



THIS WAS THE CIVIL WAR

First Secession Convention Called In South Carolina

By MERTON T. AKERS
UPI Correspondent

One-hundred years ago this week end - Nov. 13, 1860 - a simply worded enactment of the South Carolina legislature became a law. It called for a convention to consider repealing the state's original ratification of the Constitution of the United States. As simple as the language was, the portent was enormous.

The law provided for delegates to the convention to be elected Dec. 6. They were to assemble Dec. 17.

In the fall of 1860 the question whether a state had the constitutional right to secede from the Union already was as old as the republic itself, which had recently turned three score and 10.

Secession Possibility Seen
The possibility of secession had been foreseen by makers of the Constitution. Alexander Hamilton in "The Federalist," the essays he, James Madison and John Jay wrote in 1787-88 explaining the document in the campaign for ratification, recognized that the issue might arise.

Hamilton wrote in No. 16 of the Federalist Papers that the possibility of revolution within a state always was present and that if rebellious forces attained enough headway then no form of government, republic or monarchy, could always avoid or control them.

John C. Calhoun, South Carolina statesman, put the issue into simpler language in 1831 during the Nullification crisis. Calhoun argued in his Fort Hill address - so-called because he wrote it in the quiet of his plantation of the same name - that the Constitution was a compact among sovereign states with certain powers delegated to a central government. If the contracting parties could not judge infractions of the powers by the central government, Calhoun argued, then they had signed away their rights to an irresponsible body with no hope of control.

State's Rights Idea Born
He held that a state's only recourse against any infringement by the central government was to interpose to halt what they believed was the unconstitutional practice. The central government's redress then, he held, was to use the amendment machinery of the Constitution and submit the issue to the states with three-fourths necessary to ratify.

Calhoun called his doctrine interposition. A commoner name was State's Rights. But Calhoun's theory later would

be used as a political defense of slavery.

The Nullification crisis arose over a tariff law with which the South, and South Carolina particularly, disagreed. President Andrew Jackson met the issue head on. In a proclamation Dec. 10, 1832, Jackson declared the nation to be indivisible, that state must obey the laws, no state could leave the Union and that the whole force of the federal government would be used if necessary to collect revenue in South Carolina.

One historian said of the proclamation: "If any single date can be fixed as that on which a given date was predetermined, the Civil War became inevitable on Dec. 10, 1832."

Reaction Worries Buchanan
But South Carolina secessionists in 1860 were facing James Buchanan, not Andrew Jackson. A Pennsylvania bachelor, Buchanan came to the presidency in 1856 without serious opposition.

The quick and fiery reaction to the election of Lincoln worried Buchanan, but not enough to force him into action. Several times Buchanan discussed the worsening situation with his cabinet members, who were about equally divided between northerners and southerners. Once he proposed a constitutional convention to reach some compromise but went no further than to discuss it. He remarked that disunion seemed inevitable.

At one of the cabinet meetings Buchanan read a document, the burden of which was that the South must submit to the election of Lincoln and indicated force would be used to halt secession. That brought violent dissent from the southern cabinet members and moved Secretary of Treasury Howell Cobb of Georgia and Secretary of Interior Jacob Thompson of Mississippi to summon Jefferson Davis from his plantation.

Davis was a U.S. senator from Mississippi and a former secretary of war under President Franklin Pierce. He had played a sort of second lead previously in the political infighting between the North and the South and now was going back to the capital to rehearse a bigger role.

Sumter Commander Named
Davis hastened back to the capital just about the time - Nov. 15 - that a momentous order cleared the War Department. The order - Special Order No. 137 - said that Maj. Robert Anderson, 1st Artillery, would immediately take over command of the defenses of Charleston, S.C., and the defenses included a fort called Sumter.

Later, Secretary of War John B. Floyd would say that he had picked Anderson himself, a decision which he would live to regret. Anderson was a Kentuckian, and married to a Georgia wife. His father had helped in the unsuccessful defense of Ft. Moultrie in the Revolution and had been captured by the British. Moultrie, a short cannon shot from Sumter, would be Anderson's headquarters. Despite his southern background Maj. Anderson was a Union man. Floyd apparently did not know that.

Time for the meeting of Congress was approaching rapidly and on Nov. 17 Buchanan asked his attorney general, Jeremiah S. Black, a Pennsylvanian, for an opinion on what powers the President held to meet the emergency. Black replied later that the Constitution had not provided for the secession of a state and contained no legal means for the President to force a state to remain in, adding that there was no question that the President was obligated to enforce the laws.

Stanton Enters Picture
Buchanan also called in another Pennsylvanian lawyer, Edwin M. Stanton, for advice. What Stanton told Buchanan is not recorded but the President seemed to stiffen against the secessionists after the conference. Stanton was destined for a big share in the strife to come as Lincoln's secretary of war.

Jacob Thompson noted the stiffening of Buchanan, but said: "Old Buck, at heart, is right and with us." But "Old Buck's" message to Congress would say neither "yes" nor "no" to the secessionists and the drift to war gained momentum.

John C. Calhoun, Nullifier. Charles M. Willse, p. 172.

(Next week - Maj. Anderson takes command of Ft. Sumter.)



ELECTION BET PAID—Director Mervyn Leroy dries his tears as he leads a donkey carrying singer Frank Sinatra. Leroy, leader of the celebrities for Nixon committee, is paying off a bet he made with Sinatra on the outcome of the recent election. Sinatra is an ardent backer of President-elect Kennedy. The payoff occurred in Hollywood. (UPI Telephoto)

Morse Deplores Chiang's Remarks On War in Asia

Washington — (UPI) — Sen. Wayne Morse (D-Ore.) says the United States should make it clear that this country would not support Chiang Kai-shek in any threat to make war in Asia.

"At the same time," Morse said Sunday night, "we must make clear... that we're not going to permit Red China to pull a Communist blood-bath on Formosa."

Morse, a member of the Senate Foreign Relations Committee and a U. S. delegate to the U.N. General Assembly, denounced Chiang's recent declaration that he would retake the mainland of China within three to five years.

The senator said President Eisenhower should have announced immediately that the United States was "no part of any such threat, because that's a proposal for war."

Everyone in the world knows that Chiang couldn't take the mainland of China without the support of the 7th Fleet and American military forces," Morse said. "And I was shocked that Chiang was allowed to get by with it."

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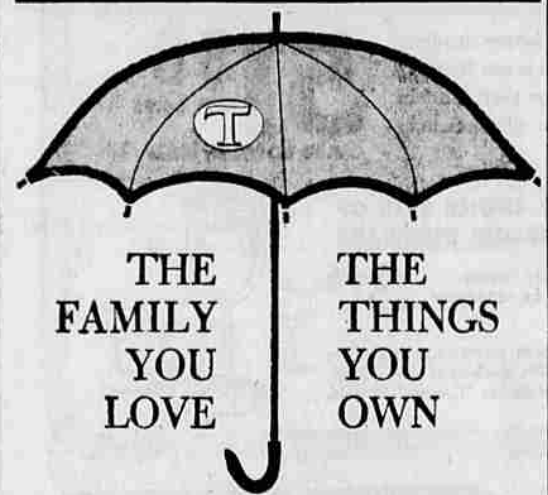
BUCHANAN WORRIED—The quick and fiery reaction of the South to the election of Abraham Lincoln in 1860 worried President James Buchanan (top photo). He felt that union was inevitable. At one of his cabinet meetings he read a document which indicated force might be used to halt secession. Southern members of the cabinet, in violent disagreement, summoned U.S. Senator Jefferson Davis, lower photo, from his Mississippi plantation. Davis returned to the capital to take the part of the South just about the time Maj. Robert Anderson took over the defenses of Charleston harbor—and a fort named Sumter.

Tax Assessors To Attend Session

Salem — (UPI) — Tax assessors and deputies from 11 counties will meet here Tuesday for a one-day training session on the use of new cost factor books in appraising property for tax purposes.

Counties to be represented are Marion, Benton, Clackamas, Crook, Deschutes, Jefferson, Lincoln, Linn, Polk, Wasco and Yamhill.

The cost factor books were published by the Oregon Tax Commission and the Los Angeles appraisal firm of Marshall & Stevens, Inc.



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3 County 4-H Members To Attend National Meet In Chicago Nov. 26-Dec. 2

Patsy Charley, Central Point, Phillip Krouse, Applegate, and Craig Wright, Medford, are among 26 Oregon 4-H'ers who will attend the National 4-H Congress next week in Chicago. The group will leave by train from Portland Thanksgiving day.

They will arrive Saturday in Chicago for a week's stay. The 1960 Congress activities get underway with a private showing of "Tomboy and the Champ," a Hollywood movie about 4-H'ers. Saturday night the 1,600 4-H'ers will attend a get-acquainted party.

Other highlights of the week's trip include a Pop concert by the Chicago Symphony orchestra, directed by Arthur Fiedler, director of the Boston Pops, who will fly to Chicago from Boston for the performance.

Monday, Nov. 28, Miss Charley will be a guest as state food preparation winner at a dinner at the Conrad-Hilton.

While in Chicago, Phillip will compete for one of six \$400 college scholarships.

Wednesday, Nov. 30, Craig will be a guest as state poultry winner at a breakfast at the Conrad-Hilton.

These three and other 4-H club members at the conference will also tour the Museum of Science and Industry, the Museum of Natural History and visit the International Harvester plant. At the IH plant they will view an assembly line of manufacturers of farm machinery.

Tours Included
Dances, three banquets a day, and tours of the city also await the club members. One afternoon they will visit the International Livestock and Dairy exposition.

Delegates will return to Oregon Dec. 4.

Lois Redman, state 4-H extension agent; Gene Lear, state extension agent, and Frank von Borstel, Douglas county agent, will accompany the 25 Oregon youths.

Two 4-H leaders, Mrs. W. E. Townsen, Gresham, and Mrs. Arthur Kaley, Lakeview, will also attend the 4-H Congress as a tribute to their service as 4-H leaders.

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