managed the passage of a protective tariff bill which raised a storm among small agricultural producers in the South and Midwest.[2] Moreover, in January, 1886, he introduced a bill to limit the coinage of silver dollars authorized by the Bland-Allison Act.[3] However, from the currency debates of the late 1870's until his death in 1890, Kelley remained an apostle of a commonwealth, based on private property, which restrained the fulfillment of elitist and dispossessing social trends and political arrangements, and he struggled doggedly, though in vain, to shape the contrasting circumstances of his time in this image.

The Tariff, 1878-1883

Largely in response to the emergence of new assumptions and ideas in his district and among the "laboring" citizens he felt he represented, Kelley gradually redefined the focus of his political efforts. Shortly after the silver debates of the second session of the Forty-fifth Congress, the Philadelphia Inquirer--now a bellwether of the larger, Republican-affiliated businessmen in the city[4]--argued that agricultural exports had been crucial in reviving the nation's depressed businesses, and would remain the essential ingredient in the "prosperity and welfare" of both

the rural and urban sectors of the political economy. This sentiment, raising overseas market expansion to the head of various political approaches to resolving the difficulties of the social system, was also voiced by the National Board of Trade, the Iron Age, the Rural New Yorker, the North American Review, and leading tariff reformers such as David Wells and Edward Atkinson.[5] Moreover, the emerging metropolitan acceptance of the export corollary to the expand-or-stagnate thesis[6] was just a pale reflection of the expansionist feeling evident among agricultural producers and processors in the Midwest. Leaders of the National Grange, meat processor Gustavus Swift, agricultural implement magnate Cyrus McCormick, the American Farmer, and millers William Washburn and Charles Pillsbury were among the more prominent voices in an export campaign that intensified with the boom in overseas agricultural trade between 1877 and 1879.[7] The common premise of agricultural and metropolitan expansionists was that American farmers produced more than American consumers could absorb at prices that assured remunerative profits to the producers and processors of the surplus. As a result, new and expanded overseas markets were viewed as necessary to underwrite the general welfare and, from the standpoint of struggling Western producers, sustain the political drive for a more equitable distribution of income and power.[8]

Kelley recognized the importance of expanded markets

for the growing agricultural surplus, but continued to deny the validity of the over production thesis and overseas export solution. In the tariff debates of the 1870's, and 1880's, as in the contemporary currency discussions, he integrated his views with a well-defined developmental approach designed to secure the fruits of domestic production for the country's "laboring" citizens.

In the closing weeks of the spring session of the Forth-fifth Congress, House Democrats led by Fernando Wood, a former shipping merchant and chairman of the Ways and Means committee, took the initiative in promoting overseas expansion. This group, representative of Eastern shippers,[9] as well as Midwestern and Southern agricultural producers, called for a downward revision of tariff duties by an average of 25 percent in order to encourage the opening of European and Central American markets for farm surpluses, thereby sustaining or restoring prosperous business conditions at home.[10] Kelley led the floor opposition to their bill, H. R. No. 4106. His speech was characterized by a forcefulness that presumably expressed a serious concern over the growing strength and cohesion of the tariff revisionists. In his remarks, which filled eleven pages of the Congressional Record, Kelley argued that the rhetoric of the low-tariff forces was misleading. The "overprocudtion" they assumed was relative, and not necessarily

remedied by overseas export expansion. So long as "the laboring people of the country by millions" were hungry, he declared, Americans had not produced "too much food"; so long as they were "in rags," the country had not "spun and woven too many fabrics."[11] Kelley suggested that difficulties owing to poor transportation and the financial counsels of unproductive social groups such as "school-men" and "importers" had created shortages, but denied that any absolute saturation of the American home market existed. In his view, the resolution of the nation's economic woes depended on the development of the "faculties and aptitudes," "homes and public halls" of the country's "laboring people." The key to this enhancement of the standard of living for most Americans resided in government action to secure "at least equal chances with the foreigner in their own markets; that is, a "judicious tariff" free of duties on materials "which cannot be produced within the country."[12]

With an eye to the mounting agrarian pressure for lower tariffs on finished goods as a means for promoting expanded trade with industrializing European nations, Kelley advocated the conversion of corn into alcohol. "To carry one bushel of corn to the eastern market from the great cornfields of the country demands the price of one bushel or more," he stated. Convert the corn which cannot be sold locally into alcohol and "one bushel will carry five or six bushels to market." Such alcohol, locally refined, would

provide the raw material for varnishes, medicines, and cosmetics then in great demand in expanding urban areas of the East, Kelley continued. But the "ridiculous abortion" promoted by Wood and his supporters had neither contemplated any new or diverse uses for the farmer's surpluses, nor had it squarely confronted the "freight question" that constituted a vital part of any export operation.[13]

Kelley closed his remarks with the acknowledgment that the "scribblers of the nation" had tagged him with the honorable sobriquet of 'Old Pig Iron,'" because of his labors" in behalf of protective duties for developing American industries. He stated that he "now" cherished the nickname for it was "significant of the fact that through good report and ill report I had stood by my intelligent convictions and the interest of the laboring people of the whole county." Certainly, from the early 1860's, he had forcefully and consistently promoted his conviction that America's industrial entrepreneurs and wage-earners shared a substantive interest in defending a protective tariff. He might have added that his "labors" in behalf of civil and political equality had been as emphatic and steadfast since the last year of the Civil War, and that he had been "a good deal of a paper-money man" since January, 1866. However, his avowed purpose was not to outline his political career but to argue against the "tendency and drift of the age," namely, "revenue reform" or "free trade."[14]

William McKinley was similarly determined in his opposition to any downward revision of tariff rates, but his emphasis differed. He also presented a case for protection in terms of an abundant American market for agrarian producers and higher wages for industrial wage-earners, but combined his "home market" argument with a brief but telling digression on the future requirements of industrial producers. American manufacturers would someday need to expand their investments and markets overseas, he suggested, but they were not yet ready to compete effectively with British producers because they lacked "the accumulated capital [and] long and well established trade."[15] McKinley's protectionism thus reflected a keener interest in the social power of America's more efficient producers, the major industrialists of the middle-Atlantic, iron and steel producing region. And it would appear that McKinley's modest ambition for their future success was well-received. In letters which Kelley read into the Congressional Record during the Wood bill debate, major industrial producers of Ohio and Pennsylvania revealed a similar concern for a delay in any substantial alteration in the tariff. James M. Swank, secretary of the American Iron and Steel Association, hoped that the current high duties on manufactured goods "would not be altered for several years to come." H. W. Oliver of Pittsburgh agreed, as did J. B. Moorhead of Philadelphia, and ironmaster and former Congressman

Daniel J. Morrell of Johnstown, Pennsylvania.[16]

When the Wood bill was moved to a vote in the House on June 5, 1878, Kelley and all but four of the Republican members, along with twenty-three Democrats, defeated it by a close vote of 134 to 121.[17] For the balance of the year, Kelley's attention and that of his colleagues was turned toward the Congressional elections, during which the political focus was Secretary Sherman's final preparations for resumption.[18] However, the tariff question did not disappear; it was revived in the Democrat-controlled Forty-sixth Congress and became the major national issue in the presidential campaign of 1880. Kelley continued his assault on the overseas export solution into the new decade, fighting a rear-guard action which he hoped would promote the "profitable activity of the genius and aptitude" of America's "laboring people."[19]

In the 1878 elections, the Democratic party strengthened its House majority and for the first time in eighteen years won control of the Senate. In the Pennsylvania gubernatorial race, Republican candidate Hoyt narrowly defeated his Democratic opponent with a state-wide plurality of 45.5 per cent. In Philadelphia, Republican candidates for local offices and Congressional places barely survived the Democratic challenge. However, Kelley's consistent anti-resumption stand apparently enabled him to run ahead of the Republican ticket. He claimed 60.3 per cent of the

votes cast in his Congressional district.[20]

The Democratic resurgence in Pennsylvania owed much to the National Greenback-Labor party, which supported greenback candidates under the Democratic banner in many close Congressional races. The Pennsylvania Independents were led by Henry Carey Baird, a nephew of Henry Carey and a close friend of Kelley's, and Terrence Powderly, who would succeed Uriah Stephens as the head of the Knights of Labor in September, 1879.[21] Kelley's relationship with the Independents and the Knights is unclear at this point, yet his greenback and pro-labor views were clearly sympathetic.[22] Moreover, Kelley's protectionist stance was popular among industrial laborers in the Pennsylvania iron and steel producing counties where these organizations drew considerable strength.[23] Because of his compatible views and the absence of any Independent challenge in his district, it may be assumed that Kelley was one of the few Republican candidates with whom fusion was politically possible.

Shortly after the Democratic Forty-sixth Congress convened in the spring of 1879, Kelley found an opportunity to once again denounce the overproduction thesis expounded by Democratic tariff reformers as well as leading Republicans such as James Blaine, James Garfield, and William Evarts.[24] The occasion was the discussion of a joint resolution reported by John Goode from the Committee on Education and Labor providing for the enforcement of the 1868

eight-hour law.[25] Organized labor had insisted on shorter working hours during the revolutionary period of the 1860's as the key to making the wage-earner a more active and effective citizen. The measure which Kelley and other labor reformers pushed through Congress in 1868 did not establish a legal working day of eight hours for the country; its purpose was to provide a model day for the government's skilled workers that private employers could emulate.[26] The problem with the law, as Kelley later noted, was that it "did not determine the question as to whether the pay should be that for the ordinary day of ten hours, or but eight-tenths thereof."[27] Shortly after the measure was passed, William Evarts, then Attorney General for Andrew Johnson, had nullified labor's objective of encouraging shorter hours in the private sector by ruling that nothing in the act required the government to refrain from reducing its wages along with its hours. Although President Grant issued two executive orders to overturn Evarts' ruling and prohibit pay reductions, the law's subversion continued at the hands of government officials and through judicial evasion as grievances reached the federal courts.[28] The enforcement measure of May, 1879, was similarly rebuffed by a tabling motion which was carried by a vote of 127 to 90.[29]

Kelley regretted this additional emasculation, but was more irritated by the implication that labor's steady employment in the post-war years was ironically behind the

"enforced idleness" of the late 1870's. "Doctrinaires and contractionists" claimed that the "laboring people" were "beggars or paupers" because they "raised too much grain and provisions" and "made too many boots and shoes," he declared. This "absurd doctrine" of overproduction was "accepted largely on [the House] floor," according to Kelley, and was "horrible" because it misplaced the responsibility for depressed conditions. In a familiar fashion, he laid the blame at the feet of those who had successfully implemented a strategy of continental expansion and industrial development within a framework of inflexible currency. Yet his charges were more potent than his remedy in behalf of "productive labor." Eschewing the export solution, he fell back upon the tried, but largely untrue expedient of a federally-sponsored opening of our broad . . . cheap lands."[30]

Kelley's continuing belief in a beneficent western plain that could resolve the problems of poverty and social confrontations between capital and labor was more than idle fancy, however. Disregarding contemporary evidence of the rapid occupation and enclosure of cultivable western land by foreign and American investors,[31] Kelley and other Congressmen[32] still regarded the United States as "favored" among civilized nations for land that could underwrite self-determining economic activity.[33] Benjamin Butler went beyond Kelley's recommendation for federal action when

he introduced a bill "for the relief of the industrial classes." This measure, whose spirit was rooted in the anti-slavery ideology propounded by Kelley and others in the late 1850's and early 1860's, called for the creation of 333,333 lots of 40 acres from the "unoccupied public lands in the Territories." What made this bill unique, in contrast to earlier Homestead measures,[34] was its bid to subsidize the often prohibitive costs of settlement with individual grants up to $1205 in the first year, and its exclusion of applicants owning property "exceeding $500 in assessed value" or earning more than $3 per day "for six months prior to their application for settlement."[35] Butler's bill died in committee, presumably because its intention of establishing wage-earners or failing producers in the marketplace with private property proposed a radical social process of appropriation that horrified the governing elite in both parties. Kelley never had an opportunity to speak to the provisions of Butler's bill, but in the light of later comments it is clear that his hopeful conception of the West endured as an integral part of his vision for a prospering republic of "toiling" producers.[36]

Kelley's polemic against the overproduction thesis was delivered within a month of his sixty-fifth birthday. The occasion was notable in terms of his political career because it coincided with a slow decline in his health.

Except for relatively brief periods thereafter, Kelley was bothered by an enervating respiratory ailment, an aggravating obstacle to his active and effective participation in the political struggles of the day. In keeping with the contemporary wisdom, he decided to take an extended "rest cure."[36] While Caroline remained in Philadelphia with their nine-year-old son, Bertie, Kelley took Florence[38] and their son, William Jr., on a European tour. The Kelleys departed sometime in early June and did not return to the United States until late September. During his travels, which included stops in London, Paris, Berne, Berlin, Dresden, Munich, Prague, and Interlochen,[39] Kelley corresponded with the Philadelphia Times, which ran a series of his letters on diverse topics including European currency systems and trade relations between the "new" and "old" worlds. The "producing classes"[40] were of special interest to Kelley, and he was appalled by the meager livings gained by most agricultural and industrial laborers. He attributed the social degradation of European citizens, in part, to the consignment of "the flower of masculine youth . . . to barrack and camp." More important, the arbitrary reduction of silver currency and the free trade theories of "political economists" were cited as contributing causes of Europe's depressed conditions. Kelley's message was unmistakable: American democracy and prosperity were more than ever dependent on a flexible,

expanding currency and a protective tariff.[41]

The curse of physical affliction did not pass during Kelley's sojourn in Europe, and upon his return he became rueful about his condition. In the early spring of 1880, Kelley arranged the legal and financial details necessary for Caroline to assume the management of their household. He saw that her name was added to the Kelley checking account and advised her of the market value of their rental property.[42] Yet, his mind remained lively and within a week he delivered extemporaneous remarks on the virtues of a protective system of tariff duties in the House. The occasion was the consideration of a Senate resolution calling for the committees on agriculture from each of the houses of Congress to "report, by bill or otherwise, what can or ought to be done . . . to better advance, encourage, and foster agricultural interests."[43] Behind the Senate measure was the continuing agitation of agrarian producers for tariff revisions, particularly in the light of European retaliation against American agricultural exports.[44] Kelley stated that "agriculture depends for its prosperity upon the maintenance of the workshop and the factory." Dismantle the high tariff on manufactures, he declared, and the "importation of cheap and nasty British goods" will "suspend the multifarious and prosperous workshops" and so close an indispensable "market for grain and wool." The tariff, he continued, provided more than a barrier to

foreign productions; it promoted competition among American producers and thus "cheapen[ed] commodities while improving their quality."[45]

Protectionist William Eaton, a Democratic senator from Connecticut, regarded such outspoken resistance to tariff revision as impolitic in an election year.[46] He introduced a bill calling for the appointment of a commission "to investigate the question of the tariff," a move that would postpone a general tariff debate until the third session of the Forty-sixth Congress.[47] Leading protectionists such as Joseph Wharton, president of the Industrial League, and Daniel Morrell, president of the American Iron and Steel Association, supported Eaton's scheme which would remove the tariff issue from the Democratic House (where the majority favored tariff reduction) to a non-elective body that might not welcome the prospect of marked downward revisions.[48] On June 3, a Senate coalition of 12 Democrats and 19 Republicans passed the Eaton bill.[49]

Democratic tariff reductionists in the House buried the measure in committee, apparently hoping to make the tariff question a central issue in the fall presidential campaign.[50] Their strategy backfired, however. With business reviving, Republican candidate Garfield and other Republican leaders assumed voters were not eager for a change and met the Democratic assault head-on. Using surrogates in the war of words,[51] Garfield privately urged

Republicans to emphasize the "tariff" question which so deeply affects the interests of the manufacturers and laborers."[52]

Kelley's poor health apparently prevented his active participation in the campaign, for there is no record in the Philadelphia press or his private correspondence of any significant campaign activity. However, he was probably heartened by his party's defense of the protective tariff and pleased that the majority of the nation's voters rejected the Democrats' "tariff for revenue only" platform.[53] On election day, the Republicans regained control of the House by a margin of 152 to 141 and claimed victory in the Senate, while retaining the Presidency.[54] Additionally, Kelley's reelection[55] promised a more vital role in the continuing Congressional debate on the tariff question. On the basis of his seniority among Republicans on the Ways and Means committee and his intensive labors in the formulation of the complex tariff schedules developed during his ten years of committee service, Kelley was in line for the chairmanship when the Republican House was organized in December, 1881.[56] Although such a post would normally entitle its holder to extraordinary speaking privileges on revenue and taxation issues, and would thus strengthen Kelley's voice in House debate, it was not likely to advance his reputation among leading Republican politicians and business supporters.[57]

In the lame duck session of the Forty-sixth Congress which extended from December, 1880, to March, 1881, neither protectionists such as Kelley nor ardent low tariff advocates such as William Morrison elected to challenge the obvious stalemate that existed on the tariff question. Though no tariff bills received serious attention, Kelley and other principals in previous debates kept the issue alive. During the discussion of the appropriation bill for the Department of Agriculture, Kelley delivered a prepared speech which took to task a key assumption of the low tariff spokesmen, namely, that tariffs distorted the natural economic laws of supply and demand which would otherwise guarantee the smooth exchange of goods from nation to nation.[58] Kelley argued that revenue tariffs would invite other manufacturing countries to "dump" surplus finished goods in the United States, and noted that such instances had been common in the pre-Civil War era. "Without a protective tariff," Kelley warned, cheap finished goods would flood American markets. This would limit the ability of American producers to "smoothly exchange" their goods; native talents and resources would not be profitably used and, as a result, older firms would be ruined and "new branches of domestic industry" would not develop. Before long, "the almost exclusive business of the American people would be the production of raw

materials for exportation and fabrication in foreign countries."[59]

Kelley's protectionist plea sounded the same fears he had outlined in his first major tariff address in January, 1866. At that time, he prophesied an "assault" by "British capital" on America's manufacturers if duties on industrial goods were reduced. Moreover, in 1866, as in 1878, he argued that the only beneficiaries of a low tariff policy would be English manufacturers and the domestic mercantile and financial leaders who would be central figures in the financing and marketing of Anglo-American trade.[60]

Kelley's polemic minimized or ignored several important issues raised by the more sophisticated tariff reformers such as David Wells.[61] His invocation of the spectre of evil foreign producers destroying the commonwealth was too mechanical to be convincing. Moreover, by Kelley's own admission American manufacturers of heavy industrial goods such as cast-steel "could supply [them] at lower prices than the same grade could be imported."[62] The weakest part of his argument, and the one which drew the most fire from commodity and livestock producers of the Midwest, was that the expanding industry of the East would provide a vast home market for agricultural goods. As tariff reformer William Morrison pointed out, the home market was "as far as ever removed from the fields of

agriculture,"[63] owing to a steadily increasing agricultural surplus and the economic hardships of transportation and marketing costs for the farmer. Moreover, the prices of protected manufactured goods had not declined as rapidly as those of agricultural commodities, a fact which inspired greater emphasis on foreign markets by agricultural producers seeking the highest possible price for their commodities.[64]

The "home market" thesis was the focus of the tariff reformers' attack in the Republican Forty-seventh Congress as well. Kelley's defense, which represented the protectionist orthodoxy of the Republican party through the passage of the Mongrel Tariff of 1883, continued to rely on the premise that the tariff guaranteed a balanced political economy with the fairest field for the economic advancement of the country's industrial and agricultural producers.

Chester Arthur, the New York lawyer[65] who would rise to the Presidency following Garfield's assassination, reopened the tariff issue in the first days of the Forty-seventh Congress. Arthur was aware, as the Nation observed, that tariff revision had "really taken a strong hold upon the public mind."[66] He was one of a growing number of Republicans who favored mild reductions in duties on well-protected industrial goods in order to offset a growing Treasury surplus,[67] and he supported the revisions that

might promote a series of "reciprocal commercial treaties" with countries within the Western Hemisphere.[68] In his annual message of December 6, 1881, Arthur called on Congress to authorize a commission of tariff experts, appointed by the President, that would furnish the national legislature with information and recommendations. The proposal paralleled the Eaton measure of May, 1880, and soon received Kelley's warm endorsement. The Committee of Ways and Means favorably reported a bill containing Arthur's plan on February 8, 1882, and, after several months of intermittent House debate, chairman Kelley stood to defend his committee's action.

He began with the assertion, uncontested by proponents of either reduction or protection, that the existing tariff needed "amendment in matters where, by the development of new resources of the progress of science, art, and inventive power, new commodities [and] . . . novel combinations of materials" had been "called into existence." Such goods, including cogged ingots, piston rods, steamer shafts, and other forms of steel, had been lumped as "articles not otherwise provided for" in the classifications established in the Morrill Tariff of 1862.[69] Kelley suggested that a tariff commission was better suited to the task of enumerating "new" articles and recommending "judicious" duties on these and all other domestic goods facing foreign competition, because the Congress was unable to reach a

lasting agreement on the "fundamental principles" involved in the tariff debate. He declared that he had "no apology to make" for the existing system of duties. Its rates, Kelley continued, were designed with the goal of promoting the "development of the vast and varied resources of the country by such a diversification of employment as secures work, wages, and an opportunity for the exercise of the aptitudes of all our people." This strategy of domestic free trade, which Kelley expounded in the tariff debates of the early 1870's,[70] was posed against the "abstract doctrine" of international free trade which, in his view, promoted the limitation or distortion of competition and employment by powerful, self-interested entrepreneurs at home and in that "vampire of nations, England." Implicit in his argument was an enduring belief in a harmony of interests between manufacturers, laborers, and farmers whose political analogue was a republic of equal citizens. Moreover, he envisioned a world of equal and competing nations in which "monopoly" was no more welcome than at home. To "monopolize" overseas markets, Kelley stated, a country must "sell more cheaply than others can, and to do this it must put its laborers on such wages as will furnish them with the humblest measure of sustenance" in order to offset the costs of transporatation and marketing abroad. Such a course not only victimized the producers in other lands, it diminished the quality of life of

America's "laboring citizens" for an "artificial" prosperity, that is production and employment that could not be sustained if foreign markets were closed or limited.[71]

In the course of his remarks, Kelley was interrupted by Abram Hewitt, an ironmaster and Democrat from New York, who was part of a growing, bipartisan minority of Congessmen who regarded lower tariffs on industrial raw materials as crucial to the development of American manufactures that could compete effectively with British goods in overseas markets. In earlier remarks, Hewitt revealed that his argument for lower tariffs did not conform to the "tariff for revenue only" logic of other Democratic spokesmen, and was not prompted by the grievances of Western agrarian producers. Rather, he accepted the export orientation of agricultural businessman and adapted it to meet what he considered to be the future needs of America's industrial producers. "Access to the open markets of the world for our manufactured products is essential to the continuance of our prosperity," Hewitt declared. Only tariff reduction would allow such access, and thus prevent further overproduction and a return to the economic suffering that characterized "the trying era between 1873 and 1879." In a prescient comment that expressed the fears which dominated discussion among Democratic and Republican leaders by the early 1890's, Hewitt suggested that

if the chronic conditions of falling prices and profit rates continued, the "whole structure and genius of our government must be changed in order to meet the primary necessity . . . for preserving social order."[72]

Hewitt needled Kelley because "Pig-Iron" had condemned his resolution to table the tariff commission bill and instruct the Ways and Means committee to return a measure making substantial reductions on industrial raw materials.[73] On the following day, May 6, Hewitt joined Democrat Roger Mills of Texas in another effort to table the tariff commission bill, but failed by a vote of 75 to 152.[74] Immediately thereafter, the commission plan was approved by a 153 to 83 House majority.[75] The protectionist Senate, which had approved the nearly identical Eaton version a year earlier, gave its approval on May 9.[76]

The commission appointed by President Arthur was primarily composed of men who shared Kelley's keen interest in preserving high tariff duties, although members H. W. Oliver of Pittsburgh and chairman John Hayes of the National Wool Manufacturers Association were inclined to view protection as a means to strengthen American capital markets and the discretionary control by capitalists over production, in advance of an eventual assault on England's pre-eminent position in world commerce and investment.[77] For much of the summer, the commission interviewed businessmen, academicians, and representatives of trade

associations, most of whom expressed alarm at the prospect of significant tariff reduction. In addition, most of the industrial entrepreneurs who offered testimony were concerned with the domestic market, rather than overseas trade.[78]

While the commission toured the country, Kelley set out on a political trek of his own making. Shortly after the first session of the Forty-seventh Congress adjourned, Kelley travelled westward by train to survey the family's modest interest in range horses, and to escape his duties as chairman of Ways and Means, which he considered "exacting and sometimes quite exhausting."[79] Yet, Kelley's mind was never far from the reforming tasks he had set for himself. One of these was the repeal or further reduction of the internal revenue taxes imposed during the Civil War and maintained by subsequent Congresses as a means for debt retirement.[80] Kelley had been instrumental in the lifitng of excise taxes on manufacturing in the early 1870's, arguing that a recission of such taxes would "animate" developing industrial firms and thus enhance the prospects of "steady employment" at "fair American wages."[81] Before Congress adjourned in August, he managed the passage of a bill, H. R. No. 5538, which reduced the existing taxes on tobacco and fermented liquors, removed the stamp-taxes on bank checks and matches, which had put a disproportionate burden on wage-earners, and abolished the levy on the

capital of state banks serving predominantly rural areas.[82] The Senate deferred action on the measure in the press of regular business at the close of the session,[83] so Kelley considered it necessary to keep the issue of tax reduction in the public eye.[84] Moreover, he recognized that it was politically expedient for the Republican party to promote revenue reform during the Congressional elections in view of the party's insistence on retaining high tariffs while the Treasury steadily accumulated a surplus.[85]

In the election campaign that preceded the opening of the second session of the Forty-seventh Congress, the tariff issue was once again decisive in the agricultural districts of the Midwest, but another issue--civil service reform--dominated discussion in the metropolitan East, and was important in the Democratic victory. Republicans were rebuked by livestock and commodity producers for failing to take a hard line against European restrictions on agricultural exports,[86] and they were defeated by large majorities in New York, Pennsylvania, Connecticut, New Jersey, and Massachusetts where Democrats also benefited from disclosures of scandal in the Postmaster General's office[87] and the reluctance of Republicans to reform the spoils system of promotion in government service.[88] Kelley's heretical views on the currency and his strong protectionist stance remained popular in the Fourth Congressional district of Philadelphia, and probably spared

him the taint which Democrats successfully associated with Republicans in other parts of the East.[89]

When Congress reconvened in December, 1882, Kelley was aware that the Republican defeat presaged a more formidable Democratic assault on the tariff. The Northern press opined that the Democratic majority which was to assume control of the House after March 3, 1883, would dismantle the system he helped to create unless the Republicans could pass a "judicious" tariff bill that promised reform, if not actually producing it. The report of the Tariff Commission, which surprisingly recommended lower duties on major items, probably strengthened this general conviction.[90]

Kelley immediately set his committee to work on a tariff measure which he reported to the House on January 16, 1883.[91] After its first and second reading, the bill, H. R. No. 7313, was referred to the Committee of the Whole which discussed and amended its contents regularly for the next month. Kelley's floor performance was hampered by "powerful and sometimes protracted spells of coughing" and he labored under the "terrible apprehension" that his ability "to lead and guide the tariff discussion" would be foiled by a "collapse."[92] Yet, the most serious obstacle to his success was the dilatory tactics of House Democrats such as Abram Hewitt, John Carlisle, William Springer, and Nathaniel Hammond, who recognized that the Kelley bill

granted only nominal reductions on raw materials such as wool and various forms of iron and steel manufactures. By mid-February, a sufficient number of Republicans had become disenchanted with the Democratic amendments to doom the bill's passage. Kelley attempted to prevent his bill from being "nibbled to death by pismires" by limiting debate, but his maneuver failed. The bill died in the Committee of the Whole on February 17.[93]

As Kelley's "bright dream" of passing "the most perfect tariff bill . . . ever . . . submitted to the American Congress" seemed nearly dispelled,[94] "Old Pig-Iron" decided to resort to extraordinary measures. In a late night conference with protectionist "Senators and members" on February 19, a strategy was worked out which gave him his last major legislative reward. The Senate was expected to pass the House-approved internal revenue bill, H. R. No. 5538, the following day with a tariff amendment that generally agreed with the recommendations of the Tariff Commission. If the Republican leadership could have a conference committee appointed to discuss the differences in the House and Senate versions of the bill, the tariff debate could be revived in the House. More important, the Speaker and the president pro tempore could appoint conferees with a decidedly protectionist orientation and thereby devise a compromise tariff and tax bill which Republican majorities could squeeze through the Congress

before the session's end. The key to the success of this strategy was a rule change. Since House Democrats were likely to sense the gamble, and prevent the two-thirds majority necessary to bring the Senate bill before the House, a motion would have to be carried reducing the margin of compliance to a simple majority. Thomas Reed, a three-term Congressman from Maine, was chosen to make the motion.[95]

On February 20, the Senate passed H. R. No. 5538, and on February 27, Reed carried out his role as planned. By a close vote of 139 to 122, with 30 abstentions, the House abandoned its two-thirds rule for taking up Senate bills.[96] Kelley then moved that the House declare its disagreement with the Senate tariff amendment to H. R. 5538 and ask for a committee of conference on the measure. His motion was carried by a similar margin.[97] The joint conference committee was composed of strong protectionists, as expected. The Senate conferees were Morrill, Sherman, Aldrich, Bayard, and Beck while the House appointed Kelley, Haskell, McKinley, Randall, and Carlisle. Bayard, Beck, and Carlisle were the only members who favored significant tariff reductions.[98]

The tariff and tax bill reported by this committee proposed a slight reduction in the specific rates on steel rails, woolens, and cotton goods. Such duties, otherwise known as compensating duties, were originally

designed to compensate manufacturers for duties on raw material imports. However, the ad valorem rates on these finished goods were slightly increased, resulting in only a nominal reduction in levies on important manufactures. With respect to raw materials and agricultural products, the conference bill left unaltered most existing duties, but reduced the ad valorem rates on the higher grades of wool raised in Ohio and neighboring states in a bid to appease the opponents of protection.[99] The conference report was generally acceptable to Republicans in both houses, but split the Democratic ranks. Representative Samuel Randall and about forty other Democrats supported it on the basis of the home market argument advanced by Kelley, Joseph Cannon, and William McKinley.[100] The Democratic conferees, in a minority report influenced by David Wells, tied lower tariffs on industrial raw materials with export expansion while other Democrats fell back upon traditional free trade polemics.[101] By a margin of one vote, the Senate approved the conference measure on March 2, and the House followed suit on March 3 by a vote of 152 to 116.[102] The Randall group of Democrats had been the pivotal bloc. Abram Hewitt, who earlier informed Edward Atkinson that Democratic disunity would aid the Republican cause,[103] told Randall that he "had better join with the Republicans."[104] When the Forty-eighth Congress was organized under Democratic auspices, Randall's vote was

not forgotten; he was denied the speakership in favor of the tariff reformer John Carlisle of Kentucky.[105]

Kelley found the bill "an improvement upon the present law," and expected it would reduce import duties and excise taxes by "some 65,000,000 or 70,000,000 a year." More important, in his view, the act of 1883 would for the present prevent the "sudden and great reductions" of tariff duties contemplated by the Democratic majority, and thus spare American laborers the "impoverishment" that had befallen "British labor."[106] Kelley wrote Caroline of his satisfaction with the new tariff as the hectic second session closed. He also mentioned he was looking forward to a long rest, punctuated by walks with Caroline "for the peace of my mind."[107]

The Father of the House

There is a spare, almost relaxed appearance to Kelley's remaining years of Congressional service. Certainly, the continuing aggravation of his respiratory ailment and the pain in the area of his back that was severely strained in November, 1887,[108] diminished his participation in House debates.[109] More important, the Democratic hegemony in the House from March, 1883, to December, 1887, limited his opportunities to speak on the issues of the day.[110] Yet, he showed no decline in mental vigor and did not retire from the advocacy of a balanced

economy, with social precedence assigned to "laboring citizens" rather than "capital," until the last months of his life.[111]

During the spring and summer recess of 1883, Kelley vacationed at home for several months, then took his entire family on a lengthy tour of England.[112] His "increasing strength" allowed him to survey the neighborhoods of industrial workers in London, Birmingham, and Manchester, where he and his daughter Florence noted "enforced idleness, want, and misery" unparalleled by any conditions at home. He concluded that the "evil" from which English as well as American workers suffered "was not that goods are not cheap enough" but that "the powers of production the world over [had], upon the prevailing basis of the distribution of the joint production of labor and capital, outrun the power of consumption." In Kelley's view, the root causes of this skewed and undemocratic pattern of income distribution were the contraction of the medium of exchange, the maintenance of excise taxes on products primarily consumed by laborers, and, in the case of England, the dismantling of tariff walls that once protected domestic labor. Upon his return, Kelley readied his polemical talents for a verbal assault on what he considered to be the harbinger of a European-style social crisis in America: the continuing movement for a "general reduction of our customs duties."[113]

His most ambitious attack on the "mad pursuit of cheap goods" was delivered during the debate on the Morrison tariff bill. Democrat William Morrison of Illinois had succeeded Kelley as chairman of the Ways and Means committee and, with Speaker John Carlisle of Kentucky, headed the tariff reduction bloc in the House. His bill, H. R. No. 5894, was reported favorably by the Ways and Means committee on March 11, 1884, and proposed a horizontal reduction of ad valorem rates by 20 per cent and the addition of coal to the free list of raw materials.[114] On April 15, Kelley rose to dispute the premises of the bill. Politicians such as Morrison and "apostles of falsehood" such as William Graham Sumner, he declared, assumed that "cheap commodities for consumers" were the "chief end of man and the highest object of government." Their investment strategy promoted the diversion of capital and surplus products to other countries in return for manufactured goods and raw materials that were lower priced because their "laboring classes" kept "soul and body together on the least amount and cheapest character of food." England was their model, according to Kelley, but their admiration for the "political economists of Great Britain" had blinded them to the realities of English social development. The manufacturing nation par excellence had become a country "without any workshops." English capitalists had invested in Indian

and other foreign-based industries and farms and then imported surplus manufactures and raw materials which crowded the home market for domestic goods. As a result, English laborers and agricultural workers were experiencing "indescribable suffering for want of employment."[115]

Kelley thus argued that tariff reductionists were disingenuous in promising prosperity for farmers and industrial wage-earners through low tariffs. Industrial workers might find cheaper food and clothing but many would be without the jobs that provided the means for their purchase. At the same time, agricultural producers might find expanded markets abroad, but would suffer from a decline in domestic demand and would be tied to a marketing and production strategy that intensified the specialization and consolidation of agricultural property while exposing hard-earned incomes to retaliation by foreign producers.[116] As an alternative strategy, Kelley proposed the maintenance of a protective system that fostered employment and "well-paid" workers who would in turn provide a "quick and remunerative home market." Further, he advocated the creation of new agricultural products, renewing his plea for investment by Western farmers in alcohol derived from corn distillates.[117] And, he urged the settlement and development of the "undeveloped" lands of the "new Northwest." In short, he returned to his vision of domestic free trade based on regional diversification and supported

by a flexible, expanding currency.[118] It was possible, nay necessary, he suggested, to rediscover the "identity of interests" among farmers, manufacturers, and wage-earners.[119]

Kelley's argument for a diversified agriculture was based on a sound premise: Western land was not generally put to highly productive use.[120] But, his point was weakened by his inability to explain how the smaller agricultural producers could acquire the capital and technology necessary for such diversification without unprecedented federal subsidies. Further, his audience had tired of his theme, and the solution of export expansion probably appealed to a majority of Kelley's colleagues. However, the free raw materials argument behind the Morrison bill threatened raw material producers in traditional Republican districts of the North as well as Democratic constituents in cotton producing areas from Texas to Georgia. Moreover, in an election year, when the growth of the economy was again turning downward,[121] many Democrats were opposed to "tinkering" with the tariff. On the day of Kelley's speech, Morrison barely won House agreement to continue discussion of his measure, and on May 6, forty-one Democrats joined all the Republican representatives in killing the bill by striking out its enacting clause.[122]

The airing of the tariff issue during the electoral

campaign of the summer and fall revealed an emerging consensus among agricultural and industrial producers that "overproduction" was endemic and foreign markets were the cure. The return of depression by mid-1884 played a major role in the intensifying orientation toward an export solution to the serious, continuing problems of a secular decline in prices and rates of return on investment.[123] Yet, the appeal of the home market was not dead; it was particularly compelling in the enduring notion of western lands as a safety-valve for social and political discontent. Before the first session of the Forty-eighth Congress adjourned, the House--responding to agrarian protests against alien land ownership and corporate enclosures of grazing and crop lands--took up Representative Lewis Payson's bill "to prevent unlawful occupancy of the public lands."[124] Kelley seized the opportunity to tie the popular association of land ownership and freedom with protection and labor reform.

His address was brief, and his point was made through a letter which he introduced from a "young but profound student of political science"--his daughter, Florence. He read the following excerpts:

> As I look at our American working people . . . it seems to me that before the war their interest harmonized more or less with that of the American capitalist in general. The whole country . . .working classes pre-eminently--needed the industrial development of our resources, the

> development of capital in general. Then came a time when, in the struggle against slave labor, Northern capital and Northern labor stood, perforce, side by side against the South . . . in identity of interest against a common enemy. After the war came a . . . form of forced identity of interest against the foreign capitalist and the foreign pauper . . . But how rapidly this identity is melting out of sight and existence under the influence of internal conflict.

"Home competition under a fostering tariff" had shielded the "American workingman" against "European capital," she continued, and "the same policy . . . must do what it can to support his manhood for his struggle with American capital and American pauperism." Agreeing with the "conclusions" of his daughter, Kelley called for a program of protective tariffs, the prohibition of foreign contract labor, an eight-hour law "with heavy penalties for its violation," and the reclamation of public lands fenced and consolidated by British capitalists and their "American brethren." If the American Congress did not adopt such a program, and thereby "awaken to a sense of its duties to our working people," he declared, "all the dangers that now beset European society as the result of wrong and oppression inflicted upon the masses will appear in this country and inflict us." "If we mean to stand as the representative of republican ideas, if we mean to pretend that the love of man, as expressed philosophically in the words 'democratic government,' has an abiding place with us," he added, Congress must protect America's

industrial wage-earners and "rescue what land it may" for those who were "yet able to escape from the growing poverty of the times to our hitherto free lands."[125]

In his remarks, Kelley expressed a growing ambivalence about the sources of exploitation in the American political economy. To be sure, he still saw British capitalists behind attempts to breach the tariff wall, and he located much of the responsibility for America's social difficulties in the "misinformed" policies of American tariff reformers. However, he gave serious attention to the work process itself, to norms of efficient production defined by capital, namely the increasing use of contract labor, low-paid female and child labor, and "ever-improving man-superceding machinery." And, for perhaps the first time, he suggested that the interests of capital and labor might be fundamentally different, and drifting further apart due to social changes in income distribution and property ownership unanticipated during the civil war decade.[126]

Kelley returned to this theme on June 19. "The safety of capital and of enterprise in this country is not found in a standing army," he declared. Rather, it is "found in well-housed, sufficiently fed, reasonably well-educated, hopeful, and aspiring working people." "When the lawmakers of the United States, national, state, and municipal, shall fail to regard and provide for the social well-being of the laboring classes there will be an end to enlightened

republican institutions."

Musing about his own experience as a productive laborer, Kelley continued: "I learned in my early childhood the hardships of the workshop. . . . But looking back upon that period, I see that there was in it a safeguard which does not exist in these times . . . . There was sympathy between labor and its employers." To borrow a phrase from the cynic Carlyle," he added, "there were other relations than those of shillings and pence and hours of work and pay-day between capital and labor." Kelley's reminiscence implied that the harmonious republic of "people who toil" was slipping beyond reach; the most outstanding social phenomenon of the political economy he surveyed was the downward movement of the "intelligent and aspiring laborers'" status.

In addition, Kelley revealed he was aware that the logic of his social analysis could extend to a challenge of the prerogatives of productive propertyowners. He acknowledged that the word "socialism" had been "whispered" around him by members of both parties. However, he held to his notion that property ownership was the wellhead of individual liberty. "I declare myself to be a socialist," he said, but only insofar as to achieve "the best possible social conditions for our laborers."[127] In this respect, he expressed the aspirations of the organized labor movement. The autonomy of the craftsman and, increasingly,

craft control over the enactment and enforcement of work rules and conditions were the key concerns of labor organizations by the mid-1880's, rather than elevation to entrepreneurial status.[128]

Kelley's melancholy observations on American social trends and his struggle for clarity on the implications of those trends for democratic participation by the vast majority of Americans were indicative of a reflective disposition that became more pronounced as his floor duties diminished. For the balance of the Forty-eighth Congress, and until the eve of his death in 1890, his position as a minority member on the Committee of Ways and Means excluded him from the once-consuming parliamentary responsibilities of reporting and managing revenue bills. In view of this political disability, and the rising toll of rheumatism and respiratory troubles, he was careful to choose moments when his voice might more effectively advance the interests of America's "laboring classes." He gradually became the "conscience" of the House where questions of equal protection and equal opportunity under the law were concerned. During the second session of the Forty-eighth Congress, Kelley introduced the first in a series of bills to federally subsidize a national exhibition of the arts and technical expertise of black citizens.[129] He also became the Congressional liaison for the Pennsylvania Women's Suffrage Association, introducing memorials "asking

that the Constitution be amended so that the power of suffrage may be exercised by all citizens of the United States irrespective of sex."[130] Although Congress never took action on these measures, Kelley's initiatives were consistent with the founding principles of the Second Republic. The full extension of the right of equal opportunity for political and economic advancement within the confines of the private property system required aggressive federal sponsorship, and he was not loathe to remind his colleagues of that fact.

Kelley's last major initiative in recommending legislation that would impose a principled order on the industrializing capitalist political economy was mounted in the first session of the Forty-ninth Congress. Feeling his life was "necessarily near its termination," Kelley focused much of his remaining energy on the tariff and labor reform legislation.[131]

In August, 1886, in a speech which he had written "with more assistance" than usual from his clerk,[132] Kelley renewed his attack on the notion that foreign markets were the key to American prosperity.[133] To support his home market argument, Kelley pointed to the undeveloped regions of the Northwest and South which in his opinion offered chances for independent proprietorship as well as markets for Western agriculture.[134] That America was the "best market of the world" was further

"attested by the ingenious, persistent, and fraudulent means employed by foreign manufacturers to invade it."[135]

In response to the charge that he "would prohibit international trade by building a Chinese wall" around the country, Kelley added that he had played a major role in expanding the free list during the early 1870's by removing duties on "purely foreign essentials of life" such as coffee and tea. As a result, he declared, the value of free goods imported from 1873 to 1877 increased by an average of "more than $120,000,000 per annum . . . and this in a period of almost unparalleled commercial depression."[136]

The steadily increasing value of dutiable imports posed more of a problem for Kelley in his battle with tariff reformers. The surplus of federal revenue beyond the funds needed for annual debt retirement and government services had grown rapidly in recent years, alarming many members who feared it would invite corruption and exercise an unsettling effect on security prices.[137] Democratic tariff reductionists cited the burgeoning federal revenues as incontestable evidence of the harm exerted by a protective tariff. Kelley disagreed. He argued that a "hasty revision of the tariff" would result in a net increase in government revenue resulting from the "increased importation of competing commodities." More important, according to Kelley, tariff reduction would reverse the

process by which America had risen from a position of "commercial dependency" to world leader in manufacturing output.[138] A better remedy for the Treasury surplus, in Kelley's view, was one which promoted the welfare of productive labor, namely, the rescision of all excise taxes on alcohol and tobacco. He declared that the alcohol tax operated "oppressively in medicine and the arts" and indirectly affected the demand for the corn from which much of the nation's alcohol was distilled. Further, the burden such excise taxes placed on laboring citizens was mean-spirited. It was not felt "as a restraining influence" by those who wanted a drink or a "chew," and thus failed to achieve the pious reformers' objective while imposing an unnecessary levy on the incomes of those who had "moderate" habits.[139]

While engaged in the perennial discussion of tariff policy, Kelley and his colleagues were forced to consider the widening economic and ideological gulf between wage-earners and capital. The stimulus was the violent Southwestern strike. During February and March, 1886, railway workers represented by the Knights of Labor struck Jay Gould's Missouri Pacific and Texas and Pacific lines for recognition of the union and a minimum of $1.50 a day for sectionmen, yardmen, and bridgemen. The demands were designed to bring the working conditions of unskilled railway men up to the standards won by skilled shopmen

in the Knight's successful strike against Gould's Wabash system a year earlier. In the first weeks, the strikers successfully stopped traffic to St. Louis, Kansas City, and key junctions in the Southwest, prompting the governors of Kansas and Missouri to seek an arbitrated settlement. The official policy of the Knights favored such an approach maintaining that strikes generally interfered with the cooperation of the "producing classes" that was the basis of the workingman's prosperity. Thus, Terrence Powderly, Grand Master Workman of the Knights, agreed to a meeting with Gould, at which the railroad magnate "offered no objection to arbitrating the differences between the employees and the company, past or future." However, Gould apparently had no intention of honoring this gentlemen's agreement and hoped to break the union's clout within his system. The following day he denied he had consented to arbitration and thereafter refused to meet with representatives of the strikers. And, with the assistance of local militia and police forces, he determined to move his trains. The resulting clashes between strikers and police and railway agents were disastrous for the union. Seven workers were killed in East St. Louis and hundreds were arrested and jailed. By the end of April, the Southwestern system was nearly back to full operation and on May 4, Powderly and the Knights' Executive Board formally called off the strike.[140]

The sharp and well-publicized violence prompted John O'Neill of Missouri to introduce a bill establishing model procedures for the creation of temporary arbitration tribunals designed to settle specific disputes between interstate carriers and their employees. His bill, H. R. No. 7479, called for the employer to "appoint one person, and the employee or employees, as the case may be, to select and appoint another person, and the two persons thus selected . . . to select a third person . . . wholly impartial and disinterested in respect to such differences or controversies." These three men were to hold the powers of United States commissioners appointed by the United States circuit courts "in respect to administering oaths, subpoenaing witnesses" and so forth. In addition, until the arbitrators, who were paid five dollars a day, had reached a decision, any interference with the carrier's "business" was prohibited and the ruling circuit judge was authorized to punish "by fine and imprisonment" any persons "hindering, impeding, [or] interrupting" such business. When a settlement was reached, it was the duty of both interested parties to voluntarily abide by its terms.[141]

Kelley called O'Neill's bill "a fraud" and a "trick upon the credulity of American workingmen." Without "penal sanction" or strict "means of enforcing the award," Kelley declared, the measure amounted to "frothy eloquence"

that could have no positive effect for the "great masses of labor." Moreover, the bill encouraged any "owner of a Delaware ferry boat and one of his deck-hands . . . [to] get up a controversy, resolve themselves, with a mutual friend, into a board of arbitration and proceed to draw the salary of United States Commissioners as long as they could find witnesses to examine at the public expense." The bill in this way "opens up possibilities of permanent and lucrative employment," he quipped.[142]

In his remarks, Kelley praised Terrence Powderly for his efforts to "advance arbitration," which Kelley considered "the sole means to settle difficulties between employers and great numbers of employees." Although he thought O'Neill's bill promised "all things to the ear" but lacked "the means of enforcement," Kelley supported its passage because its author was similarly committed to the promotion of arbitration "for the relief of oppressed labor."[143] The House approved the bill on April 3, and it was reported for discussion by the Senate Committee on Education and Labor on April 6.[144] However, the Senate, displaying a more pronounced bipartisan reluctance to interfere with the transactional abilities of major corporations,[145] allowed the bill to disappear on the docket, and then "go over" without debate when it finally surfaced as the regular order of business on July 9.[146]

Following the Senate's perfunctory burial of the

arbitration bill, Kelley's attention to issues affecting "laboring citizens" faltered. He gave no notice to the hysterical anti-labor press coverage of the Haymarket affair in his letters or on the floor of the House. When the House debated a bill to "increase the naval establishment," a matter of vital interest to Western agricultural producers who looked to the Navy and Merchant Marine to aid their campaign for overseas markets,[147] he was uncharacteristically ill-informed about the capacity of the nations's iron and steel industry to fulfill the contemporary demand for "ironclads."[148] Because his health was "good"[149] and was not for the present deterring him from the earnest participation he gave earlier in the session, some other explanation for his retiring posture must apply.

While risking the temptation to distort the truth by spinning a charming psychological portrait, it may be useful at this point to measure the distance that had grown between Kelley's guiding vision of the good society and the real choices and circumstances before him. For the previous twenty years, Kelley had been involved in a sustained confrontation with men and ideas that equated individuality and personality with the freedom to accumulate capital and wealth. Though he never resented those who acquired large incomes through the organization and management of productive labor, he had consistently opposed legislation which appeared to "confer benefits on one class of citizens at

the expense of another class."[150] In Kelley's view, the duty of the politician in a republic based on private property was to see that the dollar never voted more times than the man; to prevent the "money of the rich man" from becoming "more valuable" in politics than that of the wage-earner. This perspective had guided his campaign against the national banks--the "corporate contrivances"[151] --and their defenders in the 1870's. Now, despite his political efforts, his conception of the ideal republic seemed further from realization than at any time since his youthful days as an apprentice in Philadelphia.[152] The class warfare in Chicago and the Southwest and the conservatism of the Senate might well have confirmed a suspicion that the future prospects for both self-determining economic activity in the developing West and "harmonious association" between employers and employees in the East were dim, indeed. If so, Kelley's lapse in defending the laborer as equal citizen may have expressed an honest alienation which was all the more painful because of his inability to abandon the ideals and values to which he had devoted his public service.

In any case, Kelley's withdrawal continued through the second session of the Forty-ninth Congress. He showed no enthusiasm for re-election in the fall of 1886, but was returned by a resounding margin over his Democratic opponent.[153] During the brief session which convened in

December, his comments consisted entirely of melancholy reflections on earlier days of hope and apparent progress. As a case in point, on December 14, 1886, during House discussion of a bill to grant a small trunkline a right-of-way through the Yellowstone National Park, Kelley rose to defend the "wonders of still and animal life" from the "tramp of civilization." He lamented the devastation of one of the symbols of Western freedom--the buffalo herds--and urged the area's protection from "corporations[s]" and "speculators."[154] But, after the Democratic Fiftieth Congress was organized the following December, Kelley was aroused by sensational newspaper reports that he was planning to organize a Republican filibuster against any tariff reduction measures which Democrat Roger Mills' Ways and Means committee might introduce.[155] He denied any intention of employing such obstructionist tactics, but did warn his colleagues on the other side of the aisle that he would fight to defeat any bill proposing to dismantle the protective system which had encouraged the production of "more than half the steel that was made on the face of God's footstool."[156]

In April, 1888, chairman Mills introduced a mild tariff reform measure which did not seek to tear down the walls of protection so much as redistribute their favoring benefits. The bill, H. R. No. 9051, favored Southern manufactures with light reductions on pig-iron, coal, sugar,

rice, and cotton, while antagonizing Midwestern producers with sharp reductions on wool, copper ore, flax and hemp, lumber, and salt. New England and Mid-Atlantic manufacturers were also provoked by the suggested rollback of duties on crockery, woolens, glass, and metal products.[157] After House debate on the Mills bill began on April 17, Kelley--now seventy-four years old--delivered his final, sustained defense of the home market thesis.

He began by reiterating his warning of June, 1884, that the pursuit of "cheap goods" would only accelerate the "downward progress of our laboring classes." The "disparity between our very rich and very poor people is wider than that in other lands," he continued, and the "Congress and the State legislatures" must be "quick" to protect the "social well-being of the laboring classes." The first line of defense, he implied, was the maintenance of the protective system.

As the debate continued, Democratic supporters of the bill such as John Hamphill and Isidor Rayner arraigned the Republicans as the party of "trusts" and two-faced time servers who claimed to defend productive workers while promoting contract labor. Kelley was singled out as an accessory to the latter crime. He responded that, as charged, he promoted "free trade in men" but this meant that he was not opposed to the voluntary immigration of "skilled laborers from the manufacturing nations of the world."

Before the bill was brought to a vote, Kelley recommended that it be tabled in favor of a measure which would more judiciously reduce the government's surplus of revenue by repealing "the entire internal tax on tobacco." This would reduce the surplus by 31 million dollars annually, he claimed, while protecting the livelihoods of industrial wage-earners and Midwestern raw material producers.[159] But his Republican colleagues apparently welcomed a vote on the tariff bill in order to establish their "sound" position during the fall elections. Kelley's suggestion was ignored. On July 21, the roll was called on the passage of the bill. The Democratic majority, unhampered by the once-potent resistance of Samual Randall who was dying of cancer, carried the measure by a vote of 162 to 149.[160] However, the Republican Senate Finance committee sat on the bill until the eve of adjournment in October, thereby confirming John Sherman's earlier claim that there was no danger of passing the Mills bill.[161]

The defeat of the measure was a hollow victory for Kelley's perspective, however. During the fall presidential campaign, the Republican leadership centering around Blaine, Sherman, and candidate Benjamin Harrison spoke of "changed conditions" which necessitated "extension into better markets." In a bid to neutralize the appeal of the Democratic low tariff argument in the West, the home market argument was shelved except when metropolitan

Republican constituents needed wooing. In its place, tough talk about "prompt action" in reopening European markets and securing new markets in Central and South America was often heard. In short, the Republican leadership had conceded the Democrats' overproduction thesis and were agreed that market expansion was a necessary solution to the social antagonisms that had violently erupted in recent years. Within two years, the Republican leaders moved to "adjust" the tariff system so as to permit the President to negotiate reciprocal trade agreements with countries that promised wider export markets for both agricultural and industrial surpluses. However, the nascent reciprocity strategy implemented in the McKinley Act of 1890 was achieved at the cost of party harmony and was too late to mollify Western agricultural producers. Republican leadership in overseas expansion was not achieved until the depression and the anti-capitalist movement of the 1890's prompted leading industrial investors and agricultural businessmen from the upper Midwest to embrace the protection-with-reciprocity approach.[162]

Kelley's death in January, 1980, spared him from witnessing this strategic shift in official party policy. During the last full session he attended, he still regarded the home market as the arena in which America's social antagonisms would be resolved.[163] In his last months, Kelley concentrated on conveying this view through his

writing, rather than on the floor of the House. In his book, The Old South and the New, he portrayed the South as the "coming El Dorado of American adventure."[164] It is perhaps significant, in this regard, that one of his last legislative initiatives was to introduce a bill providing for the preservation of Revolutionary documents,[165] for the Founding Fathers were pioneers in the formulation of the theory that America provided enough frontiers to mitigate conflict between the propertied and the propertyless.[166]

The "Father of the House" barely cast a shadow in the second session of the Fiftieth Congress which extended from December, 1888, to early March, 1889. Sensing the nearness of death, Kelley made further arrangements for Caroline to assume full legal title to his modest real estate claims in February, 1889.[167] As the year progressed, he became "an almost constant sufferer of rheumatism" and arranged for his family to join him in Washington so as to diminish the strains of travel, as well as his annoying absences from home.[168]

When the Fifty-first Congress was organized on December 2, 1889, Kelley was present in his familiar chair.[169] Because of unrelenting physical discomfort he declined appointment to the Committee of Ways and Means, and was unable to answer the roll when the House resumed its regular business the following day. Confined to his rooms at the

Riggs House, he became discouraged and slowly lost strength. On January 9, in the company of his entire family, he quietly passed away "in the midst of his labors."[170] His body lay in state in the Hall of the House on January 11, and was interred at the Laurel Hill cemetery in Philadelphia following a funeral service attended by a delegation of Congressmen, including his close friend Charles O'Neill, Joseph Cannon, and William McKinley.[171]

NOTES

[1] See Chapter 9, pp. 460-461.

[2] Terrill, The Tariff, p. 54.

[3] C. R., 49th Cong, 1st Sess., p. 471. During and immediately after the business depression of 1883-1886, the government had minted silver dollars in excess of business needs. Kelley apparently assumed that the redundant silver, combined with the growing surplus of specie from customs duties, would not be diverted to productive investment. See Chapter 9, pp. 473-474. Also, see Coletta, op. cit., pp. 123-124.

[4] Evans, Pennsylvania Politics, p. 23. See also, Chapter 8, fn. 103.

[5] Williams, Roots, pp. 216-217, 220, 228-229, 242.

[6] See Chapter 2, pp. 70-71.

[7] Williams, Roots, pp. 216-218, 229, 247-248. The primary cause of the boom was the coincidence of miserable weather and widespread crop and animal disease that severely reduced the output of European agriculture.

[8] Ibid., pp. 19, 25, 216, 227, 229, 250; Shannon, Farmer's Last Frontier, p. 114.

[9] The Wood bill called for the free importation of materials used in shipbuilding and allowed the purchase of foreign-built vessels for the United States coastal trade. See C. R., 45th Cong., 2nd Sess., p. 3330.

[10] The New York Times, June 6, 1878; Williams, Roots, pp. 229-230.

[11] C. R., 45th Conf., 2nd Sess., p. 3330.

[12] Ibid., pp. 3330-3332, 3337.

[13] Ibid., pp. 3332-2222; Williams, Roots, p. 223; Shannon, Farmer's Last Frontier, ch. XIII.

[14] C. R., 45th Cong., 2nd Sess., pp. 3334, 3339, 3340. On Kelley's earlier speeches in behalf of protective duties, see Chapter 2, p. 74; Chapter 4, pp. 197-201; Chapter 6, pp. 277-278.

[15] Ibid., pp. 2542-2544.

[16] Ibid., pp. 3335-3336.

[17] Ibid., pp. 4154-4155; New York Times, June 6, 1878.

[18] See Chapter 7, pp. 371-372.

[19] C. R., 45th Cong., 2nd Sess., Appendix, p. 196.

[20] Historical Statistics, p. 691; Congressional Directory For the First Session of the Forty-sixth Congress, 1st ed. (Washington, D. C.: n.p., 1879), pp. 83-89; Glashan, American Governors, p. 260; Philadelphia Public Ledger, November 6, 1878; Philadelphia Inquirer, November 6, 1878.

[21] Unger, Greenback Era, pp. 382, 386; Kelley to Caroline Kelley, December 9, 1874, KPHSP; Gerald N. Grob, Workers and Utopia (Chicago: Quadrangle Books, 1969), p. 39.

[22] The Knights called for a "purely national circulatory medium issued directly to the people without the invervention of any system of banking, which money shall be legal tender in payment of all debts, public or private." This quote is taken from Unger, op. cit., p. 376n.

[23] Unger, op. cit., p. 375; Philip Foner, History of the Labor Movement in the United States, Vol. 2 (New York: International Publishers, 1975), pp. 93-94.

[24] Both Blaine and Evarts accepted the export-or-stagnate analysis but looked to reciprocal trade agreements rather than downward revision of the tariff as the most effective and politically expedient means to secure wider markets. See Blaine's comments, C. R., 45th Cong., 2nd Sess., pp. 1009-1010. For Evarts' views, see the New York Times, February 17, 1878.

[25] C. R., 46th Cong., 1st Sess., p. 1132.

[26] See Chapter 6, fn. 2.

[27] C. R., 46th Cong., 1st Sess., p. 1156.

[28] Montgomery, Beyond Equality, pp. 321-322.

[29] C. R., 46th Cong., 1st Sess., p. 1161.

[30] Ibid., pp. 1156-1157. On the unfulfilled promise of the public domain, see Chapter 6, p. 312.

[31] This engrossment of public land was documented in a federal survey published in 1878. See Williams, Roots, p. 277.

[32] The indexes to the Congressional Record for the sessions of the 45th and 46th Congresses reveal numerous bills introduced for the purpose of providing homestead opportunities, or to provide for the investigation of illegal pre-emption on public lands.

[33] C. R., 46th Cong., 1st Sess., pp. 1157-1158.

[34] See Chapter 2, pp. 73-74.

[35] C. R., 45th Cong., 1st Sess., p. 4382.

[36] C. R., 48th Cong., 1st Sess., pp. 4774, 5354.

[37] Kelley, "Letters From Europe," Library of Congress, passim; Kelley to Caroline Kelley, May 14, 1879, KPHSP.

[38] Florence was also suffering from "ill health" and had been forced to drop out of Cornell until her "nervous power" was revived. Florence's poor health deferred her completion of a bachelor's degree until 1882. Kelley to Caroline Kelley, May 1, 1879, KPHSP; James, Notable American Women, p. 316.

[39] Kelley to Caroline Kelley, June 18, July 27, August 13, 23, September 4, 8, 1879, KPHSP.

[40] Kelley, "Letters," p. 53.

[41] Ibid., pp. 36, 57-64.

[42] Kelley to Caroline Kelley, April 16, 1880, KPHSP.

[43] C. R., 46th Cong., 2nd Sess., p. 2614.

[44] Williams, Roots, pp. 226-229.

[45] C. R., 46th Cong., 2nd Sess., pp. 2616-2617.

[46] Because of the precarious balance of power between the major parties, many Congressmen hesitated to take clear-cut positions on controversial questions such as the tariff. See John A. Garraty, The New Commonwealth, 1877-1890 (New York: Harper & Row, 1968), p. 226.

[47] C. R., 46th Cong., 2nd Sess., p. 3859.

[48] New York Times, April 28, 1880. The bill mandated the Presidential selection of "nine commissioners from civil life."

[49] C. R., 46th Cong., 2nd Sess., p. 4116.

[50] Ibid., p. 4166. The Democratic platform prominently featured a low tariff plank. See Kirk H. Porter and Donald Bruce Johnson, National Party Platforms, 1840-1964 (Urbana: University of Illinois Press, 1966), pp. 50, 56; Terrill, The Tariff, p. 39.

[51] In keeping with tradition, Garfield avoided public appearances and seemed to wait for the office to seek him. Privately, he played a major role in coordinating the Republican campaign. See Robert Marcus, Grand Old Party: Political Structure in the Gilded Age, 1880-1896 (New York: Oxford University Press, 1971), pp. 39-58; Robert Caldwell, James A. Garfield: Party Chieftain (New York: Dodd, Mead & Company, 1931), pp. 296-304.

[52] Garfield to John Sherman, September 25, 1880, Sherman Papers, Library of Congress.

[53] The Republican tariff propaganda was probably decisive in Indiana, Ohio, and the old Northwest. See H. Wayne Morgan, From Hayes to McKinley: National Party Politics, 1877-1896 (Syracuse: Syracuse University Press, 1969), pp. 116-118.

[54] The minority in the House included eleven third party representatives. In the deadlocked Senate, Chester Arthur's vote as Vice-president gave the Republicans the edge. See Morgan, op. cit., p. 120; Shannon, Centennial Years, p. 53.

[55] Kelley defeated his Democratic opponent, George Bull, by a vote of 25,968 to 16,487. See the Congressional Directory For the 1st Session of the Forty-seventh Congress, 1st ed. (Washington: n.p., 1881), p. 86.

[56] Kelley had been assigned to the Ways and Means committee at the opening of the Forty-first Congress.

[57] By the mid-1870's, Garfield was so alienated by Kelley's "crazy" speeches that he would leave the House when he spoke. See Garfield, Diary, II, p. 318, III, p. 113. As noted in Chapter 7, p. 378. Kelley's monetary views had won him the reputation of an extremist or revolutionary in leading business journals.

[58] C. R., 46th Cong., 3rd Sess., p. 1809; Terrill, The Tariff, pp. 56-57.

[59] Ibid, pp. 1809-1813.

[60] See Chapter 4, pp. 197-198. Also, see Chapter 5, pp. 253-254.

[61] See David Wells, "Resumption of Specie Payments," North American Review, No. CCLIX (November-December, 1877), pp. 408-412.

[62] C. R., 46th Cong., 3rd Sess., p. 1810.

[63] C. R., 44th Cong., 1st Sess., p. 3316.

[64] Williams, Roots, pp. 193-196, 315; Shannon, Farmer's Last Frontier, pp. 294-295; Hicks, The Populist Revolt, pp. 55-57, 80-81.

[65] National Cyclopaedia of American Biography, vol.IV, pp. 247-250.

[66] The Nation, January 5, 1882, p. 3.

[67] Morgan, Hayes to McKinley, p. 170.

[68] C. R., 47th Cong., 1st Sess., pp. 23-26.

[69] Ibid., Appendix, p. 196; Taussig, Tariff History, p. 237.

[70] See Chapter 4, pp. 197-201.

[71] C. R., 47th Cong., 1st Sess., Appendix, pp. 196-197, 201.

[72] National Cyclopaedia of American Biography, vol.III, pp. 294-295; C. R., 47th Cong., 1st Sess., pp. 2435-2438. Abram Hewitt was later a participant in the drive of

business and political leaders to consolidate and centralize the American marketplace by means of the corporate holding company, and he worked to develop overseas investments and new domestic patterns of political authority that would sustain such corporate control. For probably the best introduction to the corporate reorganization of American society from the mid-1890's to World War I, see William A. Williams' Contours, pp. 326-412.

[73] C. R., 47th Cong., 1st Sess., Appendix, p. 198.

[74] Ibid., p. 3679.

[75] Ibid., p. 3687.

[76] Ibid., p. 3743

[77] See Terrill, The Tariff, p. 63, 234; Taussig, Tariff History, p. 231; James Barnes, John G. Carlisle, Financial Statesman (New York: Dodd, Mead & Company, 1931), p. 53. Also, see Chapter 9, p. 439. Protection offered the successful industrial entrepreneur an additional incentive to invest his surplus in machinery which systematized the skill of craftsmen, and thus improved the entrepreneur's position in the struggle for control over the rules and conditions of work. See John Laslett, Labor and the Left (New York: Basic Books, Inc., 1970), pp. 151-152; David Montgomery, Workers' Control in America (New York: Cambridge University Press, 1979), ch. 1.

[78] Terrill, The Tariff, p. 53.

[79] Kelley to Caroline Kelley, December 13, 1882, KPHSP.

[80] Ibid., August 22, 1882.

[81] See Chapter 6, pp. 282-286.

[82] C. R., 47th Cong., 1st Sess., pp. 5190, 5379, 5415, 5522. Kelley's internal revenue bill was opposed by Midwestern low tariff advocates who had once been Kelley's allies in the silver campaign of the mid-1870's. Representatives Bland, Buckner, Holman, and Reagan may be included in this group. See C. R., 47th Cong., 1st Sess., p. 5522.

[83] Ibid., p. 5935.

[84] Kelley to Caroline Kelley, August 22, 1882, KPHSP.

[85] C. R., 47th Cong., 1st Sess., p. 5191; Garraty, New Commonwealth, pp. 244-245.

[86] Williams, Roots, pp. 255-256. What many agricultural producers wanted was retaliatory legislation in the form of trade sanctions or the renegotiation of existing commercial treaties with France, Germany, and England, for the purpose of imposing counter-restrictions on European-produced imports until or unless barriers to American agricultural exports were lowered.

[87] The Post Office scandal involved a fraudulent appropriation of funds engineered by Second Assistant Postmaster General Thomas J. Brody, ostensibly for use on the Star Route system serving remote areas in the West. See Ari Hoogenboom, Outlawing the Spoils (Urbana: University of Illinois Press, 1968), pp. 205-206.

[88] The Democratic press "exposed" the system of assessments or "voluntary" contributions imposed by Republican city and state machines on officeholders, government employees, and ward workers. Although Democrats also employed the system, the party in power was more vulnerable to attack, especially since no significant reforms had been proposed by the Republican Congressional leadership subsequent to Garfield's assassination by a frustrated civil servant, Charles Guiteau. See Hoogenboom, op. cit., pp. 205, 209, 218, 225, 229-230, 234; and The Nation, November 9, 1882.

[89] Kelley defeated his Democratic opponent by a comfortable margin of 21,869 to 13,824 votes. Congressional Directory For the First Session of the Forty-eighth Congress, 1st ed. (Washington, D. C.: n.p., 1883), pp. 125-131; Philadelphia Public Ledger, November 8, 1882; Philadelphia Inquirer, November 8, 1882.

[90] Morgan, Hayes to McKinley, p. 172; C. R., 47th Cong., 2nd Sess., pp. 2, 14-15.

[91] Kelley to Caroline Kelley, December 13, 1882, KPHSP; C. R., 47th Cong., 2nd Sess., p. 1253.

[92] Kelley to Caroline Kelley, January 21, 1883, KPHSP.

[93] C. R., 47th Cong., 2nd Sess., pp. 1253, 1627-1635, 2134, 2865, 2875, 2878-2884; Barnes, Carlisle, pp. 57-58; George F. Howe, Chester A. Arthur: A Quarter-Century of Machine Politics (New York: Dodd, Mead & Company, 1934), pp. 223-224.

[94] Kelley to Caroline Kelley, February 19, 1883, KPHSP; C. R., 47th Cong., 2nd Sess., p. 1627.

[95] Kelley to Caroline Kelley, February 19, 1883, KPHSP; Taussig, Tariff History, p. 232.

[96] C. R., 47th Cong., 2nd Sess., pp. 2992, 3336-3350.

[97] Ibid., pp. 3350-3351.

[98] Ibid., p. 3722.

[99] Ibid., pp. 3713-3722; Taussig, Tariff History, pp. 237-249.

[100] C. R., 47th Cong., 2nd Sess., pp. 3723-3742. For Cannon's comments, see ibid., p. 986.

[101] Terrill, The Tariff, p. 60; C. R., 47th Cong., 2nd Sess., pp. 3723-3741.

[102] C. R., 47th Cong., 2nd Sess., pp. 3586, 3742.

[103] Hewitt to Atkinson, January 26, 1883, Atkinson Papers, Massachusetts Historical Society.

[104] Morgan, Hayes to McKinley, p. 173.

[105] Terrill, The Tariff, p. 69.

[106] C. R., 47th Cong., 2nd Sess., p. 3723, The "Mongrel Tariff" essentially retained the high level of duties established during and immediately after the Civil War. See Kirkland, Industry Comes of Age, p. 184. Because there are no monographic studies of the specific relationships between tariff duties and social conditions among laborers, farmers,and other social groups, it is difficult to conclusively refute or support Kelley's assumption that the tariff system preserved by the act of 1883 was a boon to American consumers. The more worthy surveys of nineteenth century tariff policy are either intellectual histories that focus on the aims of policy-makers, such as Terrill's The Tariff, Politics, and American Foreign Policy, or sophisticated polemics by experts involved in policy-making, such as Frank Taussig's Tariff History. Perhaps the absence of any detailed measurements of the countervailing costs and benefits of customs duties is best explained by Taussig, who argued that the "visible fruits" of tariff policy with respect to the "promotion of general prosperity" (as opposed to a particular industry) are never so

marked as to "prevent doubt and dispute." See Taussig, op. cit., pp. 318-319.

[107] Kelley to Caroline Kelley, March 4, 1883, KPHSP. The Philadelphia Inquirer, which had broken with Kelley on the money question in 1878, condemned Kelley and the compromise he devised. The editorial page described the tariff act as a "crude and inadequate bill," with many confusing provisions and no "significant" changes. See the Inquirer, March 5, 1883.

[108] See Chapter 8, p. 415.

[109] His "indefinite" leaves of absence "on account of sickness" were more frequent from the mid-1880's. See the Congressional Record indexes.

[110] See McKinley's eulogy, C. R., 51st Cong., 1st Sess., p. 2280.

[111] See O'Neill's eulogy, ibid., p. 2277.

[112] C. R., 48th Cong., 1st Sess., p. 2980; Kelley to Caroline Kelley, August 26, 1883, KPHSP.

[113] C. R., 48th Cong., 1st Sess., pp. 2979-2986. For a similar view, see ibid., 47th Cong., 1st Sess., Appendix, pp. 209-210.

[114] C. R., 48th Cong., 1st Sess., pp. 1778, 2981.

[115] Ibid., pp. 2979-2980, 2984.

[116] Ibid., pp. 2980, 2982, 2985.

[117] See Chapter 9, pp. 437-438.

[118] C. R., 48th Cong., 1st Sess., pp. 2982, 2985-2986.

[119] Ibid., p. 2986.

[120] Shannon, Farmer's Last Frontier, pp. 169-172. Single-crop practices were the rule for the first generation of settlers, largely because of the need for cash crops to finance initial settlement and development of prairie farms. As their Eastern forebears, particularly in the upper South, discovered years before, such practices soon exhausted the soil to the point of unprofitability.

[121] Williams, Roots, p. 294.

[122] Morgan, Hayes to McKinley, p. 184; C. R., 48th Cong., 1st Sess., pp. 2973, 3908.

[123] Williams, Roots, pp. 245, 294-297, 300-303; Terrill, The Tariff, p. 85.

[124] C. R., 48th Cong., 1st Sess., p. 4768; Williams, Roots, pp. 275-276.

[125] C. R., 48th Cong., 1st Sess. p. 4774.

[126] Ibid.

[127] Ibid., p. 5354. His daughter, Florence, may have inspired some of the talk about Kelley's "socialist" leanings. While in Europe with her family during the summer of 1883, she met Lazare Wischenewtzky, a Russian medical student and socialist. Florence married Lazare on June 1, 1884. See James, Notable American Women, p. 317.

[128] Melvyn Dubofsky, Industrialism and the American Worker, 1865-1920 (Arlington Heights, Ill.: AHM Publishing Corp., 1975), pp. 54-60; Montgomery, Workers' Control, ch. 1.

[129] C. R., 48th Cong., 2nd Sess., p. 1056; C. R., 49th Cong., 2nd Sess., p. 735; C. R., 50th Cong., 1st Sess., p. 1976.

[130] C. R., 48th Cong., 2nd Sess., p. 1771; C. R., 49th Cong., 1st Sess., p. 3629.

[131] Kelley to Caroline Kelley, January 22, 1886, KPHSP.

[132] Kelley to Caroline Kelley, May 2, 1886, KPHSP. The speech was first drafted in May, and was part of a tariff discussion that began in February, 1886. See C. R., 49th Cong., 1st Sess., pp. 1443, 5829-5830.

[133] The occasion was the discussion of H. R. No. 7652, a Morrison-backed tariff reduction bill. Debate on the bill was deferred indefinitely on July 22. C. R., 49th Cong., 1st Sess., pp. 3391, 7338.

[134] C. R., 49th Cong., 1st Sess., Appendix, p. 395.

[135] Ibid., p. 396.

[136] Ibid., p. 397.

[137] Kirkland, Industry Comes of Age, p. 29; Morgan, Hayes to McKinley, p. 272; Alexander Dana Noyes, Thirty Years of American Finance (New York: Greenwood Press, 1969), pp. 87-88; W. M. Grosvenor, "What Shall Be Done With the Surplus?" North American Review, Vol. CXLIV (January, 1887), p. 79.

[138] This was not the case; England still ruled as premier manufacturing nation. See La Feber, The New Empire, pp. 9, 18.

[139] Kelley, "The Treasury Surplus," Forum, Vol. 4 (October, 1887), pp. 143-155.

[140] Montgomery, Beyond Equality, pp. 221, 229, 414; Foner, History of the Labor Movement, Vol. 2, pp. 84-86; Dubofsky, op. cit., pp. 55-56; Norman J. Ware, The Labor Movement in the United States, 1860-1890 (New York: Vintage Books, 1964), pp. 145-149; Matthew Josephson, The Politicos (New York: Harcourt, Brace & World, 1938), pp. 386-387.

[141] C. R., 49th Cong., 1st Sess., pp. 2959, 3026, 3041.

[142] Ibid., p. 3026.

[143] Ibid., pp. 3006-3007, 3026, 3041.

[144] Ibid., pp. 3066, 3139.

[145] David J. Roghman, Politics and Power: The United States Senate, 1869-1901 (New York: Atheneum, 1969), pp. 84, 88.

[146] C. R., 49th Cong., 1st Sess., p. 6677.

[147] Ray Ginger, Altgeld's America (Chicago, Quadrangle Books, 1965), p. 55; Williams, Roots, pp. 265-267, 282, 311.

[148] C. R., 49th Cong., 1st Sess., pp. 7496-7497.

[149] Kelley to Caroline Kelley, June 25, 1886, KPHSP.

[150] C. R., 46th Cong., 3rd Sess., p. 1811.

[151] See Chapter 7, p.353, and Chapter 8, pp. 414-415.

[152] See Chapter 9, pp. 469-470.

[153] The vote was 25,391 to 13,882. See the Congressional Directory for the First Session of the Fiftieth Congress, 1st ed. (Washington, D. C.: n.p., 1887), pp. 125-131; Philadelphia Public Ledger, November 3, 1886; Philadelphia Inquirer, November 3, 1886.

[154] C. R., 49th Cong., 2nd Sess., pp. 149, 153.

[155] William Morrison, the former Democratic chairman of the committee, was defeated in the 1886 election. Morgan, Hayes to McKinley, p. 264.

[156] C. R., 50th Cong., 1st Sess., 1604.

[157] Ibid., p. 2615; Morgan, Hayes to McKinley, p. 280.

[158] C. R., 50th Cong., 1st Sess., p. 5078. In August, 1870, Kelley condemned contract labor and welcomed any immigrant laborer who was not "brought hither by force or decoyed by false representation." See Chapter 6, fn. 55.

[159] Ibid., p. 5630.

[160] Ibid., p. 6660; Morgan, Hayes to McKinley, p. 308.

[161] C. R., 50th Cong., 1st Sess., p. 9601; Sherman to David Harpster, July 25, 1888, John Sherman Papers, Library of Congress.

[162] Williams, Roots, pp. 320-323, 327-328, 332-336, 394-395, 403; Walter LaFeber, The New Empire, pp. 327-333.

[163] C. R., 50th Cong., 2nd Sess., p. 1566.

[164] C. Van Woodward, Tom Watson, p. 116.

[165] C. R., 50th Cong., 2nd Sess., p. 121.

[166] The most thorough and provocative explorations into the theme of expansion in American history have been written by William Appleman Williams. See his The Contours of American History and The Roots of the Modern American Empire, cited above, and The Tragedy of American Diplomacy (New York: Dell Publishing Co., 1962).

[167] Kelley to Caroline Kelley, February 11, 1889, KPHSP.

[168] Ibid., September 9, 1889, KPHSP.

[169] C. R., 51st Cong, 1st Sess., p. 80.

[170] Ibid., pp. 495, 2277.

[171] Ibid., pp. 495, 2282; Philadelphia Inquirer, January 10, 1890.

NOTES

[1] See, for example, the eulogies of James Cameron, Justin Morrill, John Sherman, William Holman, and O'Neill. C. R., 51st Cong., 1st Sess., pp. 2277-2278, 4967-4970.

[2] Ibid., p. 2280.

[3] See Chapter 8, pp. 414-415.and C. R. 49th Cong., 1st Sess., pp. 3006, 3026. During the 1870's and 1880's, the meaning of due process as enunciated in the Fourteenth Amendment was enlarged by legal theorists and jurists such as Supreme Court Justice Stephen J. Field so that corporate practice and assets could be considered as the liberty and property of "persons." See James Willard Hurst, The Legitimacy of the Business Corporation in the Law of the United States (Charlottesville, Va.: University Pressof Virginia, 1970), pp. 58-67; Howard Graham, Everyman's Constitution: Historical Essays on the Fourteenth Amendment (Madison: State Historical Society of Wisconsin, 1968), chs. 3, 5, 9-10, 13.

[4] C. R., 48th Cong., 1st Sess., p. 4774. Also, see Chapter 9, p. 468-469.

[5] Williams, Contours, pp. 346-348.

[6] At the time of Kelley's death, an industrial firm with a total capitalization of over $10 million was a rarity. By 1902, nearly 100 industrial corporations had attained that size. By 1899, 65 per cent of all industrial wage earners worked for corporations, although "incorporated companies" constituted only 13.6 per cent of all manufacturing establishments. By 1905, industrial corporations made up 23.6 per cent of all manufacturing establishments, employed 70.6 per cent of all industrial wage-earners, controlled 82.8 percent of all capital invested in manufacturing, and accounted for more than 70 per cent of the value added by manufacturing establishments. The decisive period of change from the standpoint of organizational innovation was 1898 to 1903. During this brief span the concentration of the ownership of existing tangible assets under the centralized authority of corporate legal forms was staggering. The capitalization

of corporations formed in this period amounted to approximately $5 billion; the total capitalization of industrial "combinations" organized between January, 1887 and December, 1897 was $328 million. These statistics are borrowed from James Livingston's unpublished Ph.D. dissertation (Northern Illinois University, 1981), which provides the most concise summary to date of the institutional conditions which permitted the rapid emergence of the modern corporation. Livingston's work is more valuable, however, for its analysis of the human perceptions and decisions which were critical to corporate reorganization of the American political economy.

[7] By the late 1880's, many industrial and financial leaders recognized that social stability and political harmony were endangered by the competitive character of capitalist control over production, which had been accompanied by chronically falling commodity prices and profits and the growth of surplus capital, or capital which could not be invested without depressing profits below the expenses of production. Some attempted to diminish competition and control production through the organization of cartels, which were, however, unenforceable in law. The failure of these voluntary organizations prompted a movement to consolidate formerly competing firms under a single management. Major bankers in key commercial centers such as New York, Boston, and Chicago played a decisive role in the financing of corporate consolidations and the direction of investment generally because of their control of the depositories of the surplus generated by competing business firms in the 1870's, and 1880's. Moreover, a number of central-city bankers such as George Baker, James Forgan, Thomas Lamont, Andrew Mellon, George Perkins, James Stillman, and Frank Vanderlip were among the first corporate investors to recognize the legal and political problems involved in adapting existing institutions to meet corporate needs. Such men, along with broad-minded industrial leaders, politicians, and advisers from the realms of law, education, and engineering directed inter-city coalitions with an orientation toward national legislative reform. By virtue of their expertise in formulating policies to meet the peculiar needs and requirements of the emerging corporate political economy, these leaders gradually supplanted the more "short-sighted" or interest-conscious corporate leaders and their associates as the governing strata or goal-setting elite within the ruling class of property holders during the first decade of the twentieth century. They were truly "class conscious" in that they recognized that the corporate organization of production and investment could be stabilized only if corporate leaders assumed a

broad responsibility for the harmonization of relations with small producers and working people. Or, they perceived the need to represent the social interest of the great corporate capitalists as the common interest of all members of society as corporations shattered the previously inclusive framework of property ownership under the constraints of a competitive marketplace. There is no Who's Who of class-conscious leaders, but several works provide an introduction to their outlook and social origins. William A. Williams' The Contours of American History is best; James Weinstein's The Corporate Ideal in the Liberal State (Boston: Beacon Press, 1970) offers valuable insights into the policies formulated by corporate leaders, particularly those who dominated the National Civic Federation. Information concerning the political and business interests of these men can be gleaned from the Dictionary of American Biography, the National Cyclopaedia of American Biography, and Who Was Who. The research of Robert Wiebe's Businessmen and Reform (Chicago: Quadrangle Books, 1968) and Gabriel Kolko's study, The Triumph of Conservatism (Chicago: Quadrangle Books, 1967) assign greater causative significance to the short-term economic interest of discrete functional groups.

[8] See Livingston, op. cit., p. 9.

[9] James Weinstein, The Decline of Socialism in America, 1912-1925 (New York: Vintage Books, 1969), ch. 1; Williams, The Great Evasion, ch. 4 and conclusion especially; Martin J. Sklar, "On the Proletarian Revolution and the End of Political-Economic Society," Radical America, Vol. III, no. 3 (May-June, 1969), pp. 1-5.

[10] Congressional Globe, 38th Cong., 2nd Sess., p. 281.

Epilogue

Last night it was the song that was the man,
But now it is the man that is the song.
We do not hear him much to-day:
His piercing and eternal cadence rings
Too pure for us--too powerfully pure,
Too lovingly triumphant, and too large;
But there are some that hear him, and they know
That he shall sing to-morrow for all men,
and that time shall listen.

The master-songs are ended? Rather say
No songs are ended that are ever sung,
And that no names are dead names. When we write
Men's letters on proud marble or on sand,
We write them there forever.

Edwin Arlington Robinson

In the eulogies offered by his former colleagues in the House and Senate, Kelley was consistently praised by political friends and foes alike for his "untiring energy," "wide range of information," and his "perseverance" in promoting "the welfare of workingmen."[1] William McKinley considered him a "master of political economy . . . probably without an equal in the present generation."[2] This was perhaps the highest accolade, for Kelley had dedicated his national political career to understanding how American producers might be effective citizens while struggling to appropriate a tolerable existence from their material world.

In his later years, Kelley observed that the self-directed activity of certain legal "persons" such as

railroad corporations and large metropolitan banks had limited the ability of other citizens to buy and sell freely, and thus reduced the opportunities for self-employment within the Northeastern portion of the competitive national marketplace.[3] His fear that this social trend might lead to a permanent wage-earning class in America was mitigated by his perception of the South and the West as frontiers where "laboring people" might "escape from the growing poverty of the times," and by the continuing importance of individual entrepreneurs in the expanding industrial sphere.[4] From the vantage point of the late twentieth century, when large industrial and financial corporations affect "every economic, political, and social boundary,"[5] Kelley's hope for the archetypal self-made man might appear naive. Yet, it was not until the first decade of this century that metropolitan bankers and business leaders had established the large industrial corporation as the dominant structural element in the American political economy.[6] Moreover, it was not until after the defeat of the 1896 Populist challenge to unrestricted capital accumulation in a centralized industrial mode that a bipartisan coalition of class-conscious[7] investors, politicians, and intellectuals could successfully adapt the patterns of political authority to conform to the needs of large corporations.

In view of his political assault on the control of

"corporate contrivances" over the nations's monetary system in the 1870's and his persistent tendency to idealize the independent producer, Kelley might have disputed the claim of later corporate spokesmen that the large industrial or financial corporation was a "natural" phenomenon representing a higher phase in the orderly evolution of industrialism.[8] But he did not live long enough to confront this argument, or the reasonable claim of later socialists that the definition of freedom as the liberty to compete in the marketplace had permitted such centralized control over production and distribution.[9] Such questions do confront today's student of American political economy, however. And Kelley's story may be directly useful in dealing with these issues.

Although the circumstances of the present are remarkably different, the quest for meaningful, democratic control over the material pre-requisites of life remains alive in this country and abroad. Thus, a study of Kelley's continual evaluation of the disparity between his vision of self-determination and social reality may help in the definition of the dilemmas and possibilities of these times. In addition, Kelley's programmatic approach to the resolution of social problems in his era may encourage the living to proceed with positive alternatives rather than mere criticism. In a time, akin to ours, when people found themselves "less and less able to express their political

views by naming a party or uttering its shibboleths," Kelley declared that "the feeblest man in whom there is faith or honesty" had a duty "laid on him" to express his convictions "in a way to promote some end seen or hoped for." We share that duty, for his history and thought offer no answers, only choices and experiences which may encourage us to use our minds, as he did, to "shape the future."[10]

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