"Country or Slavery"

Charles Daniel Drake and the Rise and Fall of Radical Unionism in Missouri. 1860-1870.

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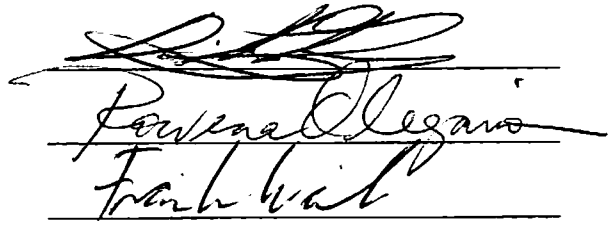

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I. Introduction

As the Civil War drew to a close, few men held more sway in Missouri than Charles Daniel Drake. A minor figure before the war, the prominent St. Louis attorney gained a substantial following and even some national attention as the war progressed. When the Southern states began seceding after the election of Lincoln, Drake bitterly denounced the "treason" of secession. At the time he defended slavery, but during the winter of 1862, he came to believe that slavery was "the one sole cause" of the war and turned violently against the institution. Although Missouri—a slave state—had remained loyal to the Union, the state government was controlled by men sympathetic to the rights of slaveholders, and in 1863, dissatisfaction with these "Conservative Unionists" led to the formation of the "Radical Union" party, which demanded the "immediate removal" of slavery from the state. Drake quickly became the new party's dominant voice, referred to as "Mr. Radical" by his enemies and admirers alike. His speeches were reprinted in the Radical press and were widely distributed in pamphlet form. Few could deny his skills as an orator; indeed, after an address at Louisville, Kentucky in 1864, the *Chicago Tribune* declared him to be "one of the foremost orators of the country."[1] That same year, the Missouri Radicals won a resounding victory at the polls and were swept into power. They quickly set to work rewriting the state constitution, and it was primarily Drake who crafted the new document, leading his enemies to denounce it as "the Drake Constitution" or "the Draconian Code." He assumed leadership of the party, and in 1867 the Radicals in the state legislature elected him to the U.S. Senate.

Despite his influence, Drake has attracted surprisingly little attention from historians. Over half a century has passed since David D. March penned his doctoral dissertation, *The Life and Times of Charles Daniel Drake*, and it remains the only full-length study of Drake's life.

[1] Chicago Tribune, February 26, 1864.

Relying on the scholarship of the time. March drew on the writings of Charles A. Beard and James G. Randall. Yet while these men disagreed as to the causes of the war—Beard considering it the inevitable result of intersectional economic conflict; Randall attributing it to the blundering of inept politicians—neither considered slavery an important factor. nor did they have much praise for Republicans. Beard dismissed anti-slavery rhetoric as little more than a device to hide Northern economic interests. while Randall criticized anti-slavery agitators for inflaming sectional passions. It should come as no surprise, then, that March took a somewhat condescending attitude towards Drake. portraying him as a simple-minded zealot ignorant of "the social and economic forces moving around him" and an unwitting agent of Northern capitalists.[2] His conversion to emancipation was attributed largely to the influence of "eastern anti-slavery propaganda"—without even much explanation as to why he would have found such literature so compelling—and the "almost fanatical vehemence" with which he attacked slavery was explained as the result of "a desire to achieve recognition" stemming from a hidden "sense of his own inadequacy."[3] Moreover. considerable portions of Drake's public statements and personal papers either escaped March's attention or receive scant analysis.

Since 1949. discussion of Drake has been relegated to obligatory. usually unflattering references in works pertaining to the Civil War in Missouri or the general history of the state. Typical of such treatment was Edwin C. McReynolds. *Missouri: A History of the Crossroads State*. Writing a decade after March. McReynolds dwelt on Drake's rather Hell-raising youth and described him as a "border-line mental case" and a "zealot" and a "bigot."[4] Assessments of the Radical movement in general tended to be equally harsh. and it was not until William E. Parrish

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[2] David D. March, *The Life and Times of Charles Daniel Drake*, diss., University of Missouri, 1949, 421.
[3] ibid, 208-210.
[4] Edwin C.McReynolds, *Missouri: A History of the Crossroads State*, (Norman: University of Oklahoma Press, 1962) 265, 270.

published his *Missouri Under Radical Rule* in 1965 that an historian attempted to "restore a balanced picture" to the Radicals.[5] Yet Drake was only one of many figures in Parrish's narrative, and, while far less openly partisan, he evinced the same basic dislike for the man, leaving his image as merely a "demagogue and opportunist"[6] unchanged. In general, when approaching Drake, historians have been far more interested in commenting on his personality and judging his character than examining his ideas or contributions.

A variety of factors explain both the quality and quantity of scholarly work on Drake. First, Drake's personality does present problems. A self-described "solid-built Presbyterian,"[7] even his enemies admitted that he was sound in his private morals[8] (commendable at a time when political corruption was rampant), but he was also arrogant and inflexible, and this certainly alienated many of his contemporaries and clearly influenced his historical appraisal. Second, in the decade prior to the Civil War, Drake had been successively a Whig, a Know-Nothing, and a Democrat, making his later conversion to Radical Republicanism appear all the more curious. Third, Drake's speeches are often marked by such hyperbole and conspiratorial rhetoric that it might have discouraged many scholars from taking the ideas presented in his "harangues" seriously. Fourth, many of the figures involved in Civil War and Reconstruction era Missouri became far more nationally prominent than Drake, and this no doubt tended to divert historical attention away from him. Men such as Frank Blair, B. Gratz Brown, and Carl Schurz

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[5] William E. Parrish, *Missouri under Radical Rule: 1865-1870*, (Columbia: University of Missouri Press, 1965) vii.
[6] ibid, 5.
[7] Charles D. Drake, "The Autobiography of Charles Daniel Drake," State Historical Society of Missouri, 1125.*
[8] Carl Schurz, *The Reminiscences of Carl Schurz*, (New York, 1908) vol. 3, 293.

attained much more national recognition; indeed, all enjoy published biographies written by professional historians and all were among Drake's political enemies.[9]

Yet the fundamental reason why Drake has been shunted aside probably stems from the general marginalization of Missouri in discussions of Reconstruction. Although the state never seceded from the Union, many of her citizens either sympathized or openly sided with the Confederacy, resulting in a brutal and protracted guerrilla war that left the state scarred for years after the Civil War ended. It was this violence that helped to quite literally radicalize the public and sweep Drake and his party into power. Determined that "loyalty shall govern Missouri," the Radicals proceeded to disenfranchise all "rebels" and "rebel sympathizers."[10] In addition, they also passed a host of reforms and eventually sought to extend suffrage to the recently freed blacks. Thus Missouri, while never subject to Congressional Reconstruction, was nevertheless forced to endure Drake's Reconstruction. Yet once the war's passions cooled and the hated "rebels" were readmitted to the polls, the era of Radical rule came to an end. In 1870, after a split in the Radical ranks as some joined the emerging Liberal Republican movement, the old Conservative Unionists and former Confederates, organizing under a revivified Democratic party, won a crushing victory and gradually retook control of the state. In the years that followed, stories and histories written about the Civil War in Missouri tended to romanticize the Confederate cause and "the legend of the noble guerrilla."[11] The memory of Radical Republican

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[9] William E. Parrish, *Frank Blair: Lincoln's Conservative*, (Columbia: University of Missouri Press, 1998); Norma L. Peterson, *Freedom and Franchise: The Political Career of B. Gratz Brown*, (Columbia: University of Missouri Press, 1965); Hans L. Trefousse, *Carl Schurz: A Biography*, (Knoxville: University of Tennessee Press, 1982).

[10] Charles D. Drake, "The Wrongs to Missouri's Loyal People," (September 1, 1863) reprinted in Drake's *Union and Anti-Slavery Speeches, Delivered During the Rebellion*, (Applegate & Co., 1864) 375.

[11] For an excellent discussion of this process, see the concluding chapter of Michael Fellman's *Inside War: The Guerrilla Conflict in Missouri During the American Civil War*, (New York: Oxford University Press, 1989).

rule, along with Drake, gradually faded as an apparent aberration in the history of a conservative and Democratic state.

Yet there are compelling reasons to reexamine Drake. To begin with, for all of their vitriol, his speeches indicate a profound grasp of the fundamental questions at the heart of the Civil War. As Kenneth M. Stampp has written, "the American Civil War, whatever else it might have been, was unquestionably America's most acute constitutional crisis."[12] The essential problem concerned the nature of the Union. Had the constitution established a nation? Or had it simply established a compact between sovereign states, each one free to secede at any time? Paul C. Nagel, in his *One Nation Indivisible: The Union in American Thought*, wrote extensively on how this question divided antebellum Americans, some espousing an "organic" view that saw the United States as a nation and the Union as preceding the constitution and "arising from process rather than from human mandate," while others, particularly Southerners, adhered to the notion of Union as "compact."[13] Yet when the secession crisis finally came, Lincoln asserted the "absolute" nature of the Union; the question was settled "at the cannon's mouth,"[14] and, through "blood and iron," the American nation was finally established.[15] For his part, throughout his life Drake seems to have passionately adhered to the belief that the United States constituted a "single and undivided nation" rather than merely a "compact between sovereign states." Thus, he immediately rejected secession as "a fundamental heresy . . . denying that the American people are a nation at all" and later proclaimed his conviction that "whatever else may result from this

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[12] Kenneth M. Stampp, "The Concept of Perpetual Union," *The Imperiled Union: Essays on the Background of the Civil War*, (New York: Oxford University Press, 1980) 3.
[13] Paul C. Nagel, *One Nation Indivisible: The Union in American Thought, 1776-1861*, (New York: Oxford University Press, 1964) 32-68.
[14] John Quincy Adams quoted in Stampp, "The Concept of Perpetual Union," *The Imperiled Union*, 36.
[15] Nagel, *One Nation Indivisible*, 287.

war" it would "establish the American Nation forever."[16] This fervent sense of American nationhood has entirely escaped the attention of the few scholars who have examined Drake, yet it represents an important common thread tying together much of his complex and seemingly contradictory public life.

Examining Drake also provides an opportunity to observe a rather remarkable political transformation. Prior to the war, Drake—along with most of those who resided in the border slave states—espoused a variant of what Carl Degler has described as "peculiar Unionism," maintaining firm loyalty to the Union while also supporting slavery.[17] However, Drake gradually came to believe that such a position was untenable, finally declaring that it was "Country or Slavery," and his militant nationalism helps to explain this shift.[18] He passionately asserted that Americans were "one people," but if so, how could the "perplexity" of a nation "shedding the blood of its own people" be explained?[19] As Benedict Anderson has written, a nation can be defined as an "imagined political community," often consciously and even deliberately brought into being by leaders and followers; thus, nationalism becomes a "cultural artifact" and to understand it one must study how it comes into "historical being."[20] Drake came to see slavery as the underlying source of an incipient Southern nationalism, the source of the region's "unanimity in opinion, feeling, and policy," and thus the fundamental threat to divide a people otherwise

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[16] Drake, "The Union: Its Nature and Assailants," July 4, 1861, *Union and Anti-Slavery Speeches*, 20, 31; Drake "The Rebellion: Its Character, Motive, and Aim," July 4, 1862, reprinted in *Union and Anti-Slavery Speeches*, 171.
[17] Carl N. Degler, *The Other South: Southern Dissenters in the Nineteenth Century*, (New York: Harper & Row, 1974) 116-123.
[18] Drake, "Immediate Emancipation in Missouri," June 16, 1863, *Union and Anti-Slavery Speeches*, 274.
[19] Drake, "The Union: Its Nature and Assailants," *Union and Anti-slavery Speeches*, 11, 18.
[20] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, (London: Verso, 1983) 4,6.

united by common blood, institutions, language, and memory.[21] Hence, slavery had to be eradicated for the sake of national preservation.

Drake also held the view, common at the time, that concentration of wealth and power was hostile to "republican institutions," and this belief not only aided in turning him against slaveholding "aristocrats," but also probably made him receptive to the "free labor" arguments of Northerners. As Eric Foner explained in his *Free Soil, Free Labor, Free Men*, during the era of the Civil War, the Republican party was characterized by an ideology "grounded in the precepts that free labor was economically and socially superior to slave labor" and that the "distinctive quality of Northern society" was that it offered the opportunity for anyone "to rise to property-owning independence."[22] Drake appears to have adopted this view, and it would influence much of his thinking regarding the future of the freed slaves. Finally, there are also reasons to believe that Drake had harbored some antislavery sentiments prior to the war, ranging from the probable influence of his father, to his involvement in the Dred Scott case and his actions as a member of the state legislature.

Drake's rhetoric also reveals an impressive mastery of what Richard Hofstadter has termed, "the paranoid style," repeatedly conjuring up images of a "diabolical conspiracy" by Southern slaveholders to destroy the Union. As David Brion Davis explained in his *The Slave Power Conspiracy and the Paranoid Style*, Northern anti-slavery sentiment was often expressed in terms of a sinister plot by a cabal of slaveholders to dominate the country.[23] Thus, there is certainly reason to believe, as March asserted, that Drake was influenced by antislavery

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[21] Drake, "Washington's Birthday: North and South," February 22, 1862, *Union and Anti-Slavery Speeches*, 88-90.
[22] Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War*, (Oxford: Oxford University Press, 1995) ix.
[23] David Brion Davis, *The Slave Power Conspiracy and the Paranoid Style*, (Baton Rouge: Louisiana State University Press, 1969) 3-31, 62-86.

literature, and no doubted he borrowed ideas and imagery. Yet regardless of his sources, Drake was a forceful and eloquent speaker, and he stands out from other "Slave Power" orators in that he attacked slavery from within a slave state and addressed an audience that had, prior to the war, generally supported the institution. Yet the violence of the guerrilla war seemed to confirm all the horrid fears of the "Slave Power" rhetoric, and Unionism and anti-slavery became increasingly linked in the public mind. Thus, Drake played a critical role in turning the tide of public opinion.

Drake's influence was also immense after the war. After freeing the slaves, he did not abandon them, but secured them a host of rights in the new constitution. At the time he stopped short of suffrage, knowing that such a provision would probably prevent the document's ratification, but before he left for the Senate he declared in favor of enfranchising the freedmen. A variety of factors had probably influenced his opinions regarding blacks, ranging from their military service during the war to his conversion to the ideology of "free labor." Personal political considerations aside, however, it is likely that he advocated black suffrage for much the same reasons he had advocated slavery's destruction. Convinced that the rebellion was "not dead yet" but had only entered its "second stage," Drake saw black suffrage as a weapon with which to finally crush the "audacious and piratical aristocracy" that had threatened (and, as he continued to believe, still threatened) to destroy the Union.[24] Yet few Missourians could ever fully accept political equality with blacks, helping to ensure the Radical's eventual defeat. Indeed, in his survey of Reconstruction, Eric Foner wrote extensively on how prevailing racial

[24] Drake, "Speech of Senator Drake," September 15, 1868.

attitudes influenced the politics of the time and how the Radical Republicans "ran aground on the all too visible politics of race."[25]

A forgotten yet fascinating figure, Drake stood at the fulcrum of a host of forces that were then reshaping the country, and close scrutiny reveals a man far more aware of their implications than the vituperative zealot that March portrayed. Yet, if for no other reason, a reexamination of Drake is historically valuable in that it provides an opportunity to study a dramatic political transformation, which becomes far more comprehensible if we remember first of all that Drake's paramount objective was the preservation of his country and that he believed the Civil War would finally weld a chaotic and divided land into a coherent nation-state. Hence, he was willing to adopt radical means to accomplish these ends: freeing slaves to crush a rebellion, enfranchising them to prevent another, etc. That a country more or less content to leave blacks enslaved would, after only a few short years, not only free them but then admit them as citizens remains an extraordinary fact, and a study of Drake contributes to our understanding it.

[25] Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877*, (New York: Harper Collins, 1988) 484.

II. "God save the American Union"

Charles Daniel Drake was born in Cincinnati, Ohio in 1811. His father, Daniel Drake, was among the most prominent physicians in the country, and he apparently had high hopes for his only son.[1] Yet Drake proved to be a rowdy youth. He himself admitted in his autobiography how he would destroy his own toys and hurl rocks at windows, and at one point beat a cat to death with a stick. He seems to have cared little for school, running away from wherever he was sent. His father secured him an appointment as a midshipman in the navy, but Drake was dismissed for insubordination. Eventually he matured, studied law and was admitted to the bar. He set up a practice in Cincinnati but it fared poorly, and in 1834 he settled in St. Louis. There he was befriended by one of the city's most prominent jurists, Hamilton R. Gamble, who aided him in establishing his practice. At age 24 he proposed marriage to Martha Ella Blow, and although members of both their families (including Drake's father) had doubts, the young attorney succeeded in allaying all fears. In 1836, Martha gave birth to a son, and two years later to a daughter, yet six years later she was paralyzed by an accident and died. Drake eventually remarried, but in the years following Martha's death, his practice fell on hard times, and he did not fully recover financially until almost a decade later.[2]

His thoughts gradually turned to religion, and in 1839, Gamble began educating him in the "fundamental truths of the Christian religion."[3] He later wrote that his conversion "ended at once and forever my profanity, Sabbath-breaking, theater-going, buying lottery tickets, card playing and dancing."[4] In 1840, he became a member of the Second Presbyterian Church in St.

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[1] Dr. Daniel Drake has attracted far more historical attention than his son. The most complete biography of his life is Emmet Field Horine's *Daniel Drake, 1785-1852, Pioneer Physician of the Midwest*, (Philadelphia: University of Pennsylvania Press, 1961).
[2] Drake, "Autobiography," 1-606.
[3] ibid, 531.
[4] ibid, 532.

Louis. He instituted family worship at home, began lecturing on temperance and teaching Sunday school, and, in 1856, was elected a Ruling Elder. Drake could trace his ancestry to the original Puritan settlers of Massachusetts, and he appears to have shared the grim theology of his forebears. Years later, Carl Schurz, who would become one of Drake's most bitter political opponents, wrote that "I do not know to what religious denomination he [Drake] belonged; but he made the impression as if no religion would be satisfactory to him that did not provide for a well-kept hell fire to roast sinners and heretics."[5] Indeed, Drake was especially scornful of "free-thinkers" who lectured "against the Bible and the Christian religion."[6]

In politics, Drake was a devoted Whig. When Henry Clay ran for president in 1844, he worked tirelessly for his election, recommending the establishment of local Clay Clubs throughout the state.[7] He also edited a Whig campaign paper, *The Mill Boy*, which was issued weekly by the *Missouri Republican*, the state's premier newspaper. Drake wrote nearly all the editorials for the paper, though he never received any payment for his efforts. In 1848, he hurled himself into the fray once again. The Whigs that year nominated Zachary Taylor, a move Clay had opposed. Drake wrote to his political hero, asking him to support Taylor, but Clay refused. Nevertheless, Drake carried on. His most significant contribution that year was a campaign tract, "The Veto Power," which was published and circulated throughout the country. After Taylor's election, he sought a government post in reward for his services, but to no avail.

Drake apparently embraced the Whig vision of a strong national government actively promoting economic expansion. In "The Veto Power," he sharply criticized President Polk's veto of a bill for the improvement of rivers and harbors. In a letter to his friend James S. Rollins, long

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[5] Schurz, *Reminiscences*, vol. 3, 294.
[6] Drake, "Autobiography," 332.
[7] Charles D. Drake to Abiel Leonard, January 30, 1844, Abiel Leonard Papers, SHSM.

a prominent Missouri Whig, Drake admonished him for despairing of the prospects for public assistance to railroads in the state:

> There are I know plenty of demagogues in Missouri, of the very meanest stamp, and a still greater plenty of fools; but I am satisfied that the intelligent and patriotic men of the State are strong enough to sustain any public works against the whole force of knaves and fools combined . . . The true course, in my judgment, is always and everywhere to take it for granted that our Railroads must, and shall, and will be sustained by the whole power of the State and all its people.[8]

Indeed, Drake's speeches and editorials during these years brimmed with optimism about the future. It was fitting that he should have settled in St. Louis, on the edge of the frontier, where the spirit of expansion was immense, and, as visitors noted, nearly all believed that the city was "destined to be a great place."[9] It was not so much a love of the entrepreneurial spirit or the acquisition of wealth that seems to have motivated his politics, however, but rather the belief that America was destined to be a great and mighty nation.

In 1851, Drake delivered a speech at Burlington, Iowa before a convention seeking federal aid for removing "obstructions to the navigation of the Mississippi River," in which he marveled at what Americans had accomplished in only a few decades. He noted that "two centuries ago, a few French and Spanish priests floated down our river," but the Mississippi valley remained an untapped wilderness until "the people east of the Alleghenies saw this land," and "had they been anything but Anglo Saxons, or perhaps, I should say *American* Saxons, the sight would have appalled them." Yet for these intrepid pioneers, "to look was enough to excite to action, and soon the human tide began to stream," which, Drake declared, "has continued and will continue," for "already, with one bound, it has cleared the Rocky Mountains, and Americans have taken possession of the shores of the Pacific." Drake spoke at length on the "Mission of the

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[8] Charles D. Drake to James S. Rollins, September 24, 1855, James S. Rollins Papers, SHSM.
[9] Nathan Brown, The Diary of Nathan Brown, December 15, 1837, Missouri Historical Society.

Mississippi River," which, he believed, had not been to the "untutored Aborigines" who had originally inhabited the valley, nor had it been to the French or the Spanish. Instead, the mission had been reserved for "the American," for as he saw it, "the Almighty," had "kept back the peoples of other lands, and opened to a free and vigorous race the glories of this unequaled valley." The mission they had taken up was "to fructify the earth" and to "place us in possession of all that is needed for the physical development of a hardy and enterprising people."[10]

Drake's nationalist vision necessarily led him to abhor sectional conflict, and his support for internal improvements seems to have been based on far more than merely their ability to facilitate economic expansion. Indeed, he added that "this concourse of waters has a yet higher mission to perform" and that was to bring "peace, and good will, and brotherly love to all the inhabitants of our country, and that they are designed and destined to bind the Union of these States together in an imperishable bond." Indeed, Drake asserted that:

> As every drop of those waters coalesces with and clings to the drop that is next to it, so every inhabitant whose thirst is assuaged, and whose wants are supplied by them, should feel that his duty is to cling to and fraternize with every other in all that relates to our common country. Thus, sir, we become one united and inseparable mass. We may be divided in opinion on minor points, as our streams differ in color . . . but still, like them, we shall become one element, like them ever ready to commingle, and like them moving in unbroken unity, upon a mission of beneficence and love.

He gloried in how the river embraced so many "millions of freemen, united in interest, in government, in brotherhood and in destiny," and that "its influence will be felt in the formation of our National character . . . as our country moves on in unimpeded power towards the fulfillment of its grand and imposing destiny." Drake closed by admitting that he may have taken "a wide and discursive range in these remarks," but stated that he had wanted to present "an enlarged and extended view of our common interests and our common country, so that . . . a

[10] Charles D. Drake, "The Mission of the Mississippi River," October 23, 1851.

National impulse might be excited, which should utterly overwhelm every manifestation of *sectional* feeling or prejudice."[11]

Drake's intense nationalism permeates nearly all of his antebellum rhetoric. In 1857, he was invited to speak at an event in Baltimore celebrating the completion of a new railroad connecting the city with St. Louis, and there he again expressed his hope that internal improvements would bind the different sections of the country together, speaking of railroads as "an iron knot" that would "bind the union" which "the Almighty may cut asunder, but man never."[12] Yet Drake saw far more uniting Americans than merely technological and market forces. He spoke often of America's greatness, but one senses that he would have loved his country even if it were weak, for he evinced a deep and passionate attachment to its people, history, institutions, and culture. His speeches are filled with references to the blood ties of common ancestry, celebrating America's "common parentage," "lineage," "venerated ancestry," and "Revolutionary sires" as a force to "bind us together." He also saw the English language as an invaluable bond, arguing in his Burlington, Iowa speech that "this glorious Union can never be dissolved while this language is our common medium." Indeed, he believed that "should wars arise in our beloved land, we might cherish hostile feeling towards each other, if we spoke different languages," and expressed his belief that in such dark times, "when the cry of 'mercy' is uttered in that language which we daily hear and speak, which enters into all the most endeared relations of our lives, we could not disregard its call."[13]

Reverence for the Constitution was another firm source of national loyalty. In a funeral oration delivered at St. Louis for the death of Daniel Webster, Drake celebrated the Whig

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[11] ibid

[12] Charles D. Drake, "Speech of Charles D. Drake of St. Louis, at the Banquet Given in the City of Baltimore," July 20, 1857, (New York: Edward O. Jenkins, 1857).

[13] Drake, "Mission of the Mississippi River."

leader's principled stance for the Constitution and the Union, for "he saw that the moment the integrity of that Union should be lost, darkness, dismay, and woe would fall upon the nations of the earth, and Freedom would depart from a world too abject for her presence."[14] If anything clear emerged from Drake's antebellum rhetoric, it is that he regarded the dissolution of the Union as the greatest possible calamity that could ever occur. In his Baltimore speech, delivered a mere three years before the Civil War, he closed with a stirring appeal to the crowd for Union:

> With soil all around you consecrated with the blood of our common ancestors; here, this day, before the world,—ay before angels and Heaven itself—we adjure you to bind yourselves to us and to all who share our lineage, our country, and our hopes, to preserve, protect, and defend, with lives, with fortunes, and with sacred honor, the Union of these States, now, hereafter, and forever.[15]

To his Whig nationalism, Drake added a disdain for autocracy, privilege and the concentration of power. At the time, the nature of the veto was an unsettled question, and the Whigs, who often saw their legislation vetoed by Democratic presidents, argued that a president should only veto a bill if it he believed it was unconstitutional, not simply because he disliked it. Drake reiterated these beliefs in his tract "The Veto Power," and declared emphatically that "the very first principle of our Republican System" was "the right of the majority to govern," for "every minority government is in principle a despotism."[16] In 1856, he delivered an address celebrating the construction of the first public high school in St. Louis, and expressed his belief that education should be open to the children of rich and poor alike, for "in a republic, all stations are accessible to merit," and in America, "we recognize no individual, nor any class or organization of individuals, whose superior wisdom or professional position entitles him or them,

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[14] Charles D. Drake, "Funeral Oration Pronounced in the City of St. Louis, on the Occasion of the Obsequies of Daniel Webster," October 29, 1852.
[15] Drake, "Speech . . . at the Banquet Given in the City of Baltimore."
[16] Charles D. Drake, "The Veto Power: Its Nature and History; The Danger to the Country from it and the True Position of Parties and Presidential Candidates in Relation to it," (Washington: C.W. Fenton, 1848).

or who have the right of power, or proscribe what we shall think or do, approve or reject."[17] Indeed, Drake once wrote that "if there is anything that I positively loathe, it is pretension to aristocracy, either of family or wealth, in citizens of a republic."[18]

The collapse of the Whig party in 1854 over the slavery question left Drake adrift in the political turmoil of the times. At first he gravitated towards the recently established American or "Know-Nothing" party, with its strong nativist stance. The tide of European immigration, which had risen steadily during the preceding decades, suddenly swelled to immense proportions at mid-century. Indeed, in St. Louis, according to the 1850 census, the foreign born actually accounted for some 40 percent of the city's population. These new arrivals brought with them their languages and customs, including a culture of heavy drinking, which Drake and many other American Protestants found abhorrent. Considering his references to "venerated ancestry" and "common language," he probably saw the massive influx of immigrants as a possible threat to his country's cultural continuity, but at the same time he also seems to have believed that the newcomers could eventually be assimilated. In his Burlington, Iowa speech, he argued that when immigrants "become citizens of the United States," it should be expected "that they will be—not Germans, nor Irishmen, nor Swedes, nor Englishmen, legally metamorphosed into citizens, without being Americanized—but true-hearted and loyal Americans, having cast off allegiance to, and left behind even the name of, their mother-land."[19] This, of course, was precisely the Know-Nothing demand that Americans must "nationalize before we naturalize" the new waves of immigrants.[20] The primary target of nativist fears was the Roman Catholic Church, which, with its hierarchy of priests and bishops directing the beliefs and commanding the allegiance of

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[17] Drake, *Autobiography*, 628d.
[18] ibid, 2.
[19] Drake, "The Mission of the Mississippi River."
[20] Massachusetts governor Henry J. Gardner quoted in Tyler Adbinder, *Nativism and Slavery: The Northern Know-Nothings and the Politics of the 1850s* (New York: Oxford University Press, 1992) 121.

its adherents, seemed a direct threat to republican liberty and independence. As a "solid-built Presbyterian," Drake was deeply suspicious of Catholicism, regarding it as "a deadly foe of the religion of Jesus Christ" and an "impious hierarchy [the words "Satanic organization" are crossed out] calling itself a church" that was in reality only a political organization "engaged in a world-wide conspiracy against human liberty."[21]

Yet however appealing the American party might have been for Drake, by 1856 it was largely a spent force, and in that year, he cast his vote for the Democratic candidate, James Buchanan, "for reasons which then seemed to me to be sufficient," but it was a decision that would later give him "abundant cause to regret and condemn."[22] It is possible, but we cannot know for certain, that Drake, along with many other Whigs, had been uncomfortable with the American party because it had originated with the "Order of the Star Spangled Banner," a secret society whose members were obliged to say that they knew nothing of its activities, (a practice responsible for the party's bizarre nickname). Many Whigs harbored a suspicion of secrete societies, regarding them as inconsistent with republican principles (which was also, ironically, a charge that many of them also leveled against Catholicism) and some Whigs had once been members of the short lived Anti-Masonic party, which had explicitly denounced the Free Masons on these grounds.

In any event, by 1856 in Missouri, the Whig party was dead, the American party dying, and the Republican party virtually nonexistent. In the years following the 1856 election, Frank Blair, a St. Louis attorney and a member of one the country's most famous political families, worked together with his cousin B. Gratz Brown to organize the Republican party in Missouri, disseminating anti-slavery views through the newspaper they established, the *Missouri*

[21] Drake, "Autobiography," 152, 173.
[22] ibid, 646-647.

Democrat. Yet the party's influence was more or less limited to St. Louis, depended heavily on the city's German population (which was strongly anti-slavery), and could hardly expect to receive widespread support in a slave state. As we shall see, Drake viewed the "Black Republicans" as irresponsible and fringe, endangering the Union by agitating on the slavery question. Thus, the Democrats were his only alternative, and in 1859, they nominated him for the state legislature after their original candidate resigned. The fading American party also gave him its endorsement, and he was soon in Jefferson City.

Though nominally a Democrat, Drake's political views do not appear to have undergone any significant change. As a member of the state legislature, he supported state aid to railroads, reorganizing the police force in St. Louis, banking and judicial reforms, and "a bill to prevent certain practices on Sunday." The last would attract by far the greatest controversy. Appalled at the drinking and disrespect for the Sabbath that Irish and especially German immigrants had brought to St. Louis, Drake urged the suppression of these activities in a speech that would earn him the enmity of Missouri Germans for years to come. He inveighed against the drunkenness and debauchery that regularly dishonored the Sabbath in St. Louis, and singled out the Germans, with their beer gardens and theaters, as the worst offenders. He charged that these foreigners had brought with them the "Red Republicanism" of Europe and were infusing it into the "Black Republicanism" of America, and he closed by asking his fellow legislators to take the stand "of public morality and the Christian religion, over the 'foreign institutions'" to which others seemed so attached. Drake's harsh rhetoric caused quite a stir, but for all its controversy, his bill passed the House 69 to 45, though it never made it out of committee in the Senate.[23]

Drake did not seek reelection, and probably would have been defeated if he had. Indeed, he later wrote that he would have retired entirely from political life "but for the extraordinary

[23] Charles D. Drake, "The Sunday Question," December 21, 1859 (St. Louis, George Knapp & Co., 1860).

character and unprecedented results of the Presidential campaign of 1860." In that year four candidates vied for the presidency. The Republicans nominated Abraham Lincoln, while the recently established Constitutional Union party rallied behind Tennessee Senator John Bell. The Democrats split over slavery, with Northerners endorsing Illinois Senator Stephen Douglas, and Southerners supporting Vice President John Breckenridge. Drake wrote that he "had no difficulty in deciding whom I would support." Lincoln, in his view, "had not a glimmer of hope of carrying Missouri," and "there was just as little reason to hope for the election of Bell, even if Missouri should give him her vote." As Drake saw it, "the dangerous candidate was the sectional, Southern, Disunion candidate, Breckenridge," who was dangerous because Missouri was a slave state largely populated by Southerners, "whose *combined* support . . . would probably, if not certainly, turn the scale in his favor, and give him the vote of the state, and so identify Missouri with the South, then manifestly intent on Disunion." Drake explained that "the South was consolidated in the purpose of seceding from the Union. The great point was to carry *all* the slave States with her in her treasonable scheme." For years, "the disunionists of [Missouri] had been engaged in efforts to bind her fate to that of the South" and "the great question in Missouri was whether *she* should plunge, along with the other slave States, into that mad crime."[24]

When Drake settled in St. Louis, slavery in Missouri had probably reached the height of its influence. In 1830, black slaves made up a fifth of the state's population, but although their actual numbers continued to increase, they could not keep pace with the rising tide of white settlement, and by 1860, their share of the population had declined to around ten percent. Moreover, slavery in Missouri differed significantly from that of the Deep South. Cotton production was limited, and large plantations were few. Half the slaves in the state were located in the counties along the Missouri River, the so-called "Boone's Lick" or "Little Dixie" region,

[24] Drake, "Autobiography," 647-648.

and were mostly employed in tobacco and hemp production. In St. Louis, the proportion of slaves had been 12.5 percent in 1840, but in 1850 it had fallen to 3.4 percent and by 1860 it was barely one percent, though the slave trade remained an important fixture of the city's economy.[25] As in all slave states, however, slaveholders owned the best lands and commanded a disproportionate amount of political power. Indeed, the planters of the Boone's Lick region effectively dominated Missouri politics, and in 1849, the state legislature passed a series of resolutions declaring that in the event of any federal action hostile to slavery, "Missouri will be found in hearty cooperation with the slaveholding states."[26] The man who drafted and introduced these resolutions was the House Speaker, Claiborne Fox Jackson, long an acknowledged voice of the Boone's Lick planters. In 1860, the Democrats nominated him for governor, and Thomas Reynolds, who was a friend of Drake's, was nominated for lieutenant governor. Jackson and Reynolds were immediately confronted with the dilemma of the split within the national Democratic party. Although Jackson's sympathies were secretly with the South and secession, he did not believe he could win in Missouri if he made his true beliefs known, and thus gave his endorsement to Douglass.

As a Democrat and a friend of Reynolds, Drake cooperated in campaigning for Jackson, but even his harshest critics will admit that there is no evidence to suggest he was aware of Jackson's real intentions.[27] Drake recounts in his autobiography how, after the passage of nearly two decades, he and Reynolds had a chance encounter in St. Louis. The following day, he received a letter from his old friend concerning some remarks he had made in 1859. Reynolds

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[25] Louis S. Gerteis, *Civil War St. Louis*, (Lawrence: University Press of Kansas, 2001) 22; James N. Primm, introduction, *Germans for a Free Missouri: Translations from the St. Louis Radical Press, 1857-1862*, by Steven Rowan, (Columbia: University of Missouri Press, 1983) 4.
[26] Christopher Phillips, *Missouri's Confederate: Claiborne Fox Jackson and the Creation of a Southern Identity in the Border West*, (Columbia: University of Missouri Press, 2000).
[27] McReynolds, 271.

wrote that their "conversation drifted to a consideration of the probable results of an attempt by the Cotton States, or by the great body of the slaveholding States, to separate themselves from the other States of our Union" and that "allusions were made to the various prognosticated solutions of such a difficulty," voiced by many prominent political figures, such as "recognizing the independence of the Cotton States, and forming a close alliance with them" or perhaps "practically, but not formally, treating the seceding States as a foreign country" and wait for a "reaction of popular sentiment in them" so that they could be painlessly readmitted to the Union.

The possibility of war was also discussed, as Reynolds pondered whether or not "after a few battles," the South would "yield to the greatly superior military power of the North" or if, "discouraged by the prospect of a long and doubtful war," Northerners might offer the South a compromise "which it would accept, and return to the Union." According to Reynolds, Drake listened patiently, and then finally declared to him that:

> All of these theories are groundless: should the body of the Southern States, or even the Cotton States alone, attempt to secede from the Union, there will be in this country one of the greatest and fiercest civil wars known in history." You added, as reasons for this opinion, that the idea of the indissoluble nature of the Union was so fixed in the political, social, and business nature of the entire people of the North and North-West, that all parties there would fight most desperately to make it prevail: that in addition, as shown in the "Monroe Doctrine," the annexation of Texas, and the acquisition of New Mexico and California, the American people in all sections, firmly believed in its 'manifest destiny' to rule and occupy, commercially if not politically, the Spanish-American parts of North America; and that, in that spirit, the States lying north of the proposed Southern Confederacy, would exhaust all their resources for war, rather than consent to the erection of such a barrier between their people and the common "promised land."

Reynolds remarked that "your opinion so decidedly expressed . . . which, in the light of subsequent events, was a prediction, has often been mentioned by me as an extraordinary instance of statesmanlike sagacity" and that "with that exception . . . you are the only person I

have ever known, or heard of, as holding such an opinion, before the events of the summer and fall of 1861 had made it general."[28]

It is entirely possible that Drake had solicited this letter from Reynolds, but in event, the remarks are thoroughly consistent with his past public statements. Indeed, he left little doubt as to where he stood in his speeches during the campaign. In August, he delivered a speech at Victoria, Missouri in which he noted that "for the first time in the history of our country, there are *two* sectional parties." Four years ago there had been only one, the Republicans, who were "confined to the free States," but now another, the Breckenridge Democrats, had "sprung into life in the slaveholding States." One party demanded an end to the expansion of slavery, and did not hesitate to show its contempt for the institution, while the other demanded that the federal government "plant, nourish, uphold and establish the institution of Slavery" in the unsettled western territories. As Drake saw it, "between the upper and nether millstones of a meddlesome and heartless fanaticism in the North and a designing and treasonable fanaticism in the South, the Constitution, which has so long bound our happy Union together, seems in danger of being ground into powder." In order to avert catastrophe, he urged his audience to support Douglas, who would "stand faithfully by the Union . . . and against fanaticism, North and South—for the nation, and against those who would distract or divide it."[29] In his columns in the *Missouri Republican*, Drake denounced "the folly, insanity, and perfidy of the South," for declaring that they would secede if Lincoln were elected while at the same time almost assuring that outcome by dividing the Democratic party.[30]

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[28] Thomas C. Reynolds to Charles D. Drake, June 13, 1882, "Autobiography," 651c-651f.
[29] Charles D. Drake, "Drake's Victoria Speech," August 25, 1860.
[30] Drake, "Autobiography," 655.

The *Republican* described Drake's Victoria speech as "the most complete and powerful campaign document ever issued to the American public,"[31] and given Douglas's razor thin margin of victory in Missouri, it is entirely possible, as Drake modestly asserted in his autobiography, that it carried the state for Douglas. Jackson and Reynolds were also victorious, but were deeply disappointed at the presidential election results. Missourians clearly favored moderation. Over seventy percent had voted for either Douglas or Bell, while only nineteen percent had voted for Breckenridge, and a mere eleven percent for Lincoln, a vote that came almost exclusively from the Germans of St. Louis.

Nationally, of course, Lincoln was victorious, and as Southern states began seceding from the Union, the state legislature called for a convention to consider Missouri's own relation to the Union. No openly secessionist delegates were elected, and the convention voted against secession with only one dissenting vote. However, the vote was not so much a reflection of ardent patriotism as it was of economic and political pragmatism. Unionists argued that it simply would not be in the state's best interests to secede. Missouri needed eastern capital to develop its railroads and mineral resources, and a Confederate policy of free trade would ruin the state's hemp growers, who, while heavily dependant on slave labor, were even more dependant on federal tariffs and subsidies. Moreover, many delegates to the convention described themselves as only Conditional Unionists, asserting that secession might be warranted at some point, depending on circumstances, and rejecting any attempted federal "coercion" of the seceded states.[32] As Drake recalled years later, these were the sentiments of many, perhaps a majority, of Missourians, and hence the state's loyalty to the Union was by no mean assured.[33]

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[31] ibid, 656.
[32] Parrish, *Missouri and the Union*, 9.
[33] Drake, "Autobiography," 668.

Governor Jackson had been disappointed with the results of the convention, but he was determined to take Missouri out of the Union and attach it to the Confederacy. Secretly communicating with the new Confederate President Jefferson Davis, Jackson hatched a plan to seize the federal arsenal in St. Louis, sending a detachment of state militia to the city where they set up an encampment that they named "Camp Jackson." Yet Frank Blair—by then a Republican congressman representing St. Louis and the acknowledged leader of the state's Unconditional Unionists—suspected Jackson's plans, and had already organized the city's (largely German) Unionists into paramilitary units. On May 10, Blair, together with General Nathaniel Lyon, commander of all federal forces in St. Louis, confronted the militia. Accounts vary, but a scuffle ensued in which some 15 people were killed. The incident polarized public opinion. Aghast at federal "tyranny," many moderates deserted to the Confederacy, including one highly popular Missourian, Sterling Price, a past governor who had opposed secession as a delegate to the state convention. Nevertheless, Blair and Lyon had dispersed the militia, and in little over a month, they had marched on Jefferson City and sent Jackson, Reynolds, Price, and countless state officials and legislators fleeing before them, leaving the state without a functioning government. In late July, the state convention was reconvened, and the remaining members organized a new provisional government, appointing one of their number, Drake's old friend Hamilton R. Gamble, as governor.

Of course, only by the broadest stretch of the imagination could these actions be considered legal, since the public had never dreamed of investing the convention with such power. Yet few could have anticipated the extraordinary events of 1861, and with the departure of so much of the state government, only the state convention could have filled the void. The convention continued to meet for some time afterwards in order to manage certain state affairs,

but after the election of a new state legislature in the fall of 1862, its existence, as we shall see, became increasingly controversial.[34]

Though not involved in any of the fighting, Drake was an Unconditional Union man from the beginning. In a letter to his brother-in-law in Cincinnati, Alexander H. McGuffey, he wrote that "every day increases my hatred of Secessionism. I cannot conceive of any circumstances that would change my views in regard to it. It stands at the very head of the list of popular crimes of the last thousand years."[35] On July 4, 1861, at a rally in Louisiana, Missouri, Drake delivered a speech on the indissoluble nature of the Union. He informed the crowd that more than three generations had passed since "the American people proclaimed themselves to be, as they had already in fact long been, One People, and solemnly and before the world united their destinies for all future time as a Nation." He then professed his horror to find that that same nation was now staining itself "with the blood of its own people, shed in a strife provoked by passion and madness." As Drake saw it, the entire conflict stemmed from conflicting interpretations regarding the nature of the Union. "In the States where secession has been accomplished," he declared, the people had for a generation been led to believe in the "idol doctrine" that "the Union sprang up from the Constitution of the United States" and that "the Constitution is a mere league between separate and sovereign states." Drake could not imagine views "more false in their nature and more deadly in their effects," for as he explained, the Union had in fact long preceded the Constitution, noting that the Articles of Confederation and the Declaration of

[34] Parrish, *Missouri and the Union*, 33-43.
[35] Charles D. Drake to Alexander H. McGuffey, April 27, 1861, "Autobiography," 663.

Independence both presupposed a union of the states, and that proposals for a union of the colonies had been made as long ago as the early 17th century.[36]

Yet as Drake saw it, both the Constitution and the Union had been preceded by the American nation. "Let us observe for a moment the character of the people who then commingled their fate," he said, speaking of the Revolutionary generation:

> They were, in language, lineage, and institutions, essentially one people, as they then organized and consolidated themselves into one nation. Nearly the whole body of them were immigrants from Great Britain, or their descendents . . . all looked to the common law of England . . . trade between the colonies was unrestrained . . . they were, with partial exceptions, of the same religious faith . . . the history of England was the history of their fathers . . . they united their forces in common defense . . . they were, in short . . . one people; separated it is true, into thirteen several municipal organizations . . . but still not the less in mind, in heart, and in destiny, One.

Drake reminded his audience that "you and I are the descendants of that people," and asked them if they did "not in your hearts *know* it to be true" that when, in forming "a full, unreserved, and practical union of the People," their forefathers intended it to be perpetual, and that they had, "as perfectly as any people ever did, constitute and declare themselves a single and undivided Nation." The Union, Drake thus asserted, was "no league of States, no compact between different peoples," but rather a "voluntary, complete, and permanent coalescence of the several parts of one people, for their common defense, and to secure to themselves and their posterity the blessings of freedom and self-government."[37]

He lamented, however, that "State pride—poor, narrow, vain, and short-sighted State pride!—rejects this broad and glorious view of the nature of the Union." He denounced the doctrine of state sovereignty, arguing that a state was "but a body of people who are part of the

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[36] Drake, "The Union: Its Nature and its Assailants," *Union and Anti-Slavery Speeches*, 9-19. In this last line, Drake was referring to the "New England Confederation," an alliance of the New England colonies established in 1643 to fend off Indian attacks.
[37] ibid, 20-21.

nation," subordinate to the federal government, and, save in a few internal matters, not sovereign at all. Given his passionate sense of American nationhood, it should come as no surprise that Drake reserved his harshest invective for the doctrine of secession, condemning it as "the fundamental heresy," which not only degrades the Union into "a mere compact of States," but denied that the American people were a people at all. He urged his listeners to consider "that great, but almost forgotten, principle . . . Allegiance," for "society without allegiance is anarchy; government without allegiance is mockery; people without allegiance is a mob." He noted that "every individual of every nation . . . is bound by allegiance to the supreme authority which presides over that nation," and for Americans, that authority was "the government created by the Constitution of the United States." For Drake, the triumph of the rebellion would be the ultimate triumph of lawlessness and chaos, revealing a national government incapable of defending itself, and the ensuing anarchy and "demolition of the Constitution" would invite tyranny and despotism. Moreover, if secession were accomplished, it would also mean the end of America as a nation, for, as Drake informed his audience, "he who strikes at the Union, strikes at the heart of the Nation" and asked rhetorically, "shall not the Nation defend its life?" He closed with a pious declaration: "My country is all to me; but it is no country without the Constitution which has exalted and glorified it. For the preservation of that Constitution I shall not cease to struggle, and my life-long prayer will be, God save the American Union!"[38]

It was a stirring oration, and in it Drake reiterated nearly all of the beliefs concerning the nature of union and nation that he had been expressing publicly for years. He had devoted much energy towards helping to construct a national infrastructure that would weld the country together through railroads, banks, commerce and industry, but his was fundamentally a Romantic nationalism, treasuring the ties of blood over those of iron. Clearly, he regarded Americans as a

[38] ibid, 22-72.

distinct people or "race," bound together by more than simply a common government. Yet nevertheless, the triumph of the government was critical to the survival of Americans as a people. Along with countless other Northerners, Drake believed that should the rebellion succeed, it would mean the victory of lawlessness and chaos. It would mean the failure of free institutions to maintain order. Moreover, if the South could not be subdued, what other regions in a country so vast as America might one day decide to break away? As Drake saw it, unless the indissolubility of the Union was finally and firmly established, the constitution and the rule of law upheld by force of arms, then the only end would be the gradual unraveling of a once homogenous people into a heterogeneous mass.

Of course, at the time America was hardly as homogenous as Drake's oratory would suggest. As noted, the country was then awash with waves of immigrants bringing their own particular religious and cultural practices, and we have already seen Drake's own reaction to these developments. Yet his words and actions indicate that he probably believed the new arrivals could be assimilated if the influence of Catholicism could be restrained and if they were forced—through draconian legislation if necessary—to adopt American habits and customs. In this way, immigrants would be thoroughly "Americanized," and the foreign dross minted into pure Anglo-Saxon gold. There was another source of division, however, that was more salient at the moment and would ultimately prove far more lasting. Drake had always condemned abolitionists and defended slavery, and his highly racialized nationalism left little room for blacks; but as war raged, he would soon be forced to confront the many problems that slavery posed for his vision of America.

III. "That Tremendous and Appalling Truth"

As we have seen, Drake repeatedly denounced anti-slavery agitation during the election of 1860 and the secession crisis. In another year, however, he would publicly proclaim slavery to be the cause of the rebellion and would spend the rest of the war advocating its extermination. The reasons for this profound and sweeping conversion thus merit some investigation. Drake wrote years later in his autobiography that in the early days of the war, "the great point among Union men was to foster, extend, consolidate, and intensify the sentiment and devotion to the Union; and it was, to that end, deemed important not to offend existing prejudices." Drake confessed that "such was the case with me," for at the time, "more than half of my life had been passed in Slave States, and the natural consequence was, that, when the rebellion broke out, I had no antipathy to the institution of Slavery, and in a political sense was a pro-Slavery man, and a pronounced adversary of Abolitionism." He added, though, that he had never owned a slave. Thus, however "plainly it may have appeared to others that Slavery was the cause of Southern treason, it was not until more than a year after Secession . . . that my mind opened fully to that tremendous and appalling truth."[1]

Despite his later reminiscences and public statements, there is reason to suspect that Drake possessed at least some latent anti-slavery sentiments before the war. Even March allowed for this possibility, suggesting that Drake's animosity towards Frank Blair might have kept him from voicing public support for anti-slavery ideas.[2] Indeed, there are also some possible influences that, curiously, March never discussed. It is worth noting, for instance, that Drake's father had written on the subject of slavery. Dr. Drake's interests were not confined to medicine, but extended to botany, geography, ethnology, history, literature, and politics. Opposed to the

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[1] Drake, "Autobiography," 693-694.
[2] March, *The Life and Times*, 100.

principle of slavery, he objected to the annexation of Texas and the Mexican War as attempts to spread the institution westward, even helping to found the Free Soil party. Sensing the potential of the slavery question to destroy the Union, Dr. Drake set out to address it in a series of open letters published in the *National Intelligencer*. Drawing on his extensive travels throughout the Mississippi Valley region, Drake generally considered slavery, as it was practiced, to be a humane institution,[3] but he nevertheless believed that "the future welfare of our Union" necessitated emancipation, combined with a gradual and "voluntary migration to Liberia," which he saw as the "only remedy for our troubles."[4] One of his greatest fears was miscegenation, and he declared his abhorrence at the thought of mixing "with the Anglo-Saxon blood of Newton, Shakespeare, and Milton, that of even the greatest 'Kings' of Guinea; or much less, of the unfortunate descendents of their slaves."[5] It is important to note, however, that Dr. Drake's approach to the slavery controversy revolved largely around its possible threat to the Union, for this would characterize his son's later thinking on the subject as well.

There is also Drake's involvement with the Dred Scott case to consider. After his wife Martha died, his unmarried sister-in-law, Elizabeth Blow, cared for his two children, keeping him in regular contact with the Blow family. In 1847, the Blows became involved in Scott's freedom suit, providing financial and legal assistance. The precise reasons for their involvement remain unknown, but as children of Scott's former owner, they may have felt some obligation to him. In any case, Charlotte Blow Charless, Drake's other sister-in-law and the family matriarch, requested his services in the case. It is uncertain whether or not Drake ever represented the Scotts in court, but he seems to have done a thorough job taking depositions and preparing the case for

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[3] Dr. Daniel Drake, *Dr. Daniel Drake's Letters on slavery to Dr. John C. Warren, of Boston. Reprinted from the National intelligencer, Washington, April 3, 5 and 7, 1851* (New York: Schuman's, 1940) 1-30.
[4] ibid, 54, 67.
[5] ibid, 53.

trial. His involvement ended, however, when financial pressures forced him to return to Cincinnati in June, 1847.[6]

It is impossible to know if this experience affected Drake, but an incident that occurred during his service in the state legislature provides at least some evidence that it might have. In 1859, a bill was introduced in the Missouri Senate that prohibited the freeing of slaves unless they vacated the state within 90 days. The bill also stipulated that all free blacks between the ages of 18 and 55 who remained in the state past September, 1860 would be sold into slavery; those under 18 would be apprenticed until 21 and then given a year to leave the state or else they too would be sold as slaves. Those in favor of the bill argued that abolitionists could easily use free blacks as pawns in a plot against slavery. Amidst the heightened fear of the time, it passed the Senate and was sent to the House, where it met with Drake's firm opposition. He voted for an amendment, which the House passed, to apply the legislation only to those free blacks who had entered the state after February 16, 1847, but even with the amendment he voted against the final bill.[7] Denouncing the idea as thoroughly unconstitutional, Drake argued that no state had the power to enslave anyone, regardless of race, unless they had entered the state illegally. Never in all his years of practicing law, he said, had he seen such questionable legislation.[8]

It would be a mistake, however, to exaggerate any anti-slavery sentiments in Drake. His attacks on "Red" and "Black Republicans" have been noted. On the whole, he seems to have been perfectly content to support the "peculiar institution," assailing "anti-slavery agitators" and abolitionists for stirring up sectional passions. We only mean to suggest that he probably found anti-slavery ideas less contemptible than he let on. Slavery hardly figures prominently in his antebellum speeches on America's grand future, for one finds none of the praise for cotton and

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[6] Elley, Christyn. "Missouri's Dred Scott Case, 1846-1857." 2002. Missouri State Archives.*
[7] A law barring free blacks from entering the state had gone into effect on that date.
[8] Tri-Weekly Missouri Republican, January 13, 1860.

plantation agriculture that typically filled the speeches of Southern statesmen at the time. His perspective appears fundamentally Northern, extolling urbanization and commerce. He most likely agreed with his father that slavery was a more or less humane institution, but that the controversy surrounding it might imperil the Union, and his paramount concern was, after all, the Union's preservation: all other considerations were subordinate. Indeed, we have seen how, in endorsing Douglas, he had sought out a moderate position between Lincoln and Breckenridge, and how, in his speeches and editorials, he attacked the "folly, insanity, and perfidy" of Southerners threatening secession. Yet we have also seen how the question of allegiance never strayed far from his mind, and gradually, his animosity towards slavery grew as he began to see it as a loyalty competing with that of country. In an April, 1861, letter to his brother-in-law McGuffey, Drake wrote that "Much as I opposed Mr. Lincoln's Election, and much as I have for thirty years opposed all anti-slavery agitation, I have not yet, as so many seem to have done, transferred my loyalty from the Stars and Stripes to the 'nigger,' and I don't expect to.[9] Here we find a theme that would later become a staple of Drake's speeches: the slaveholder's loyalty to slavery above all else, and his determination to preserve it at any cost, even the ruin of his country. Drake's language here clearly suggests that it was this apparently unnatural obsession with slavery, and not any compassion for the slave, that began to nurture what would eventually become an open and bitter hatred of the institution.

In his speech at Louisiana in July, 1861, Drake had argued that the South had not seceded out of any fear for the safety of slavery. The Republicans had pledged non-interference, except in the territories, and if these were so vitally important to Southerners, he reasoned, why had they chosen to secede and thereby forfeit any chance of settling them? No, he concluded, slavery had not been the cause of the war; it had only been a pretext. The South's real aim was "to clutch the

[9] Charles D. Drake to Alexander H. McGuffey, April 27, 1861, "Autobiography," SHSM, 663.

scepter of commercial power" and establish a "dominion of cotton." Yet despite this careful argument, and his own insistence that he bore no hostility to slavery, at times, Drake comes close to attacking the institution. The South's state-rights doctrines, he asserted, were "but a cloak for another kind of allegiance," declaring that the "insurgent states" had renounced their allegiance to the government "*and transferred it to their cotton bales and the system of labor that produces them*" for "with them, Cotton is King, and they bow down to their king with a reverence denied to their country." Southerners had long made extravagant claims about the powers that their monopoly on cotton gave them, and here Drake alluded to South Carolina Senator James Henry Hammond's famous declaration that in the South, "cotton is king," and that the region might well one day be the seat of "an empire that shall rule the world." Drake lamented that were it not for these delusions that had "filled their imaginations," never was there "a more loyal people than they." In the end, however, their scheme could not but fail, for other nations would scour the earth for "new regions where cotton may be grown, and for the labor to produce it." Drake was confident that "*both will be found;* and when found, the overthrow of the kingdom of cotton in this republic, and of the system of labor on which that kingdom rests, is but a question of time."[10] It was an impressive critique of Southern triumphalism, and one that would ultimately prove quite prophetic. Indeed, it suggests a sophistication of thought and power of analysis that has not usually been associated with Drake.

Drake's distrust of concentrated wealth and power also fed his increasing hostility to slavery. Scarcely a week after the delivery of his speech at Louisiana, he wrote again to his brother-in-law McGuffy, declaring:

> This rebellion has pretty well satisfied me of one important thing—that the Existence of Slavery in the form it has taken in the South, of large plantations and great negro force, *is*

[10] Drake, "The Union: Its Nature and its Assailants," *Union and Anti-slavery Speeches*, 54-61, 48-49;

> *inconsistent with Republican institutions*. Its direct tendency is to create a great landed aristocracy, so 'given to government' at home, that nothing satisfies them but governing everybody.[11]

Note that Drake does not attack slavery in principle, only "the form it has taken in the South," where a handful of planters commanded the best lands and the great mass of slaves. Presumably, at this stage he would have regarded the practice of slavery on a modest and limited scale (such as could be found throughout much of Missouri) to be of considerably less danger. The distinction is important. Clearly, it was not abolitionist moralizing or the belief that slavery was an impediment to economic progress that seems to have turned Drake against the institution he had once defended, but rather the conviction that Southern slavery, with its massive plantations and enormous profits, had created a band of arrogant aristocrats wielding vast power, filled with a desire to dominate others and owing more allegiance to the source of their wealth than to their own country. He closed by repeating his prediction that the war would eventually destroy slavery:

> My opinion is, that that element [Southern slaveholders] will be a source of everlasting trouble to us, even if this revolt should be subdued. The only comfort I have, in view of this state of things, is that they have, by their revolt, at once broken their power and tolled the knell of Slavery. To me, it is a thousand times better that every slave in the land should be lost to his owner, than that the Union should be destroyed.[12]

As the months passed, Drake became increasingly radical in his views as the escalation of the war inevitably clashed with efforts to protect slavery. Indeed, this conflict was perhaps most evident in his own state, for the violence in Missouri did not end with the flight of Governor Jackson. Missouri Confederates merely turned to the tactics of guerrilla warfare, and throughout the war, these "bushwhackers," as they were called, engaged in a relentless campaign of killing, plundering and pillaging that, in the words of Civil War historian James McPherson, amounted

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[11] Charles D. Drake to Alexander H. McGuffey, July 12, 1861, "Autobiography," 663a.
[12] ibid

to "a form of terrorism that exceeded anything else in the war."[13] Ruthless guerrilla leaders, especially the notorious William Clark Quantrill, slaughtered unarmed soldiers, burned towns and villages, and generally managed to evade capture. Though never more than a few thousand, bushwhacking Missourians were supported by numerous civilian sympathizers, and together they succeeded in tying down tens of thousands of Union soldiers and militia who otherwise would have fought elsewhere. Often still celebrated as romantic figures of humble origins who defended a traditional way of life by attacking the encroaching forces of Northern capitalism, recent scholarship has shown that Missouri guerrillas actually tended to be the sons of relatively wealthy, slaveholding farmers and planters. As McPherson wrote, "to the extent that ideology motivated their depredations, they fought for slavery and Confederate independence."[14]

As the fighting raged, state and federal authorities, fearful of alienating pro-slavery Unionists, struggled with how to wage war without disrupting slavery. In May, 1861, General William S. Harney, then commander of the Western Department, pledged federal protection to slaveholders. The policy remained in effect until Harney's replacement, General John C. Frémont, issued a proclamation at the end of August declaring martial law and freeing the slaves of disloyal masters. President Lincoln, however, quickly repudiated the emancipation aspect of the edict and later recalled Frémont.[15] Yet martial law remained in effect and was reinforced by subsequent acts that broadened its scope. Civil authorities still governed, but civil liberties were severely restricted. Oaths of loyalty to the government were required and administered. Those caught aiding insurgents could be tried before a military court and their property turned over to military authorities. Naturally, those who failed to sign the oath of loyalty, or were convicted of

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[13] James M. McPherson, *Battle Cry of Freedom*, (New York: Oxford University Press, 1988) 784.
[14] ibid, 785.
[15] William E. Parrish, *Turbulent Partnership: Missouri and the Union, 1861-1865* (Columbia: University of Missouri Press, 1963) 60-62.

aiding the enemy, were deprived of the vote. Freedom of the press was also severely restricted, and publications were effectively banned if their loyalty was considered suspect. As noted, the pressures of war inevitably conflicted with efforts to protect slavery. Many slaveholders, for either patriotic or pragmatic reasons, remained loyal to the Union and held positions of considerable power within the provisional state government. Hence, the Missouri State Militia, the principal force that clashed with the guerrillas, was largely staffed and administered by slaveholding officers who were often as determined to hunt down insubordinate slaves as they were Confederate insurgents. Indeed, officers who failed to uphold the old order were often dismissed, despite an otherwise sterling record.[16]

Yet despite official efforts, violent confrontations with slavery proved inescapable. The presence of often sympathetic Northern soldiers, the flight of many disloyal slaveholders from the state, and the general chaos brought about by warfare created new opportunities for Missouri slaves to escape their masters, and the growing number of runaways became an increasingly difficult problem for state and federal authorities to resolve. Moreover, escaped slaves often provided valuable intelligence and were willing to work as servants, relieving much of the drudgery of camp life. Hence, the policy of returning slaves aroused the anger of many Union soldiers. One Missourian who had enlisted wrote to the Secretary of War about a slave who had, in accordance with Frémont's proclamation, been seized from a disloyal master. The soldier wrote that on a recent visit to St. Louis, he had seen the slave under guard, apparently scheduled to be returned to his master. "It is strange," he wrote, that "any part of the United States army here at Rolla is engaged hunting up and guarding the slaves of traitors while the secessionists are robbing and plundering loyal men in the western part of the state." The soldier added that "Every

[16] Michael Fellman, *Inside War: The Guerilla Conflict in Missouri during the American Civil War*, (New York: Oxford University Press, 1989) 65-73, 81-97.

negro returned to these traitors adds strength to their cause in this state and I hope this policy will be abandoned . . . it is not a legitimate business for the army to be engaged in catching the niggers of traitors."[17]

Conditions in Missouri also strained relations with neighboring free states. Indeed, many free state soldiers serving in Missouri complained bitterly about their situation. One Iowa soldier assigned to the Missouri State Militia wrote to his governor that his commanding officers "issue orders to me to drive out of my lines fugitive slaves without discrimination between loyalty and disloyalty of their owners," and added that "many of these officers I fear who command me, are not more loyal than they should be."[18] Passions along the Kansas border also intensified. Remembering the violence that proslavery Missourians had brought to their state during the previous decade, Kansans refused to cooperate with efforts to protect slavery. Indeed, spurred on by one of their senators, James H. Lane, many of them organized guerrilla raids on western Missouri and these "Jayhawkers," as they were called, terrorized Confederate sympathizers as well as slaveholders in general, regardless of their politics. This, of course, naturally provoked Missourians, Union and Confederate, to launch counter raids, resulting in a civil war within a civil war.[19]

Amidst the growing controversy surrounding slavery stood the hapless Governor Gamble. As noted, Gamble had been an eminent jurist and prominent Whig before the war. He had never been a particularly ardent defender of slavery. Indeed, when the Dred Scott case came before the state supreme court, he was the only justice who upheld Scott's right to freedom. Yet Missouri's constitution recognized slavery and forbade emancipation without the consent and compensation

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[17] John M. Richardson to the Secretary of War, December 1, 1862, cited in Ira Berlin et al., eds., *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. 1, vol. 1, 417-418.
[18] Col. Jno. Edwards to Gov. S. J. Kirkwood, August 28, 1862, cited in ibid, 433-434.
[19] Parrish, *Missouri and the Union*, 84-86.

of the owner, and as governor, Gamble was determined to maintain the integrity of the law. In August, 1861, he issued a proclamation pledging non interference with slavery, and asserting that "to the very utmost extent of Executive power, that institution will be protected."[20]

As one would expect, Drake found himself increasingly dissatisfied with the conduct of his old mentor. He later recalled that even "in the early period of the rebellion, I saw very plainly that there was a divergence in our paths."[21] As a convention delegate, Gamble had written the report for the committee appointed to consider secession, and in it he had emphasized the economic ruin that would be brought upon the state if it abandoned the Union. Reviewing the report years later, Drake found it insufferably tepid, as it appeared to base Missouri's stance almost entirely on "mere material considerations." Given the extraordinary nature of the times, he believed that the convention had had a duty "to declare, in no uncertain words, Missouri's steady allegiance, her firm adherence, her unchanging attachment, to the Union, from which she drew the very breath of her life."[22] In Drake's eyes, the committee had failed in this modest task, and it is important to note that the origin of his animosity seems to have been his belief that Gamble's Unionism was not an unyielding devotion to country, but rather only a means to protect the interests of his state.

Drake certainly had little patience for any policy that would limit or compromise the prosecution of the war, and Gamble's pro-slavery policies would eventually bring the two men into open conflict. In early December, 1861, Drake wrote a column for the editorial section of the *Missouri Republican*, but, according to Drake, the editor "signed it with asterisks, to indicate its non-editorial character."[23] In the column, he observed that "the matter of the disposition of

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[20] ibid, 43, 123.
[21] Drake, *Autobiography*, 698.
[22] ibid, 799.
[23] Drake, "Autobiography," 710a.

slavery in connection with the war" was clearly "one of the most important and difficult which could be presented" and that the essential question was "how far is it necessary for the Government to deal with Slavery as an institution, or with the slaves of individuals, in order to suppress the rebellion?" He noted that "the disloyal demand that there shall be no interference with Slavery as a means of subduing the rebellion," but argued that "if this be announced as a settled policy . . . it is, in effect, an abandonment of the cause of the country for the sake of Slavery" for "Slavery is not, nor can it be permitted to be, above all other considerations." Drake went on to say that if the rebellion could be subdued without interfering with slavery, then it was best to leave it alone, but "if the country is forced to choose between Union and Slavery, then, whatever the consequences, destroy Slavery."[24]

Drake later thought it "strange that in December, 1861, I had got no farther ahead than these paragraphs indicate," but "the advent of 1862 brought with it the opening of many minds, for the first time, to the reception of the great truth, that in the institution of slavery, and in nothing else, lay the dread *Cause* of the Rebellion," and added that "I was one of those to whom this unsought conviction came, forcing its way over all the barriers of half a lifetime's opinions and prejudices."[25] Asked to deliver a speech at the celebration commemorating Washington's Birthday, Drake took the opportunity to share his new revelation with the crowd. He noted that for many years, "the American people have been divided into two distinct, yet not dissevered, parts, by a line . . . from East to West" and that "on either side of that line is found the same people, descended from a common ancestry, inheriting the same institutions, speaking the same tongue . . . bound together by countless ties of friendship . . . and fraternal affection" who had more than once "fought, hand in hand, under the same flag." Nevertheless, "still, *there was the*

[24] Missouri Republican, December 11, 1861.
[25] ibid, 714-715.

line; and in the course of years, there grew up opinions upon social and political questions, variant from those prevailing in the other." Gradually, these differences became greater and greater, and "for thirty years" one side demanded that its "political dogmas predominate, and its hand direct the movements of the common government." Yet when "the majority" finally retook control, "the haughty minority revolted against the authority it had failed to retain, and plunged the nation into the intolerable horrors of civil war."[26]

Drake told the crowd that if "this be not a fair statement of the rise of this war, I confess my inability to make one" but added that "this not indicate the *cause* of the war" and declared:

> My countrymen, before Earth and Heaven, there is but *one* cause for this hideous rebellion, and that cause is—Slavery. That is the key to Southern unanimity in opinion, feeling, and policy; the secret of the intense cohesion of Southern people at home . . . the foundation of the pestilent heresy of State Allegiance . . . in short, the one sole impelling force which precipitated the South against the bulwarks of the Constitution, and fills the land with confusion, lamentation, and death.

Drake cited as evidence a speech by Confederate Vice President Alexander Stephens, in which he stated that the new Confederate government's "foundations are laid, its cornerstone rests, upon the great truth that the negro is not equal to the white man; that slavery—subordination to a the superior race—is his natural and moral condition." Drake went on to ask his audience not to "do me the injustice . . . to suppose that I speak in any spirit of fanaticism against the institution of Slavery" insisting that "the views I have entertained for thirty years on that subject remain unchanged. *But this war against the Constitution of my country has driven me to the conclusions I have expressed.*" He then repeated his earlier assertion that if the rebellion could be crushed without interfering with slavery, so much the better, but that "let it once be manifest that the

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[26] Drake, "Washington's Birthday, North and South," February 22, 1862, *Union and Anti-Slavery Speeches*, 88-89.

rebellion cannot otherwise be subdued," then "*down with slavery forever.*"[27] Drake later recalled that when he declared slavery the cause of the war, his words were "received in profound silence" and that while after repeating himself he received some applause, "at the same time some rose and left the Hall."[28]

In April, Drake delivered another speech, in which he noted that "the people of the United States present two distinct . . . uncongenial developments . . . the absence of Slavery and the universality of free labor in the North stimulated a democratic outgrowth; while the opposite order in the South fostered a social aristocracy." He repudiated the argument that anti-slavery agitation had been the cause of Southern secession, but also ridiculed the Southern obsession with slavery as a bowing down before "the half-civilized negro." He cautiously denied any hostility to "slavery as a domestic institution," but declared that "when it is attempted to use it as a foundation for amassing political power—when those interested in the dollar it yields, evince that they love the negro more than their country . . . when the masters of slaves demand, though a minority, to be masters of a nation of white men . . . then I resist." He concluded by stating that slavery was an impediment to the economic development of the state and that some means should be adopted for its "eventual removal from our soil." Missouri was, Drake argued, "in latitude, climate, and productions, a *northern* State," and if slavery were abolished she would be forever beyond the reach of the Southern traitors.[29]

March wrote that here "for the first time, the influence of eastern propaganda against slavery can be clearly seen."[30] Yet Drake's argument was not substantially different from before. He only appears to have borrowed the language of Northern "free labor" ideology, which he may

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[27] ibid, 91-96.
[28] Drake, "Autobiography," 718.
[29] Drake, "The Rebellion: Its Origin and Life in Slavery," April 14, 1862, *Union and Anti-Slavery Speeches*, 104-106, 107, 126, 129.
[30] March, 137.

well have gleaned from the pages of anti-slavery tracts. His hatred of "aristocracy" and his belief in upward mobility and in the economic and moral underpinnings of republicanism had doubtless made him receptive to the Northern critique of the South, which, as historian Eric Foner explained in his classic work on the subject, held that the great virtue of Northern society was that it allowed anyone to rise to "property-owning independence," while in the South, a slaveholding aristocracy crowded out opportunity, leaving the majority poor and dependent.[31] On the whole, however, "free labor" ideology appears to have only added another arrow to Drake's rhetorical quiver. His speeches leave little doubt that when he looked at the South, he saw a society where plantation slavery had brought immense wealth to the few and crippling poverty to the many, but, as he saw it, the fundamental problem with slavery was not simply that it crowded out opportunity, but rather that it had bred division, separating an otherwise harmonious people into two warring, antithetical societies. Drake clearly understood and articulated the role that slavery and "King Cotton" had played in encouraging Southern arrogance, and in his later speeches that year, he continued his attack on slavery as the root source of treason and the ultimate cause of the rebellion.

In a Fourth of July oration, he declared that "where Slavery is, there is disloyalty and treason, and where Slavery is not, the whole body of the people, with hardly an exception, are true to the Constitution," adding that the rebellion never would have occurred "if there had been no Slavery among us." He closed by sharing his belief that for "all the blood and treasure this war may cost" it would nevertheless "establish the American Nation forever," for victory in the field would prove the "impregnability of the Constitution against domestic assault," and make the "Stars and Stripes" the "glorious symbol of a Union indivisible, a Constitution imperishable,

and a Nation immortal."[32] In another speech, Drake spoke of the Confederacy's great design to establish a gigantic "Empire of Slavery." He mocked Jefferson Davis's plea that the South's only wish was "to be let alone," and declared that "the aristocrats of Slavery" would, if victorious, "execute schemes of expansion and conquest which should eclipse those of Cortez and Pizarro." He cited the speeches of numerous Southern politicians, who proudly proclaimed that the Confederacy would one day spread "to the line under the sun," embracing the Caribbean, Mexico, and Central and northern South America, spreading slavery everywhere in its wake. Drake warned that one day "they will turn *northward*," and that "great as America is, she may not be equal to such a combination that the South might form."[33] When President Lincoln issued the Emancipation Proclamation, Drake rejoiced, and declared that "if Slavery had become the 'golden image' which the South bows to, and wars with us because we too will not worship it" then "let Slavery perish by the sword!" for "when I strike at Slavery, it is because Slavery strikes at my country: and for that I would strike it down!"[34]

Thus, in less than two years, Drake had gone from defending slavery to demanding to its eradication. March attributed his transformation to the influence of "eastern anti-slavery propaganda," but while there is certainly reason to believe that such literature played a role, March missed the fundamental reason why Drake would have found it so compelling. Drake passionately asserted that "the American people are a Nation," bound together by blood, soil, and memory, but he was nonetheless presented with the "perplexity" of a nation warring against itself. Slavery, however, offered an explanation. The wealth and power it generated had

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[32] Drake, "The Rebellion: Its Character, Motive, and Aim," July 4, 1862, *Union and Anti-Slavery Speeches*, 149-150, 154-159, 171-172.
[33] Drake, "Slavery's War Upon the Constitution," September 17, 1862, *Union and Anti-Slavery Speeches*, 183-188.
[34] Drake, "The Proclamation of Emancipation," January 28, 1863, *Union and Anti-Slavery Speeches*, 194, 200.

produced a renegade aristocracy and nurtured a false consciousness in Southerners, who otherwise would never have turned on their country. Thus, slavery had to be destroyed, not only because it provided material support to the Confederacy, but because it was the ultimate spring and river from which Southern nationalism, and hence secession, had ultimately flowed.

In any event, we can set aside, as not meriting debate, the notion that Drake's conversion to emancipation was merely an act of political opportunism. By the end of 1861, his growing radicalism had begun costing him friends, and in the fall of 1862, the *Missouri Republican*, to which he had contributed so much in the past, began ridiculing him as "the everlasting Drake" and repudiated his "anti-slavery extravagancies."[35] Drake wrote in his autobiography that:

> The majority of the heavy businessmen, the men of wealth, and the people of high social position, in St. Louis, were either avowed Secessionists, or unavowed, but all the more dangerous, sympathizers with the Rebellion; all of whom turned their backs on known Union men, and gave their business to those whom they knew of their own stripe . . . It shut many a mouth that, under other circumstances, would have been open, day by night, for the Union cause . . . and alongside of them were multitudes of others, who privately belonged to whichever side they, for the time being, found most profitable; being patriots with patriots and rebels with rebels, according as the "almighty dollar" have in sight.[36]

March wrote that these lines "must be taken with a proverbial grain of salt,"[37] but while Drake may have exaggerated in hindsight, in a letter to his friend James S. Rollins in April, 1862 (which March does not mention) Drake wrote that "the position I have from the first taken for the Union has cost me every disloyal client I had, and very much injured my practice."[38] At the time he was asking for help in securing a judgeship, but the letter accords well with his later comments regarding his own personal welfare, and in any event, attacking slavery did nothing to improve his immediate prospects. Indeed, Drake had moved to the far margins of Missouri

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[35] Tri-Weekly Missouri Republican, September 7, 1862.
[36] Drake, "Autobiography," 711-712.
[37] March, 117.
[38] Charles D. Drake to James S. Rollins, April 21, 1862, James S. Rollins Papers, SHSM.

politics, at the cost of many of his friends and allies. Soon he would challenge the provisional government, and come into conflict with his old friend, Hamilton R. Gamble.

IV. "Country or Slavery"

Even as Drake spread his revelation, a few farsighted conservatives had already come to realize that the war had doomed slavery. Early in 1862, at a meeting of the state convention, Samuel M. Breckenridge, a St. Louis delegate, submitted a plan for the gradual abolition of slavery in Missouri, arguing that if the convention failed to act now, a bitter and potentially crippling conflict would develop over the issue. Few paid much attention, however, and the measure was overwhelmingly defeated.[1] Gradually, anti-slavery sentiment in Missouri began to grow and intensify. Drake wrote that after the defeat of Breckenridge's proposal, it "began to burn," for the people saw "more and more clearly, day by day, that Slavery was the one sole cause of the rebellion and of the war which brought ruin, dismay, and death to their very doors; and that there was to be no peace for them save in Slavery's destruction."[2] In the summer of 1862, B. Gratz Brown, who, together with Frank Blair, had long been an outspoken advocate of emancipation, held a convention in Jefferson City that called for the adoption of some gradual plan for the abolition of slavery in the state.

The Emancipation Proclamation, while it did not apply to Missouri, nevertheless emboldened many. Early in 1863, J. H. Ellis of Chillicothe, Missouri expressed views that were becoming increasingly common when he complained that the local commander of the Missouri Militia, Brigadier General Odon Guitar, had "a guard unit stopping negroes who attempt to cross the line into Kansas," which then arrested them and sent them back to their masters. Ellis wrote that at one point, Guitar had "had a negro shot *in the river*" and that if Guitar continued his course, "there are some people would prefer removing to that America whereof Mr. Lincoln is

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[1] Parrish, *Missouri and the Union*, 123-135.
[2] ibid, 772.

President."[3] The difficulty in determining loyalty in Missouri also fed the growth of anti-slavery sentiment. The situation in the state was such that one could—and many did—easily take the oath of loyalty and then secretly support the bushwhackers and guerrillas. As such, one's stance on emancipation gradually became a valuable acid test for determining Unionism.

The Emancipation Proclamation also shifted the tone of the slavery debate. Many conservatives, including Gamble, now came to see emancipation as inevitable and embraced Breckenridge's plan for gradual abolition. while Brown and his supporters joined Drake in demanding more immediate action. Conservatives labeled these agitators "Charcoals," with its obvious racial overtones, while the Charcoals derided their opponents as "Claybanks" for their halfhearted commitment to ending slavery. A few conservatives were determined to defend slavery to the end, however, and were referred to as "Snowflakes," because, according to the *Missouri Statesman*, they were "more concerned about the white man than the nigger."[4] The slavery question dominated the fall elections of 1862, and the results left little doubt that a majority of loyal Missourians—the disloyal having been largely excluded from the polls—favored emancipation in some form. There was, of course, considerable disagreement among the newly elected members of the state legislature as to what that form should be, and when the legislators adjourned in late March, 1863. no final agreement had been reached.[5]

There was also growing frustration with the general war policies of the Gamble government. John M. Schofield, commander of the Missouri State Militia, had issued orders to confiscate all weapons in certain counties. and although the measure had been intended to reduce violence, it left many Unionists defenseless. Gamble and the conservatives also controlled the

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[3] J. H. Ellis to Colonel _____, Chillicothe, February 24, 1863, Odon Guitar Papers, SHSM, quoted in Michael Fellman, *Inside War: The Guerrilla Conflict in Missouri During the American Civil War*, (New York: Oxford University Press, 1989) 65.

[4] The Missouri Statesman, June 12, 1863, quoted in Parrish, *Missouri and the Union*, 136.

[5] Parrish, *Missouri and the Union*, 135-138.

patronage in Missouri, appointing officers to the militia, and, as mentioned earlier, often dismissing those who did not abide by the state's slave code. There was also bitter disagreement over how to treat former rebels. Gamble favored a lenient policy: many rebels, after all, had only fought for a short time and were eager to affirm their loyalty. However, many Missourians who had never deserted the Union and who had endured much hardship at the hands of guerrillas were unwilling to readmit the hated "rebels" into their communities.

Indeed, such rancor is not difficult to understand given the savagery of the fighting in some parts of the state. In his *Inside War*, historian Michael Fellman documents in detail the horrors of warfare in Missouri, noting that it was "a war of stealth and raid, without a front, without formal organization, with almost no division between the civilian and the warrior." Communities were often bitterly divided and many Unionists were often threatened, robbed, victimized or murdered by roving bands of mounted Confederate guerilla fighters. In a typical incident in February, 1863 in southwest Missouri, three men stormed the home of Obidiah and Nancy Leavitt. One of them shot at the front of the house, and when Leavitt grabbed his gun, the other two rushed in through the rear door and shot him in the back. Nancy Leavitt later reported that she managed to fend them off with a shot gun for some time afterwards, but that she eventually gave in when they promised not to harm her and her husband or steal their animals if she would simply turn over all of the weapons in the house. Mrs. Leavitt asked what the men had against her husband, and one of them responded that "he had enough against him to kill him . . . that he had reported them to the federals." Another guerilla then walked over to the suffering but still alive Obidiah Leavitt and shot him through the head, after which the three rode off taking the Leavitt's horses with them.[6] Acts of violence were not confined to the Confederates, of

[6] Fellman, *Inside War*, 23-24.

course, Unionists banding together in local militias often committed similar acts of terror, and the bloodshed only bred more hatred.

In April, Governor Gamble decided to reconvene the state convention in order to address emancipation, and a fortunate turn of events soon hurled Drake directly into the political arena. A few seats had been vacated by delegates who had either resigned or sided with the Confederacy and thus special elections were called to fill them. One of them had belonged to a St. Louis delegate, and while originally the Charcoals had intended to run B. Gratz Brown for the seat, at the time he was in the east and unable to file the required loyalty oath. Hence, Drake emerged as the logical choice. The *Missouri Republican* quickly endorsed his Claybank opponent, James E. Yeatman, declaring Drake "the most unpopular man in St. Louis, politically, professionally, and socially," as well as chiding him for "changing from party to party until he has run the whole catalogue and become a Charcoal."[7] The two candidates were actually, as Drake wrote, "in complete accord in regard to emancipation," but Drake took a definite stand against Gamble and the provisional government, and the *Missouri Democrat* actively campaigned for him. The Germans had not forgotten his earlier diatribes against them, but for the moment they set them aside, and Drake won a crushing victory of almost two to one.[8]

When the state convention met in June, Governor Gamble announced that he, still technically a delegate, would take part in its proceedings. Shortly after the convention's proceedings began, James H. Birch, representing the Snowflake faction, fired the opening shot. Birch argued that abolishing slavery was outside the jurisdiction of the convention. He also denounced "the calumny that slavery, as an institution, is in any sense incompatible with loyalty to the Government" and insisted that emancipation would not, "in any degree," contribute "to the

[7] The Missouri Republican, May **, 1863.
[8] Drake, *Autobiography*, 788-790.

restoration of public tranquility." On the contrary, he blamed the "leprous outgivings of *abolitionism*" for igniting the current conflict, asserting that it was not slavery, but the "*apprehension* of negro freedom and 'equality'" that filled Confederate ranks with non-slaveholders. He closed insisting that he would not simply stand by and watch while the convention violated the law.[9]

Birch had scarcely finished before Drake rose to submit his proposal for emancipation, which would abolish slavery on January 1, 1864, though it included a provision for apprenticing the freedmen to their former masters for a period of time in order to soften the blow to slaveholders and to "prepare the emancipated blacks for complete freedom." He also provided for the ordinance's ratification, if passed, by the electorate. Drake probably would have preferred immediate, outright emancipation, but such a measure would have been far to sweeping to stand any chance of attracting much support, let alone passage. Drake informed his fellow delegates that until the war, he had never had any hostility to slavery, but he confessed that "from the day of Sumpter's fall" his preconceptions with regard to slavery had been "gradually swept away before the ever-swelling tide of conviction, that there never was any other origin of this rebellion than the . . . audacious plan to build upon Slavery a mighty Empire," and added that once slavery had sought to "establish itself by the sword as a Power upon this continent," every American had been presented with the "instant and unavoidable alternative of suffering this great nation to be destroyed or of destroying Slavery."[10]

He speculated that there were doubtless many who, though agreeing with him as to the character of Southern slavery, denied that Missouri slavery deserved "a like condemnation." Yet

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[9] *Proceedings of the Missouri State Convention*, 1863, 10-20.
[10] Drake, "Immediate Emancipation in Missouri," June 16, 1863, *Union and Anti-Slavery Speeches*, 271-274

Drake insisted that "*the spirit* of American slavery is everywhere essentially the same," and, in a passage that doubtless resonated with countless harassed Missourians, he urged delegates to:

> Look at our sister State on the East, and mark the contrast between her and Missouri during this war . . . Our soil has drunk blood like water, while hardly a stain of it is on hers . . . By every roadside in Missouri lie the bones of those slain by the stealthy shot of the bush, while the citizens of Illinois . . . travel her quiet highways . . . free from molestation and fear . . . And while no incendiary fires light up her blooming prairies, the guerrilla's fiendish work blazes almost nightly in lonely spots of our devoted State.

The reason for these "variant scenes in the midst of one people" Drake declared, was that "Slavery is in Missouri, and it is not in Illinois." It was, after all, "our being a slave State that caused the attempt to take Missouri into the rebel Confederacy," and hence emancipation would place her "completely and forever beyond the hope of the Southern traitors." In any event, failure to abolish slavery would "leave the way open for future revolts, disturbing the peace of the nation and threatening the life of our free institutions." Thus, it had to be sacrificed "on the altar of patriotism."[11]

Drake then moved to address the thorny question of what would become of the emancipated slaves. He had avoided this subject in earlier speeches, and at one point declared that "to debate what shall become of the negro, is to put that problem in the scale against your country's life."[12] However, the problem could no longer be ignored, and Drake stood and faced it as best he could. He noted the massive flight of slaves from Missouri, and far from applauding this development, he argued that the loss of so many "agricultural and domestic laborers" would cripple the state's chances of recovering after the war. Emancipation would halt this exodus, for "it is not from Missouri they are fleeing, but from Slavery." He conceded that if the freed slaves could be replaced with white laborers, "we should, I think, be immensely the gainers," but at the

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[11] ibid, 275-279.
[12] Drake, "The Proclamation of Emancipation," *Union and Anti-Slavery Speeches*, 205.

moment this was simply not possible. He argued his plan for apprenticeship would "prevent too sever a shock to our social organization" and would prepare the blacks for freedom. As he explained, he did not think it wise to invest them "with the instant right of uncontrolled freedom," for "in many respects they are like children, and need to be educated in a fitness for such freedom." This was his judgment, "founded upon the observation of more than forty years," though he added that he would not have the period of apprenticeship extend "a day beyond the time necessary to fit them measurably for freedom." In any event, Drake asserted that it was not only "our interest to teach the blacks all the good, and as little of evil, as we can," but also, "our duty as philanthropists and Christians to do so" and "when Christian duty and self interest combine, we may expect great results."[13]

He further argued that "if the negroes are to remain among us, it is at once humane toward them and profitable to those for whom they work, that they should work *in hope.*" He denied that blacks would only work if forced, arguing that if they were given "something to live for," they would "be found more capable of enjoying and profiting by their freedom, than many are accustomed to suppose." He said that while he knew many who were "haunted by the idea" of the "dreadful inconvenience, injury, and peril," that would come from freeing the blacks, his own opinion was that there was no "moral or physical reason why their presence among us, after emancipation, should be so dreaded." Indeed, he asserted that "we are just as capable of managing free negroes, through our laws and our judicial and ministerial authorities, as of managing the same number of white people." It was his belief that if "properly managed and influenced, they are capable of being made, probably, as valuable a peasantry as exists."[14] This

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[13] [13] Drake, "Immediate Emancipation in Missouri," June 16, 1863, *Union and Anti-Slavery Speeches*, 286-291.

[14] ibid, 292.

last line should not be taken as a dismissive remark, for at the time, historians and statesman tended to praise the virtues of a steady yeomanry. Taken as a whole, Drake's comments regarding the future of the freedmen suggest that his racial views had been significantly influenced by free labor ideology, for they closely resembled what might broadly be considered a shaky Republican consensus on race.[15] Essentially, while Drake denied racial equality, he nevertheless affirmed the basic humanity of blacks and argued that they had a right to participate as free laborers in the economy. Clearly, it was his belief that the prospect of earning wages and owning property, of being given a chance to better oneself, would doubtless release qualities in blacks that had long been dormant under the master's lash. Emancipation would thus not only be humanitarian, but would also unleash the industriousness of an oppressed people, which would benefit all.

In a similar vein, Drake also argued that slavery was simply impediment to the economic development of the state. Once again he urged the delegates to look to the neighboring free states, and observe how they had far outstripped Missouri in terms of growth. Slavery, he maintained, had long repelled potential immigrants and was of little real value to the state. Indeed, the devastation visited upon Missouri by "the advocates of slavery" had probably cost her "more than all the profits of her hemp and tobacco since she became a State." As for compensating the slaveholders, it was simply out of the question given conditions in the state. He closed by imploring the delegates not to pass a "bogus" emancipation plan and declared that there was simply no saving slavery, for "it is in fact dead" and "they who cling to it cling to a corpse, and will be buried with it."[16]

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[15] Foner, *Free Soil, Free Labor, Free Men*, 295-296. Foner contends it was a "shaky consensus," but asserts that Republicans generally believed that blacks had certain economic and legal rights deserving of respect.
[16] ibid, 280-307.

The next day, Samuel Breckenridge rose to speak for the Claybanks. The plan he offered was similar to Drake's—both would abolish slavery on the same date and provide for a system of apprenticeship—but it was the product of very different motives and considerations. Indeed, while the Charcoals embraced emancipation enthusiastically, the Claybanks had done so cautiously and reluctantly. Predictably, Breckenridge made no mention of slavery's connection to the war and restricted himself largely to elaborating on Drake's assertion that slavery hindered Missouri's economic prosperity. He expressed his hope that at some point the freed slaves would be "gathered again to that land from which they came . . . and work out for themselves a destiny," but he admitted that this day would probably be "beyond the lifetime of any of us." He spent far more time arguing that while fully compensating slaveholders was probably impossible, apprenticeship would give them some reimbursement. It is telling that while Drake had been vague on the duration of apprenticeship, Breckenridge, wanting to guarantee the master's right to his slave's labor for a definite period, provided for its termination on July 4, 1876. Furthermore, in the interim, slaveholders would pay no taxes on their apprenticed freedman's labor, and, unlike Drake, Breckenridge made no provision for ratification by the electorate.[17]

Both proposals were referred to a committee chaired by Gamble and dominated by Claybanks. The next week, Gamble reported for the committee and offered its proposal. Far more conservative than Breckenridge's, the committee's plan would allow slavery to continue until July 4, 1876, as well as bar the state legislature from passing any emancipation act without the consent of slaveholders. A fierce debate quickly ensued, as Drake sought to advance the date of emancipation. A few days later, the convention finally passed an emancipation ordinance. Slavery in Missouri would end July 4, 1870, but slaves above the age of forty would remain with their masters as "servants" until their death, those over twelve until they were twenty-three, and

[17] *Proceedings of the Missouri State Convention*, 1863, 36-52.

all others until July 4, 1874. Slaveholders would pay no taxes on their "servant's" labor but could not sell them to a non resident of the state. Drake, thoroughly dissatisfied with the plan, moved that it be ratified by the people in order to take effect. The motion was defeated, and the emancipation plan carried 51 to 30.[18] As Drake wrote in his autobiography, however, some eleven Snowflakes sided with the Charcoals, placing "the real friends of emancipation" at nineteen.[19]

Drake was livid with the results and denounced them scarcely a week later in a speech at St. Louis. He attacked the convention for being indifferent to public opinion, since the vast majority of its members had been elected two years earlier and could not be recalled. It was, after all, "an incorrigible pro-Slavery body," that had overwhelmingly crushed Breckenridge's earlier emancipation plan. Why then, had Gamble called on the convention to settle the slavery question? The reason was because Gamble and the conservatives had seen "that a public sentiment was rising, over our whole State, in favor of the removal of the curse of Slavery from our soil" and that the people "also demanded the election of a Governor and other state officers, in lieu of those set over them by the Convention." These developments presented a terrifying prospect, and "it was necessary . . . to thwart this movement, or it would sweep the Governor and his party overboard." Hence, "the old, almost defunct, pro-Slavery Convention" was called together, in order to "take the wind out of the sails of the Emancipationists" and pass a "bogus" ordinance of emancipation, "no matter how distant or protracted." He closed urging that a new convention be elected to address the slavery question.[20]

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[18] Parrish, *Missouri and the Union*, 144-148.
[19] Drake, *Autobiography*, 855.
[20] Drake, "The Missouri Convention and Its Emancipation Work," July 9, 1863, *Union and Anti-Slavery Speeches*, 315-317, 335-336.

Years later, Drake wrote that as more and more became dissatisfied with Gamble and demanded the immediate eradication of slavery, the defenders of the old order could hurl nothing but insults at their opponents, referring to them variously as "Charcoals," "Revolutionists," "Jacobins" or "Radicals." Drake considered the first three labels either inappropriate or absurd, but the last he felt "was exactly right," and thought it "a fit designation" for a party that "aimed directly at *the root* of all the troubles that made Missouri, what it would never otherwise have been, a hell."[21] Eventually, the name was formally adopted by anti-slavery Missouri Unionists, and, commenting on the situation that prevailed in the wake of the convention, Drake declared that "the time had now come when the line was to be drawn between the Conservative Union men, (who were nearly all defenders of Slavery, and were nearly all, even then, preparing to go into the Democratic party), and the Radical Union men, who, (vast numbers of them former Democrats), were rapidly drifting into the Republican ranks, to fight thenceforth there for their Country against Slavery.[22]

As July drew to a close, Radical leaders issued a call for a mass convention in order to protest the recently passed emancipation ordinance, as well as what they considered to be the provisional government's failure to protect the lives and property of Union men. In late August, an event occurred that bolstered the Radicals' resolve. On the morning of August 21, William Quantrill and his gang of rebel guerrillas attacked Lawrence, Kansas, in retaliation for the Jayhawker raids on Missouri. Some 150 men and boys were killed in the assault, leaving around 80 widows and 150 orphans and inflicting over two million dollars in property damages. Hence, when some 700 Radical delegates from around the state finally met in Jefferson City on

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[21] Drake, *Autobiography*, 773.
[22] ibid, 863.

September 1, they did so in a spirit of vengeance and listened intently as Drake delivered an angry tirade.[23]

Drake proudly declared that "we are loyal Union men, without any qualifications or conditions . . . and are not afraid to declare that we are, Radicals," in the sense that "we are for going to the *root* of the infamous rebellion," and that root was "*the institution of Slavery.*" He added that "until that root is pulled up and destroyed, there is no hope of permanent peace in our country," insisting that it was "Country or Slavery; and he is a traitor who will compromise between the two." He again praised the Emancipation Proclamation, considered it "as irrevocable as death," and argued that "no attempt at its revocation can ever make slaves again of those it made free." Drake also rejoiced "that the President is enrolling among our country's armed hosts those whom his proclamation freed." He informed his audience that he was no "half-breed Unionist, sensitive about seeing white men fight alongside of the 'American citizen of African descent," for as he saw it, "no traitor is too good to be killed by a negro." On the contrary, it seemed just and fitting retribution, declaring that if one should turn traitor "for the sake of slavery" then "let former slaves be his executioners."[24]

Who opposed the Radicals? Only that "portion of the people who style themselves *Conservatives.*" And who were they? "*They embrace all the disloyal.* Every rebel in the State is with them . . . Every guerrilla and bushwhacker is with them . . . Every sympathizer with the rebellion is with them. Almost every pro-Slavery man is with them. And nine-tenths of the slaveholders, I believe, are with them." There were only "just enough real Union men" among them "to save the concern from going down instantly under the weight of its inherent and

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[24] Drake, "The Wrongs to Missouri's Loyal People," September 1, 1863, *Union and Anti-Slavery Speeches*, 337-339.

envenomed disloyalty." Yet few could deny that "there is not one single disloyal man in the Radical ranks." Drake moved on to attack the Gamble administration directly:

> We are not able to see why such full, heaping measure of wrong should be dealt out to loyal people . . . We do not comprehend why . . . the loyal citizen is not only not protected, but has been required to forego his Constitutional right to bear arms . . . We do not understand why military officers who pursued the miscreants of blood with an energy that threatened their extermination should, without a word of explanation, be relieved of their commands . . . We do not perceive why men of thorough and consistent loyalty should be arrested and imprisoned by military authorities, for so small a cause as questioning the purity of Governor Gamble's administration and policy.

Drake then spoke at length on Gamble's pro-slavery policies and his attempt to thwart the passage of a "real" emancipation ordinance. He closed demanding that a new state convention be called, that the provisional government be abolished so that the people could "elect their own rulers," that "*immediate, unconditional, final*" be adopted, and that, in order to ensure "that Loyalty *shall* govern Missouri," the state government provide for "the perpetual disenfranchisement of every man who has taken part, here or elsewhere, in this damnable rebellion."[25]

The convention formally endorsed "every word and sentence" of Drake's speech, and passed a series of resolutions demanding that Gamble resign his office, that General Schofield be relieved of his command, and that a committee of public safety be formed to organize and arm Union men for the protection of their homes and families.[26] The convention also called for a committee of seventy (one for each county represented at the convention) to lay their grievances before President Lincoln, and it appointed Drake as chairman. When the delegation finally arrived in Washington, Drake delivered a lengthy address to the president that he had personally prepared. It received considerable attention in the press, "but unfortunately," Drake wrote, "it did

[25] ibid, 340-376.
[26] Parrish, *Missouri and the Union*, 161.

not commend itself to the President's favor."[27] Among the Radical demands were that federal forces replace state militia in Missouri, but Lincoln simply refused to consider the possibility, insisting that every man was needed at the front lines. Moreover, he defended General Schofield's record, noting that he had accomplished much with limited resources.

The Missouri Radicals had suffered a temporary setback, but there was another contest approaching. At the state convention, Drake had fought to ensure passage of an ordinance calling for the election of three new justices to the state supreme court in November. At their mass convention, the Radicals had nominated a slate of candidates, while the Conservatives later announced their support for the incumbents. During the campaign, Drake and the Radicals argued that the men who had failed to take Missouri out of the Union in 1861 would try to seize power through elections and that Gamble and the Conservatives were, knowingly or not, aiding and abetting the scheme. The election was close, but in the end the Radicals lost. The margin of victory was slim, however, at less than two and half thousand out of over eighty thousand ballots cast.[28] Indeed, as Drake later observed, "the result was in reality a Conservative defeat," for "on their side was almost every public man of influence, and almost all the men of wealth, in the State." Drake quoted a Conservative lawyer who remarked that "we had all the big men of the State, and all the wealth of the State, on our side, and I'll be d—d if we ain't beaten by a parcel of field hands."[29]

Shortly afterwards, however, the Conservatives suffered a crushing blow. In late December, Governor Gamble slipped and fell while descending the steps of the state capitol building, and though at first he seemed on the verge of recovery, he later contracted pneumonia and died. Despite the attacks of the Radicals, Gamble had remained popular with many

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[27] Drake, *Autobiography*, 924.
[28] Parrish, *Missouri and the Union*, 171.
[29] Drake, *Autobiography*, 938.

Missourians, and his death left the Conservatives crippled and leaderless. The Lieutenant-Governor, Willard P. Hall, quickly assumed office and pledged to continue Gamble's policies. However, when the state legislature passed a bill calling for a new state convention to reconsider emancipation and revise the state constitution, he did not veto it, confident that the measure would be defeated at the polls in November. The election of 1864 would offer Missourians the first chance to elect a new state government since 1860, and both Radicals and Conservatives began preparations early.

Officially, the Conservatives pledged their support to Lincoln, but the Radicals were bitterly divided. Many of them were deeply dissatisfied with Lincoln for his earlier dismissal of their grievances, his refusal to move beyond the Emancipation Proclamation with respect to slavery, and his generally lenient proposals for post war reconstruction. In February, 1864, a few of the Missouri Radicals, B. Gratz Brown among them, issued a call for a "Freedom Convention" of border state Republicans to meet in Louisville, Kentucky. The stated purpose of the meeting was to encourage support for emancipation, but many delegates hoped to use it as a means of promoting an alternative candidate to Lincoln. Drake opposed any such move, however, arguing that the Radicals should be wary of igniting a factional struggle, since it might jeopardize the Republicans' chances of victory that year and thus place the future of the Union in doubt.

At the convention, Drake delivered one of the most powerful and farsighted speeches of his career. He reminded his audience that only three years ago, such a meeting would have been impossible in Louisville, and rejoiced that "we shall not need to come again three years hence," for then "Slavery will have ceased to be in this land; and every foot of American soil, purified by fire and blood, will be Liberty's consecrated home for all the ages to come." He then gave thanks God, "whose mighty arm had thus far held the American Nation up," and praised the "swift

vengeance He is taking of the idol, for which the aristocrats of Southern Slavery shrouded this land in gloom." Drake thought it fit that the convention should meet in Kentucky, but added that he was "not here to speak to Kentuckians, so much as to Americans," nor did he intend to speak of Kentucky slavery, "so much as to American Slavery." Indeed, "this war has stripped the Slavery question of its local and State character, and made it a national matter," for "everywhere it is an aristocrat; everywhere the foe of the poor, and the companion and parasite of the rich; everywhere ambitious, selfish, rapacious." He did not attack Lincoln, except to say in issuing the Emancipation Proclamation, he should have "proclaimed the instant and universal extirpation of the system" of slavery.[30]

Yet the real significance of Drake's speech was that he attempted to address the larger implications of emancipation on relations between the races. He had addressed the subject before, but his speech at Louisville contained a far more thorough and passionate discussion of the American future after slavery than anything he had ever delivered. Only a few months ago he had cheered the recruitment of blacks and proudly referred to the black soldier as an "American citizen of African descent." Doubtless Drake had been moved by the sight of black men rushing to defend the flag that so many white men had deserted, and at Louisville, he expressed his belief that such sacrifices should not go unrewarded. "Let us pursue yet further," he asked, "a train of thought which the reference to the colored troops of the Nation presents." There was "no instance in history" that Drake could recall "of so signal a retribution, as impends over the Southern people at the hands of their former slaves." Southerners had "marched forth to do battle for Slavery, leaving their slaves behind them, and look back to see them free."[31]

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[30] Drake, "Slavery's Destruction, The Union's Safety," February 22, 1864, *Union and Anti-Slavery Speeches*, 408.
[31] ibid, 414.

Yet the slaves had acquired far more than freedom alone. Before they had been "human chattels" and "soulless masses of bone and muscle," but now "behold, the chattels have become men" and "a life and a soul have been breathed into them." Southerners may have parted "with abject menials," but now they were confronted with "stalwart soldiers, never again to call them 'Master!'" and these "dark columns of the sons of Africa," Drake declared, were "the counter-revolution which is to paralyze Southern treason." Indeed, "from the day when the arms of the Union were confided in their hands, the fate of the rebellion and of Slavery was irrevocably sealed, and the foot of the black man was destined to tramp down the earth where both shall lie dead together." "Think you," Drake asked, "that race will ever again return to what it was?" Of course it never would, and it thus became necessary, he believed, to "face the logical result" that "the black man is henceforth to assume a new *status* among us" and was "to be hereafter a man, not a chattel." Drake stopped short of advocating racial equality, insisting that "I say not that he is to be lifted into equality with the white man; but that he is to be assigned a position above that of his former days." From now on, the "disqualifications, prohibitions, and degradations are to be removed, and privileges conferred, that he may know that the freedom he has won by his fidelity and valor is no empty name, but a tangible, steadfast, and inestimable reality."[32]

The speech won Drake unprecedented national attention. Newspapers throughout the North praised his eloquence, and the *Chicago Tribune* even went so far as to declare him "one of the foremost orators in the country."[33] In any event, Drake managed to quell all attempts at challenging Lincoln's nomination, arguing that if such a move were necessary, it should be made at the National Union (Republican) convention, which was to be held at Baltimore in June. There was fierce disagreement, however, over who would represent Missouri at the convention, for

[32] ibid, 415.
[33] The Chicago Tribune, February 26, 1864.

both the Radical and Conservative Unionists nominated their own delegations. In the end, both were invited to Baltimore, but the convention voted overwhelmingly—440 to 4—to seat the Radicals and exclude the Conservatives, probably in the hope of avoiding a party split. Drake had been nominated as a delegate, but he had declined the offer, ostensibly because he could not afford to make the trip. Yet, as March noted, it was more likely Drake avoided the convention because of his personal distaste for Lincoln's cautious and conservative policies.[34] He had opposed efforts to challenge his nomination, but that did not imply unqualified support, and in his speeches that year, he rarely mentioned Lincoln. His restraint is revealing. March and others have dwelled considerably on Drake's arrogance and inability to compromise, yet here we find him perfectly willing to swallow his pride and set aside differences. The source of his uncharacteristic humility, however, was almost certainly the fear that a Democratic victory would mean negotiation with the South and the dissolution of the Union. As always, the preservation of the nation was foremost in Drake's mind. All else was immaterial.

After their dismissal at the Baltimore convention, the Conservatives chose to organize with the Democrats. In June they convened at St. Louis, appointed a delegation to attend the Democratic convention in Chicago, and instructed them to vote for General George B. McClellan. General Thomas L. Price, an officer of the state militia who had once served in the state legislature, was nominated for governor. The *Missouri Republican* quickly endorsed the Democratic ticket. The Radicals nominated Thomas C. Fletcher for governor. A colonel in the regular army who commanded an infantry brigade in Sherman's Army of the Tennessee, Fletcher had been away from Missouri since 1860 and had made no enemies. Drake had wanted the

[34] March, 290-291.

nomination, but some Radicals, particularly the Germans, had been angered by his moderation at the Freedom Convention and found him unacceptable.[35]

As the election approached, conditions in Missouri strengthened the Radical cause. After a period of relative calm, guerrilla warfare resumed in the spring of 1864 and continued raging throughout the summer. The attacks that had long been made by the Radicals on the war policies of the provisional government had a new and pressing relevance. Deploring Schofield's policy of confiscating weapons, one Monroe County Unionist begged federal authorities for aid, writing that "we loyal men of this vicinity need protection for we are in the minority here and we have no arms to defend ourselves. We delivered up what arms we had some time ago, according to orders."[36] Rhoda Davis, a Barton County Unionist, had a husband serving as an officer in the state militia, but, according to her, he had resigned after being faced with charges that he "took property from rebels and did not turn it over to Government." Davis denied the accusation, stating that she had the proper receipts in her possession, but saw no mystery in the source of the animosity towards her husband, for, as she boldly declared "we are all bloody Radicals at our house."[37]

The Conservatives' dismissal at the Baltimore convention also established the Radicals as the party of the Lincoln administration, which not only bolstered their appeal but emboldened them as well. In July, Dr. W. S. Holland, a resident of Henry County, responded indignantly to a Conservative militia commander, General Egbert B. Brown, who had accused him of disloyalty and "stirring up dissentions." Holland had fled guerrilla attacks two years earlier, and was now a committed Radical. He wrote that he was "convinced that neither Union men nor rebels have

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[35] ibid, 302.
[36] John Crawford to _____, Monroe County, July 9, 1864, Missouri State Archives, Provost Marshall Database, film 1243.
[37] Rhoda A. Davis to _____, Barton County, July 6, 1864, Missouri State Archives, Provost Marshall Database, film 1296.

represented me to you as sympathizing with the Rebellion," but added that "as regards me being a 'malcontent' . . . with your policy which you will allow me to say looks to me like one intended to foster and protect *Conservatism* at the expense of the Radical Union party which is recognized by the Baltimore Convention as the true friends of the government in Missouri, with this policy I confess I am not very well *contented* nor do I know of a Radical Union man in your district who is." He went on to say that "as regards my stirring up dissentions," it was because of the efforts of some militia officers to "*force* us without law or order to submit to *Conservative* Rule by going into a Citizen Guard Company a majority of which company was of doubtful loyalty and all the officers Conservative, and by your persistent refusal to recognize the Union men here as 'honest reliable men' and Refusing them the poor privilege of organizing a company for their own defense." He then threatened that until the general recognized "the Radical Union men as entitled to at least as many privileges as the Conservative . . . there will probably contrive to be some dissention." He closed on an ominous note, remarking that "I take it . . . that you look upon me as the head of the Radical Union party hereabouts and consider the best way of killing a Serpent is to put your heel on its head."[38]

March often expressed surprise in his dissertation at the "almost fanatical vehemence" with which Drake attacked slavery and the Conservatives, suggesting that it might have been "due in part to a secret fear, a sense of his own inadequacy."[39] Yet whether or not this was the case, throughout his work, there is a tendency to portray the Radicals as simply irrational and fanatic. Indeed, this is characteristic of William Parrish, among the most prominent historians of Civil War Missouri, who dwelt extensively on Radical "vindictiveness" in his writings.[40] Part of

[38] Dr. W. S. Holland to Gen. Egbert B. Brown, Henry County, July 6, 1864, Missouri State Archives, Provost Marshall Database, f 1475.
[39] March, 209.
[40] Parrish, *Missouri under Radical Rule*, 50-75.

this might reflect personal or political bias, but a more charitable explanation could be source material. At the time these men were writing, the literally thousands of documents—letters, depositions, testimony, etc—describing in detail the horrors of guerrilla warfare in the state had not yet been extensively catalogued or explored, and neither made any real use of them. More recent historians, however, most notably Michael Fellman, have used precisely these materials to paint a much fuller and bloodier picture of the situation prevailing in Missouri. Cast around such a backdrop, Radical anger becomes far more comprehensible. Indeed, countless Unionists in the state became refugees and sought safety in St. Louis, and it is hardly unreasonable to imagine Drake listening intently to their stories of violence and oppression. Undoubtedly, one reason why Drake swallowed the "Slave Power" conspiracy whole must have been because the trauma of his own state seemed to confirm so much of it.

In August, as the situation in Missouri continued to flare, Drake departed for Chicago to visit an ailing sister. He arrived just in time to see the Democrats assemble for their national convention and remarked that "outside of the rebel States," never was there a "political convention in this country, so deeply imbued with treason." He recommended to friends of his in the city that Chicago's Union men should demonstrate the day after the convention adjourned. Naturally, Drake was asked to speak, and on September 1, he addressed an audience of thousands. After taking off his coat and rolling up his sleeves, he proceeded to vent his rhetorical wrath, for as he recalled, "my whole soul was fired with indignation."[41] He admitted that in 1860, he had been a Douglas Democrat, but he made no apology for past politics. Breckenridge and Bell had since deserted to the Confederacy, but "were Douglass here now . . . he would be giant in supporting Lincoln for the flag of his Country." In any event, the past was irrelevant, for now "there are only two sides to this question. Every man must be for the Union or against it.

[41] Drake, *Autobiography*, 1007-1010.

There can be no neutrals in this war, only patriots and traitors." He then addressed the Democratic charge that "negro equality" had replaced the preservation Union as the great object of the war. Drake denied "these atrocious slanders," denouncing it as merely an attempt to "screen Slavery from destruction by appealing to the low passions of the Democratic masses, and by exciting the prejudices of honest Union men."

Yet he then went on to say that "for the sake of argument, suppose the war to be carried on for the emancipation of the negro. I hold it more noble, more Christianlike, more humane, and more manly to fight for the freedom of four million human beings, than to fight, as the South is doing, and as the Democracy are cheering them on in doing, for their perpetual enslavement." Drake assured his audience, however, that it was "wickedly and devilishly false that this war is waged for the purpose of freeing the negroes," declaring that "it is carried on to preserve the life and integrity of this great Nation—to perpetuate the Union—to defend the Constitution—to save the continent for Freedom—to uphold the cause of Human Liberty—to vindicate republican institutions—to overthrow a proud, rapacious, and piratical aristocracy," and that in order to accomplish these ends, "fit work for heroes and gods," the cause of the rebellion, "the accursed institution of Slavery," had to destroyed.[42]

"Chicago was ablaze," Drake wrote, "and the fire leaped in the North" until it soon became clear that the voters would, "on the day of the Election, consign the Copperhead-Democracy to an ignominious defeat, and cover the Union party with victory and glory."[43] Lincoln, of course, was victorious, and a few weeks after Drake delivered his speech at Chicago, an event occurred that all but guaranteed Radical victory in Missouri. The many months of guerrilla warfare in Missouri had apparently been preparation for an invasion, for in late

[42] Chicago Tribune, September 3, 1864.
[43] Drake, *Autobiography*, 1026.

September, Sterling Price, now a Confederate general, marched an army of some 12,000 into Missouri. He had hoped that Southern sympathizing Missourians would swell his ranks, but few were forthcoming, and state and federal forces eventually forced him to retreat. The invasion was a boon to the Radicals, however, and the fact the Conservative candidate for governor happened to share Price's surname was an added stroke of luck.[44]

In the elections that followed, Lincoln carried the state with nearly seventy percent of the vote. Fletcher won an even larger percentage, and the Radicals elected eight of Missouri's nine congressmen. The call for a constitutional convention was approved by a wide margin, and some three-fourths of the delegates elected to it were Radicals. Disenfranchisement naturally skewed the results, since those it excluded would have overwhelmingly supported Conservative and Democratic candidates, yet turbulent conditions and threats of violence doubtless kept many Radicals away as well. In any event, the state had clearly experienced a sea change of opinion. A quick examination of the voting reveals that the Radicals received their strongest support in the north and southwest of the state. In general, poor, non-slaveholding counties that had endured considerable suffering at the hands of the hated "rebels" voted Radical, and thus, the election of 1864 more or less reflected the anger of a victimized yeomanry, quite literally radicalized by warfare. And so in January, only days after the inauguration of the new Radical governor, the delegates to the new state convention, Drake among them, assembled in Jefferson City to draft a new constitution.

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[44] Parrish, *Missouri and the Union*, 193-194.

V. Epilogue and Conclusion

Few of the delegates to the constitutional convention belonged to the antebellum political elite. The majority were men of modest means: farmers, merchants, doctors and tradesmen. There were a few lawyers, but many of them had been elected as Conservatives. Hence, in assessing the Radical delegates, Drake judged them to be "sensible, upright, and worthy men," but admitted that "only a very small number of them had ever had experience in lawmaking."[1] He quickly took charge of the convention, and so dominated its proceedings that the new constitution was essentially his creation. On the whole it was a progressive and democratic document. It reapportioned representation, established a state education system, and put an end to imprisonment for debt. Drake's hand was evident throughout the text. The first article, which, among other things, defined the state's relation to the Union, was thoroughly imbued with his nationalist vision, particularly one clause, which read "that this State shall forever be a part of the American Union; that the people are therefore a part of the American nation; and that all attempts, from whatever source or whatever pretext, to dissolve said Union, or said nation, ought to be resisted with the whole power of the State."[2] Naturally slavery was abolished, and after voting for "immediate, unconditional emancipation," the delegates sang a rousing chorus of "John Brown's Body."

The constitution also secured a host of new rights for the freedmen. It mandated racial equality in property rights and access to the courts, empowered the legislature to establish separate schools for blacks, and guaranteed the right of blacks to testify in court. The constitution stopped short of black suffrage, for Drake feared that such a provision would jeopardize ratification. Missourians who had voted Radical wanted slavery—the hated symbol of the old

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[1] Drake, *Autobiography*, 1054-1055.
[2] Constitution of the State of Missouri, 1865, Article I. Clause 6.

order—abolished, but that did not necessarily imply the destruction of the racialist thinking that had underpinned so much of Drake's own thinking. Indeed, the feelings of most Radicals on the subject were probably best summarized by John H. Fletcher, a delegate from Jefferson County, who declared during one convention debate that "I desire that as a people we should get rid of the curse of slavery, but I still want this country for white men."[3] There remained, however, considerable hatred for "rebels" and bushwhackers, and the constitution established a system of voter registration and test oaths to bar the "disloyal" from the polls, even going so far as to disqualify them from acting as teachers, lawyers, or ministers.

Drake alienated many during the convention, often refusing to compromise and repeatedly insisting on his own particular wording. The delegates approved the new constitution, but ratification was by no means assured. Almost immediately, it was referred to as "Drake's Constitution," and its opponents attacked it as "the Draconian Code." Conservatives naturally denounced the document, but they were not alone. The Germans, who had their own reasons for disliking Drake, opposed it for its failure to include black suffrage, and Roman Catholics feared it because it did not exempt church property from taxation. Many simply viewed the provisions for disenfranchisement and proscription as too harsh, and instead favored quick reconciliation. Indeed, historians of Civil War and Reconstruction Missouri have usually condemned the "vindictiveness" that characterized the Radicals.[4] However, when the delegates met in January, the war had not yet ended, and even when it did, many guerrilla fighters (the famous Jesse James, who had fought under Quantrill, among them) simply continued to operate as thieves and bandits for months and years afterwards, and Union men reacted by forming private militias with names such as the Vigilance Committee, Regulators, Advance Guards of Freedom, etc. Thus, it

[3] Tri-Weekly Missouri Democrat, February 9, 1865.
[4] Parrish, *Missouri under Radical Rule*, 50-75.

should come as no surprise that the largest majorities in favor of the new constitution came from those parts of the state most ravaged by the war, which, together with the soldier vote, managed to narrowly secure ratification in July, by a majority of only 1,862 out of 85,478 votes cast.

After having seen his country wage a brutal and bloody civil war, Drake was determined that there should be some result. As the 1866 elections approached, he campaigned throughout the state for Radical candidates, everywhere delivering the same speech. "The rebellion is not dead yet," he warned, "we are in its second stage," for "rebels are striving for the mastery by ballots, which they failed to get by bullets." The great question that confronted the people, Drake contended, still remained "whether Loyalty or Disloyalty shall rule this Nation."[5] Radicals and Conservative both employed vicious tactics that year, and election violence probably reached its post war height. Registration laws and the test oath, however, virtually guaranteed Radical victory. Afterwards, B. Gratz Brown convened a meeting at St. Louis, where he proposed universal suffrage and a revision of the registry laws. Drake denounced these resolutions as a betrayal of the party, and they were quietly forgotten. Brown himself had announced in June that he would not seek reelection to the senate. He cited his poor health, but privately he had become dissatisfied with Drake's unforgiving and intolerant spirit.[6] Drake emerged as the logical successor, and though there was some resistance to his election, his angry diatribes had made him so popular in the recently ravaged rural regions of the state that no real opposition could be mounted against him, and in January, 1867, the Radicals in the state legislature elected Drake to the U.S. Senate.

Before he left for Washington, Drake delivered a speech before the state legislature. "The Union is to be reconstructed," he declared, and "in this difficult and incalculably important work,

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[5] Drake, *Autobiography*, 1200-1201.
[6] Parrish, *Missouri under Radical Rule*, 85.

whatever else may be omitted, *security for the future*—clear, absolute, immovable security must be insisted upon and obtained." Deeply dissatisfied with President Johnson's Reconstruction policies, Drake feared that Union men, having won the war, might lose the peace, and that the threat of some future rebellion still loomed. "No loose ends should be left; for, in some unguarded hour, they might be seized upon to pull down the whole fabric." It might be that "we have conquered the Union's armed enemies; but, disarmed, they have to be conquered again," for "they have not yet learned submission; but still grasp at supremacy through the civil power they vainly sought to destroy." In order to secure real victory, "the spirit of rebellion must be crushed and extinguished, and the spirit of loyalty—*radical* loyalty fostered, encouraged, educated, and strengthened."

In order to accomplish such an end, "this whole country must be made a stranger to the power of oligarchy and the spirit of caste, based on the color of the skin which the Creator has, in His wisdom, clothed his creatures. A man, whatever his color, must be held to be a man." Drake then moved to endorse black suffrage:

> The Negro must be enfranchised. Without that he cannot really be free, nor can the Nation be calm. As long as he is disenfranchised the Nation carries within itself a magazine of oppression and wrong, which, as sure as human rights are a reality, will one day explode, and shake it to its center.

Righting wrong was not the only motivation for expanding the suffrage, for though he was never frank enough to admit it, Drake knew that the Radicals would need black votes in order to survive the eventual repeal of disenfranchisement. His argument for enfranchising blacks, however, was closely related to his earlier attacks on slavery. It would be a moral act, but it would also be a crushing blow, for "with the ballot in his hand the Negro can and will quench the spirit of rebellion, to its very last spark." Never again would the planter elite be able to threaten the survival of the nation, for "the greed of tyranny—the same tyranny which begat the late

rebellion, and would today light the fires of another, if it dared," would finally be stamped out once and for all.[7]

The next year, during the 1868 general election, the state held a referendum on a constitutional amendment to enfranchise blacks. The Conservatives had reorganized the old Democratic party and continued their fight against the Radicals. Drake campaigned hard for black suffrage, emphasizing black loyalty and past military service. In an open letter to the Missouri Radicals, he wrote that "if ever patriotism marked a race, it marks the negro race in this land," for the black man had in "every way proved himself loyal and true to his country, though it had ever been to him a country of slavery." He argued that:

> When the negro asks you to permit him to vote, and points to his honorable discharge as a soldier of the Union against the rebellion as his claim, and you reject his request, you say to him, in effect, if not in words, "Stand over there with traitors, for you are black" . . . When still another, seven eighths white, dumps along on his crutches, and reminds you that he was maimed for life in defending your home, your wife, and your little ones from the blood-thirsty bushwhacker, your response is, "Stand out there with those bushwhackers, for there is a 'visible admixture' of negro blood in your veins!"

Drake considered it shaming to "disenfranchise the defenders of your country, not for crime, but because they are black." He admitted that he had helped to draft a constitution that barred blacks from the polls, but answered that the "state of public sentiment" at the time forbade such a measure, as it could have led to the defeat of the document and "our whole work would have been lost."[8] Yet given the results of the referendum, racial attitudes had apparently changed little in three years, for the amendment was overwhelmingly defeated.

The Radicals won impressive victories in 1868, electing Joseph W. McClurg to succeed Fletcher as governor, yet Drake and his party faced a number of serious problems. To begin with,

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[7] Drake, *Autobiography*, 1226-1230.
[8] Charles D. Drake, "Address of Hon. Charles D. Drake to the Radical Union Men of Missouri," April 20, 1868.

Frank Blair, the old hero of Missouri Unionists, bitterly opposed Drake and Radical Reconstruction in general. He had long favored combining emancipation with colonization, and had fought the employment of black troops. The idea of black men voting utterly terrified him, and he eventually quit the Republicans to become a Democrat. He was not alone. Indeed, the results of the 1868 election revealed a number of defections from the Radical ranks. As the memory of the war faded, and new issues came to the fore, the old divisions between loyalty and disloyalty began to blur. Increasingly, Drake found himself in unfamiliar territory. He also alienated many in the party with his dictatorial and uncompromising nature, sabotaging his own influence. Soon, a serious challenge to his power within the party would be mounted.

After the 1868 elections, the Radicals began debating who should replace Missouri's other senator, John B. Henderson, who had voted against Andrew Johnson's impeachment and thus stood little chance of reelection. The *Missouri Democrat*, as well as other Radical papers, recommended Carl Schurz, long a prominent Republican and probably the most famous German in America. Drake interpreted the support for Schurz as part of an attempt to eventually displace him. He endorsed a rival candidate, Benjamin Loan, for senate, and so began a bitter personal conflict that would cripple the Radical party. Schurz later admitted that Drake was "an able lawyer and an unquestionably honest man," but considered him "narrow-minded, dogmatic, and intolerant to a degree." Drake, Schurz believed, was obsessed with maintaining control of the Radical party, not, however, "for the purpose of enriching himself or his henchmen. Corrupt schemes were absolutely foreign to his mind. He merely wished to be the recognized authority dictating the policies of his party and controlling the Federal offices in Missouri." The two men finally met and clashed at Jefferson City in January, 1869. During their debate, Schurz attacked Drake for having said at one point in 1865 that freedom and the franchise were not inseparable

for blacks. Drake denied that he had said exactly that, but Schurz quickly produced a copy of the alleged speech, and after reading the offending statement, he left his opponent thoroughly humiliated. Drake was never able to win back the legislators, and left before they elected his rival to the Senate.[9]

During his own tenure in the Senate, Drake worked to advance Radical Reconstruction. He endorsed the view that the Southern states should be treated as conquered territory and that their fate was entirely in the hands of Congress. His intense nationalism continued to drive his politics and characterize his speeches, and he argued at one point that the Southern states should be forced to adopt language in their constitutions, as Missouri had, affirming the indissolubility of the Union and that every citizen owed paramount allegiance to the United States. In one address, he remarked that "I use the word American repeatedly," for "it embodies, to my view, the highest development of humanity under the influence of regulated liberty." He regretted, however, that "it is a name honored and revered everywhere on earth except where it should be most," and denounced the South for laboring "to undermine and cast down American nationality and to exalt the individual states." As Drake saw it, "the American people are a nation or they are not," and asserted that "We are a nation. We are one people. We are not thirty-seven different peoples" and "as one people we have a Union formed by our fathers, inherited by us their sons, and to be bequeathed to remotest generations."[10]

Now, however, Drake was joined by Schurz and their rivalry entered the halls of Congress. In the months that followed, Drake's position continued to deteriorate, and the *Missouri Democrat* began referring to him as "the late Senator Drake." In a letter to his friend, Lucien Eaton, Drake commented on his situation. "As to the Democrat's course towards me," he

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[9] Schurz, *Reminiscences*, vol. III, 293, 296-301.
[10] *The Congressional Globe*, Senate, 40th Congress, 2nd Session, 1001-1002.

wrote, "it can proceed as it pleases without any notice from me," for "what becomes of me is a matter of comparatively small consequence." Indeed, "the only hard thing in the case for me to bear, is, that all the hard-earned advantage gained by the Radicals of Mo. is to be lost." He feared that the Germans would soon unite with the Democrats and "the control of the State will pass away from the Radicals permanently." Yet "by and by the loyal masses of Mo. will see who is their friend and wise counselor."[11]

Events went essentially as Drake predicted. In 1870, the state legislature proposed constitutional amendments, subject to referendum in the general election that year, extending the franchise to blacks and former Confederates. Since the Fifteenth Amendment had already been ratified, the black suffrage amendment was a mere formality, but there was some controversy over repealing Confederate disenfranchisement, especially in southwest Missouri, where memories of the war still lingered. Drake knew he would need every vote, and thus, even if he had wanted to, he could not have endorsed immediate repeal. Yet defection would come from another quarter. Schurz and Brown, both of whom favored repeal, split with the Radicals and organized their own party, nominating Brown for governor. On election day, Missourians voted overwhelmingly to end Confederate disenfranchisement and Brown was elected governor with Democratic support. The *Missouri Republican* could not help but note the irony.[12] As the dust settled, the Radical party lay in ruins, retaining only a few seats in the state legislature. Drake, seeing the writing on the wall, decided to resign his Senate seat and accept an appointment to the U.S. Court of Claims. On December 15, he delivered his farewell address. The galleries were filled with onlookers, including Frank Blair and Frederick Douglas. Drake spoke at length on the betrayal of "the noble Radical party," and warned Schurz that he had sowed the seeds of his own

[11] Charles D. Drake to Lucien Eaton, February 1, 1869, Lucien Eaton Papers, Missouri Historical Society.
[12] Missouri Republican, November 14, 1870.

demise. He was right. Five years later, the Democrats would write a new constitution for Missouri and would effectively rule the state for the next half century.

Thus ended the political career of Charles Daniel Drake. In many ways he had doomed himself. He had been unable to move past the old hatreds of the war and had failed to offer a positive platform that could attract the support of all Missourians. His uncompromising nature and difficult personality cost him the support of those he needed. Yet his greatest weaknesses were also his greatest strengths. He was a man of vengeance because the situation demanded vengeance. The evidence of the "Slave Power" conspiracy seemed to surround him, and he was prepared to meet this threat with all of the violence and wrath that could be summoned. By the end of the war he had become an abolitionist with all of the fire and brimstone he had feared before. Should it come as any surprise that the harassed and victimized people of Missouri flocked to Drake, seeing in him one of the few men who could summon the rhetorical anger that they felt the rebellion and the destruction that it wrought merited? Few men of philosophic breadth, making general allowances for their enemies, could have successfully challenged so many powerful men and entrenched interests, or could have marched so resolutely to their goal. Drake's failure in peace was the price he paid for success during war.

Yet what had been his aims? At first glance his record gives the appearance of a man interested in little more than his own advancement, altering his course whenever the winds of political fortune changed. In truth, however, his course never deviated, for he sought only to weld his chaotic country into a nation. He had defended slavery when its assailants seemed recklessly willing to risk the fate of the Union, yet he turned violently against it when he began to see it as the false idol that had inspired Southern treason. In order to crush the rebellion, he was willing to sacrifice slavery, and he was also willing to employ the freed slaves themselves in

the fight for national preservation. He did not forget their service in the war, and after the war he argued for enfranchising the freedmen in order to crush forever the planter class and their lingering "spirit of rebellion." Indeed, decades after the war, Drake lamented that:

> They hear no more the tremendous truth that the rebellion was begun and fought through by the South for the one sole purpose of founding and building up a vast Empire based on the slavery of human beings as its very corner-stone and its distinctive badge among the nations of the Earth. It is no wonder, then, that they have no definite impression that the rebellion was a stupendous and unsurpassed *crime*. Not so with me.[13]

Yet for Drake, the greatest crime seems to have been the notion, "the fundamental heresy," that America was not a nation at all but merely an association of states. The great achievement of the war would be to stamp out this idea once and for all, and thereby "establish the American nation forever." He was willing to use the full force and power of the state to accomplish this, and hence he gravitated towards the policies and ideology of the Radical Republicans. For him, Radical Republicanism was the means to the ends of nationalism. National consolidation was imperative, and in order to achieve it, the South would have to be transformed. The aspects of the South that had stood in the way of creating a nation, the ultimate root of the war and all of its misery, would have to be eradicated. This not only meant abolishing slavery, but also crushing the aristocratic planter class and ridding the region of its caste distinctions, undemocratic politics, backward economy, and whatever else set it apart from the rest of the country. The great irony, of course, was that Drake had adopted draconian and radical policies to achieve the nationhood that he had long assumed and argued already existed. Drake himself would probably have not admitted the contradiction, and argued that he was only removing the external forces that had artificially divided a people who were fundamentally one.

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[13] Drake, *Autobiography*, 1036.

The destruction of slavery would raise another question for Drake, however, and it was one that he never fully answered. Throughout his life, he asserted that Americans were "one people," bound together by common blood, ancestry, and memory, yet the freed blacks could not fit easily into such a conception of the nation, and the question remains as to the place of blacks in America. However, a close reading of his speeches provides a possible clue. Before the war, Drake, a nativist, could speak of white immigrants becoming "Americans," but he never said the same of the freed blacks, referring to them only as "American citizens of African descent," and this suggests the belief that blacks, though they could be incorporated into the nation in a political and legal sense, would still forever be a separate people. Nevertheless, in his bitter fights over the franchise in the years after the war, Drake aided in essentially redefining the polity, for the fundamental means of judging a man's character and assessing his right to participate in politics came not to depend on race, but on past loyalty to the Union.

It was a rather remarkable change. Prior to the war, his conception of the nation had essentially excluded blacks, whom he appears to have been more or less content to leave enslaved. His critique of slavery also centered far more on the institution as a competing economic system, as the root cause of secession and an incipient Southern nationalism that was imperial and aristocratic in character, than it ever did on slaves. And yet as the war progressed, Drake, like Lincoln, increasingly found himself infusing his nationalism with liberalism, and slowly, gradually, race began to recede. In his case, this might have been partially due to place, for the midst of a violent guerrilla war, Drake saw many former slaves aiding the Union cause, helping to save the lives of loyal men while countless white men had turned on their country. He realized, and articulated much earlier than others, that the war and the end of slavery would fundamentally change relations between the races and that some redefinition of the nation would

be necessary. American nationalism is perhaps unique in its identification with liberalism, and to this day it suffers from a dichotomous personality, for its embrace of freedom and equality often conflict with more particularistic conceptions of the nation. Drake himself wrestled with this problem, and his nationalism probably remained less liberal than his rhetoric might have sometimes suggested. Indeed, his desire to enfranchise blacks most likely reflected a move to crush the planter class as much as anything else. Yet however cautiously he approached the place of the freedmen in America, the last lines of his autobiography imply that he might have thought them more American than some others who might claim the title:

> The great facts of the period have not been dwindled into nothingness with me by distance of time or intervening mutations of events, nor has my opinion of the character and purposes of Southern leaders been changed. They are still as voracious for power as ever; still as reckless as ever of the means used to obtain and keep control of the Government they failed to destroy; still as insensible as ever to the impulses of patriotism; still yearning over the Lost Cause as it lies mouldering in the grave from which there is to be no resurrection; still in heart hating the Flag that consigned that cause to a merited doom of rot and execration. When will they become *Americans*? God only knows.[14]

[14] ibid, 1234.

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* SHSM, MHS, and MSA refer to the State Historical Society of Missouri, Missouri Historical Society, and Missouri State Archives, respectively.

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