

The Handsome Frank

By Ivan Ciric

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At the mid nineteenth Century the United States were in an expansionist mood. By winning the Mexican War and through successful negotiations with Great Britain the US took into its possession all of the land west of the Rockies, south of the 49th parallel and north of Rio Grande. President Polk's dream of extending the Country to the Pacific, with all of the economic and strategic possibilities, had come true.

Moreover, the economy and commerce were enjoying recovery in the aftermath of the recession of 1837 and the industrial infrastructure and manufacturing were rapidly taking hold.

The US had earned, it was declared, a special place in history in the spirit of 'Manifest Destiny'.

And yet, not all was glory, far from it. The question of slavery that probably began to weigh on the young Nation's conscience from the day of its very inception, was heating up, threatening the preservation of the Union. The growing sense of unease as to the future of the Union was etched in history by Longfellow's poem *The Building of a Ship* or simply *The Ship*. Longfellow ended the original unpublished version of the poem with these foreboding lines:

*Where, oh where, Shall end this form so rare,
Wrecked upon some treacherous rock
Such the end must be at length,
Of all this loveliness and strength!*

On the urging of his friend, the Massachusetts Senator Charles Sumner, Longfellow changed the ending of the 1849 published version into a more promising:

*Sail on! Sail on! O Ship of State!
For thee famished nations wait!
The world seems hanging on thy fate!*

The metaphor of comparing the governing and fate of a state with building and navigating a ship was not novel. It can be traced to 380 BC to Book VI of Plato's Republic, a compilation of Socratic Dialogues in search for an ideal democratic state. Devotees of the WWII history may also recall that FDR quoted this stanza in a letter to Churchill early on in the War.

As if to fulfill Longfellow's prophecy, the election of President Franklin Pierce ended the fragile tranquility and hastened the slide into the Civil War. The newly sworn in President re-kindled the strife between the pro- and the anti-slavery proponents. He did so at the very beginning of his Presidency when he said in his inaugural address on March 4, 1853: "*With an experience thus suggestive and cheering, the policy of my Administration will not be controlled by any timid forebodings of evil from expansion*". Further on in the address he added a sentence that put the stamp of approval on slavery: "*Hence a sound and comprehensive policy should embrace not less the distant future than the urgent present*". The expansionist attitude and the pro-slavery utterance infuriated the anti-slavery advocates and emboldened the pro-slavery Southern Democrats who were eager to extend slavery into the newly acquired territories. Pierce selection of Jefferson Davis of Mississippi, an avowed slavery advocate, as his Secretary of War further enraged the abolitionists.

Permit me to digress for a moment in order to remind us as to whether slavery is addressed in the US Constitution. The US Constitution contains only four clauses concerning slavery without ever using the word 'slave' that was substituted by the word 'person'. The four clauses are: the Three Fifths Clause that calculates the number of persons in a state, for the purpose of determining representation in the US Congress, by adding to the number of free persons three fifths of slaves but excluding Native Americans, also the Fugitive Slave and the Insurrection Clause and finally, the Ban on Congress to prohibit slave trade for twenty years. And so, prior to the 13th Amendment that abolished slavery in 1865, the Congress was at liberty of passing laws that were in keeping with the four Constitutional clauses. Some of these laws were designed to ameliorate the strife between the pro- and anti-slavery states and thus strengthen the bonds keeping the Union together or they were introduced to make the diabolical servitude even harsher.

One of the earliest attempts at reconciling the pro- and anti-slavery exponents in the Congress and the Nation was the Missouri Compromise. The Act was signed into Law by President Monroe in 1820. The Missouri Compromise stipulated that Main be accepted into the Union as a Free State and Missouri as a Slave State in order to maintain the balance in the Senate with equal numbers (11) of slave-free and slave states. An Amendment to that law specified that territories acquired through the Louisiana Purchase north of the 36° 30' parallel be admitted to the Union as Free States and those south of that line as Slave States. Of course, this law was not cheered by the Slave States, ostensibly claiming that it abridged their constitutional right of self-governance, but in fact to protect and promote slavery, which they considered as the bedrock of their economic survival. President Pierce agreed with the pro-slavery apologists and saw to it that the Missouri Compromise did not survive his presidency.

Another Act that similarly was designed to appease both the pro- and anti-slavery members of the US Congress was the Compromise of 1850 signed into Law by President Millard Fillmore. In a nod to abolitionists California was admitted to the Union as a Free State. By contrast, the US Congress surrendered to the slavery lobby by rejecting the Wilmot Proviso that would have given a slave free status to all territories acquired through the Mexican War. As a matter of compromise Nevada and Utah were given the choice to be Free or Slave States in accordance with the 'Popular Sovereignty' principle.

Unfortunately, the Compromise of 1850 also contained the nefarious Fugitive Slave Act. This Act assigned the responsibility for capturing and returning fugitive slaves to their owners into the hands of the Federal Government. Choosing again to be on the wrong side of justice Pierce and his administration rigorously enforced this heinous law by invoking the primacy of Federal over State Laws.

Illustrative is the case of Ableman vs. Booth that was adjudicated in state and federal courts. Sherman Booth, who hailed from the slave free Wisconsin, was accused in 1854 of violating the federal law by aiding the release from federal custody of a slave named Joshua Glover. The State Courts ruled in Booth's favor. However, the US Marshall Stephen Ableman appealed the decision in Federal Courts. After reaching the Supreme Court Booth was convicted as charged. The Court's evil decision was written by the Chief Justice Roger Taney who also declared the constitutionality of the Fugitive Slave Act. As for Joshua Glover, he escaped to Canada as a free man.

This decision by the US Supreme Court unleashed hordes of cruel bounty hunters. Amongst numerous accounts of recaptured fugitive slaves perhaps the most crestfallen is the story of Margaret Garner who escaped from Kentucky with her

three children, finding refuge in Cincinnati. As the posse of bounty hunters moved in on the family, Margaret slashed her daughter's throat to prevent her from the horrors of being enslaved.

It behooves us to also pay homage to the incredibly brave and resourceful Harriet Tubman, a fugitive slave herself, dubbed the American Moses, for like Moses she delivered out of bondage and into freedom scores of her people often risking her life in the process. Tubman did so using clever clandestine routes and safe houses known at the time as the 'underground railroad' that led to slave free states in the north of the Union or into British Canada.

Pierce's Presidency also set the stage for the Dred Scott Case. Dred Scott was a slave owned by an Army doctor by the name Roy Emerson. When the doctor was assigned to Army Post in the slave-free Wisconsin Dred sued for freedom under the doctrine 'once free always free'. The case went to the Supreme Court where it was adjudicated on March 6, 1857, two days after Buchanan's inauguration. In the incredibly wrong decision, written for the majority (7-2) by the Chief Justice Roger Taney, the Supreme Court denied citizenship to African Americans, be it free or enslaved, who thus lost all legal standing of suing in Federal Courts. The same opinion, considered worst ever by the US Supreme Court and written in the most offensive language asserting the inferiority of African Americans, also adjudicated that the Missouri Compromise and the laws prohibiting slavery in the territories north of the 36° 30' parallel were unconstitutional. The Supreme Court ruling made the legendary statesman and orator Frederic Douglass exclaim: *"You may close your Supreme Court against the black man's cry for justice, but you cannot, thank God, close against him the ear of a sympathizing world, nor shut up the Court of Haven"*.

By far the most emblematic law of Pierce Presidency was the Kansas–Nebraska Act of 1854. This Act, introduced by Illinois Senator Stephen Douglas, established the ‘modus operandi’ for giving Kansas and Nebraska, heretofore Indian land, territorial status. This was deemed necessary in order to set the stage for white settlers to populate the sweeping prairies west of the Mississippi and in anticipation of establishing a rail connection between the Midwest, specifically Chicago, the Senator’s home town, and the Pacific.

Kansas and Nebraska were two vast tracts of land that today encompass also parts of the Dakotas, Montana, Colorado and Wyoming. Since Kansas and Nebraska became part of the United States through the Louisiana Purchase and considering that they were north of the 36⁰ 30’ parallel, the legal precedent established by the Missouri Compromise would have been to assign them a slave-free territorial status. This was, however, unacceptable to slave holders in the South, especially in neighboring Missouri. Hence, in order to appease the pro-slavery Senators in the Congress, Senator Douglas, with consent and support by President Pierce, suggested that they be granted territorial status under the aegis of ‘Popular Sovereignty’.

The proposed Act initiated a bitter debate in the Congress between the pro-slavery and anti-slavery legislators. The sentiments flared up to the point of physical altercation when the South Carolina Congressman Preston Brooks, irate because of an impassioned speech denouncing the Act by the eloquent Massachusetts Senator Charles Sumner, approached the Senator on the Senate floor and delivered several blows with his cane to the Senator’s head, leaving him severely injured and requiring years of recuperation.

Eventually, the Congress passed the Kansa-Nebraska Act and it was signed into law by President Pierce in May of 1854. This Act effectively revoked the Missouri Compromise thus negating the possibility of a peaceful resolution of the slavery conflict.

Even before the prolonged debate in the Senate and the House came to an end, the pro-slavery proponents from the surrounding territories known as the “Border Ruffians” and the anti-slavery “Free Soilers” began to flock into Kansas with the intent of winning the popular vote for their respective political goals. Pretty soon the two factions clashed violently leading to a prolonged bloodshed known in history as the “Bleeding of Kansas”. At first, the pro-slavery settlers prevailed and adopted the Lecompton Constitution in 1857 permitting slavery. After a popular referendum, however, the Lecompton Constitution was soundly defeated paving the way for a new, Wyandotte Constitution that guaranteed Kansas a slave-free statehood in 1861.

During Pierce Presidency the political scene gradually shifted from economic priorities to slavery issues threatening dissolution of the Union. The Whig Party of Henry Clay representing big business that sprung into existence in 1830s primarily in opposition to Jackson Democrats, lost luster and gradually fell into oblivion. The disillusioned Party members and a smattering of other political operatives who shared common abolitionist ideals formed instead a new Republican Party at a gathering in Ripon, Wisconsin in March of 1854.

The opening of the Kansas and Nebraska territories for white settlers by the Kansas-Nebraska Act along with the railroad interests brought the issue of relocating the Native American tribes from the prairies west of the Mississippi once again to the forefront of Federal Government priorities. In order to

expropriate Indian land speculators, railroad owners and corrupt politicians banded together in coaxing the Native leaders, at times at gun point, to sell their land egregiously undervalued, often at 3 cents a hectare. Such forcible land grab invited repeat Native American rebellions that Pierce and his Secretary of War Jefferson Davis quelled with full military force under the command of General William Harney whom Pierce summoned from an assignment in Europe and instructed to “assume command and whip the Indians”.

Pierce Administration also set sights on relocating Native American tribes in the reclaimed Oregon territory into Government Reservations. The correspondence between President Pierce and Chief Seattle of the Duwamish tribe is often cited in history. On one side there are the harsh words of the US president who shows disdain for Indian arguments by using such disparaging epithets for the tribes as “wild, savage and predatory”. In contrast, Chief Seattle’s response to Pierce is gentle, respectful, and poignant, almost poetic in its tone. I will take the liberty of reading a passage from his letter. *“The Great Chief in Washington sends word that he wishes to buy our land. The Great Chief also sends us words of friendship and good will. This is kind of him, since we know he has little need of our friendship in return. But we will consider your offer, for we know if we do not so the white man may come with guns and take our land. How can you buy or sell the sky –the warmth of the land? The idea is strange to us. Every part of this earth is sacred to my people. Every hillside, every valley has been hallowed by some sad or happy event in days long vanished. Every shining pine needle, every sandy shore, every mist in the dark woods, every clearing, and every humming insect is holy in the memory and experience of my people”*. There are literary historians who doubt the authenticity of Chief Seattle’s letter. The search for a truthful answer in this regard spans over a century with many essays and books written as

early as 1885 and as recent as 2015. I have no way to tell one way or the other. Chief Seattle's words are beautiful and I'll leave it at that.

The peaceful dignity of Chief Seattle's letter may have been an exception to how the Native American tribes in the region responded to the Government attempt to expropriate their lands. The fierce resistance by the Yakama Tribe and their allies is known in history as the Yakima War that lasted for nearly three years (1855-1858). After much bloodshed the might of the US forces carried the day and the rebellious Yakama Tribes were ultimately forced into Reservations.

As for foreign affairs, Pierce sided with the southern Democrats in being an expansionist, but only to a point. He agreed to the purchase of a swath of land in southern Arizona and New Mexico brokered by the Ambassador to Mexico, businessman James Gadsden, on behest of the railroad interests that wanted to establish a southern railroad line to San Diego.

Pierce also set his sights on occupying Cuba since he shared the slavery states fear that Cuba will free slaves and thus "Africanize" the island, which could be the first domino to fall in a potential chain reaction. However, he was not ready to accept the recommendation of his ambassadors to Spain (Pierre Soule), France (John Mason) and Great Britain (James Buchanan) who met in Ostend, Belgium and issued the Ostend Manifesto in support of annexation of Cuba, if necessary by force. When this Manifesto was made public by the *New York Herald*, the most widely read American paper in Europe; it caused a huge negative reaction with possible untoward consequences for the US. Pierce and his Secretary of State William Marcy were forced to back-pedal the issue until it died on the vine.

The son of a two term NH Governor Franklin was a handsome and charismatic lad who captivated his peers and audiences with his eloquence and self-assured body language. After attending preparatory schools he enrolled into the Bowdoin College, one of twenty four students, class of 1824, where he befriended Nathaniel Hawthorn forging a lifelong friendship. Pierce read law under Levi Woodbury a former NH governor and the Amherst NH judge Edmund Parker. He passed the bar and established a lucrative law practice in his native Hillsborough.

Pierce married Jane Appleton the daughter of the Bowdoin College President. Jane, who suffered from consumption, was an aloof loner who despised everything that had to do with Washington DC. This antipathy toward her husband's political career grew much worse as she entered a long period of mourning when her only surviving child the 11 year old son Ben perished in a train accident a few weeks before her husband's inauguration. The family was traveling by train that derailed decapitating the boy but leaving the parents unscathed.

Pierce entered the political arena as a US Congressman in 1833 and was elected Senator in 1837. It is speculated that Pierce did not run for reelection to the Senate in 1842 in the aftermath of the economic recession of 1837 when the banks defaulted on unsecured loans, sweeping Democrats out and the Whigs William Henry Harrison and John Tyler into the office. In addition he had enough of politics and his wife urged him to return to New Hampshire. And so, he resumed his lucrative law practice in Concord NH.

During the Mexican War Pierce served as a brigadier general under the legendary Winfield Scot. He sustained an injury to his leg when his horse toppled over an embankment pinning Pierce underneath. Nevertheless, he returned to the battlefield

early and bravely enough for the young colonel Ulysses Grant to describe Pierce's military acumen in salutary terms.

Pierce was not the leading candidate for nomination to represent the Democrats in the 1852 elections. In fact he was a reluctant candidate who was not at all eager to have his name put into nomination. The Convention seemed to be at an impasse when the leading candidates such as Lewis Cass, the former Governor of the Michigan Territory who also served as the Secretary of War in Andrew Jackson's Administration where he implemented the repugnant Indian removal policy, further the Pennsylvanian James Buchanan who served as Secretary of State in Polk's Administration, also William Marcy the former Governor of New York and finally Illinois Senator Stephen Douglas, were unable to forge a majority necessary for the nomination. Gradually the name of Franklin Pierce began to circulate on the Convention floor and on the 49th ballot Pierce received the nomination. Clearly, he was the most acceptable candidate to southern Democrats and the northern Democrats swallowed the bait and voted for one of their own. The Democratic Ticket of Pierce and Alabaman William King won handily in the general election besting the Whig ticket of Winfield Scott and William Graham. However, by supporting the Fugitive Slave Act and adding fuel to the fire by the Kansas-Nebraska Act Pierce fell out of favor with the fellow northern Democrats and lost his bid for a second term nomination at the 1856 Democratic Convention.

President Pierce was a closet alcoholic for most of his life and died of cirrhosis in 1869 at the age of 65.

Before concluding let us ask what, if anything distinguishes Franklin Pierce Presidency? Franklin Pierce stepped into the Presidency at a critical time for the Union that was polarized across the slavery divide threatening to break up more

than ever before. It is fair to say that Pierce was a reluctant and non-visionary politician who navigated the Ship of State around the treacherous rocky shores of the ever escalating slavery issue incompetently enough to cause it to list perilously close to sinking. It is probably also fair to say that Pierce may have harbored a sincere and noble desire to save the Union. In search of this goal, however, he made wrong decisions and aligned himself with unsavory political movements, eventually losing the trust even of his own political party. Worst of all, Pierce promoted slavery the most despicable sin against humanity. It is not surprising, therefore that historians view Pierce Presidency as being without notable accomplishments. In fact, Pierce is not mentioned by name in *These Truths* one of the most comprehensive and researched recent books on the United States history.

In spite of being slave owners Presidents of great repute, such as Washington, Jefferson, Madison and Monroe are judged by history benevolently, justifying their slave ownership with exculpatory circumstantial arguments. The history is, however, considerably less forgiving to Presidents Fillmore, Pierce and Buchanan, even though they were not slave owners. The history's verdict in this regard is in large measure the result of the inaptitude of their leadership, but in part also because of the temporal proximity of their lackluster presidencies to the greatest visionary in American history. On one side are the meek and compromising attempts by Lincoln's predecessors who tried to appease the slavery forces by acquiescing to their sordid abuse of human life, liberty and pursuit of happiness. In contrast, Lincoln showed moral fortitude, courage, and unprecedented leadership when he responded to aggression by prosecuting and winning a fraternal war of epic proportions, with many lives lost on both sides of the slavery divide, including his own. In doing so Lincoln righted the Ship of our Nation and saved the Union. Lincoln also left an enduring legacy to the Skippers following in his wake to steer

the Ship of State in pursuit of the ultimate truth that not only “all men”, but in fact all of Humankind is created equally and is endowed with rights to liberty and equal justice for all.

Notes

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