Northwest Ohio Quarterly

Volume 12

Issue 1

The Historical Society of Northwestern Ohio

President-Editor ..... SILAS E. HURIN
1st Vice-President ..... WILLIAM A. GOSLINE
2nd Vice-President ..... GEORGE D. WELLES
3rd Vice-President ..... CARL B. SPITZER
Secretary-Treasurer ..... WILLIAM H. BLACK
Librarian ..... RUSSELL J. SCHUNK
Asst. Librarian-Editor ..... ANDREW J. TOWNSEND

TRUSTEES

Term expiring 1939	*Term expiring 1940*	*Term expiring 1941*
MRS. J. K. HAMILTON	WALTER A. EVERSMAN	MRS. FRANK D. SUYDAM
JULIUS G. LAMSON	JULIAN H. TYLER	FRED BISSELL
SILAS E. HURIN	MRS. C. BARNES WALBRIDGE	WILLIAM A. GOSLINE
CARL B. SPITZER	BISHOP KARL J. ALTER	RICHARD D. LOGAN
MRS. LOUIS A. MENNEL	ARTHUR J. SECOR	GEORGE D. WELLES

OFFICES

President-Editor—1425 Nicholas Building, Toledo, Ohio
Secretary-Treasurer—16th Floor—Ohio Building

BULLETIN NO. 1—VOL. 12 **JANUARY, 1940**

TOLEDO

By the courtesy of the Toledo Public Library we are permitted to publish the following article prepared under its supervision and from its resources:

How many people know very much about the important cities of our country? How many of them really know their own city? How many of you know about Toledo and what makes it stand out from other cities?

As a part of its daily work, the Toledo Public Library takes great care to see that the history of Toledo is preserved in its files as completely as possible. As a result, the library has accumulated books, magazines, pictures and clippings concerning our city. I know that many of you will be surprised to hear that the library has 50 scrap books dealing entirely with items on the history of Toledo and its doings. In addition, the library also has 26 additional scrap books dealing with biographies of famous Toledoans.

Let's take one of these scrap books, open it up at random and see what it says. The first clipping we see is an article head "50 Years Ago". This clipping is from a newspaper of about 1903, so that the story is an account of Toledo about 1853. And here is a coincidence. The account tells of Toledo as it looked from the old high school building as a center. The coincidence of this clipping is that the Toledo high school building site is where the new Toledo Public Library is at the present time being constructed. Because we think the description of the city and the site at that time will interest you and give you an opportunity to contrast it with the present neighborhood, we are quoting from a letter, in this clipping of 1903, written by the architect of the original Toledo high school building. Here is what he has to say: "In recently looking over some old sketches made by me many years ago in different places, I came across the very simple one enclosed, recalling something of the Toledo of now 50 years ago. What a change from that time to this! I believe it is even now the same High School building although greatly enlarged and modernized. Then it was as sketched, and it stood 'way out on a lonely hill across blocked-out squares and muddy streets in low, wet land with scattered houses of cheap appearance; all 'way out beyond the fringe of the city along Summit Street, and extending from the Maumee west-

ward to about as far as St. Clair Street. To reach the High School, one had to go out either Adams, or Monroe Street, and up over the elevated rude wooden canal bridges. Beyond the School building it was pretty much all oak forest with a farm clearing here and there, and we young fellows used to go to a dance in one of these farm houses, at the end of a sleigh ride, where now is all city streets and residences. In my wildest dreams I could not imagine the Toledo of today."

Leafing through one of the biographical volumes we see a clipping from the Toledo Blade of July, 1906, which tells the story of the Reverend David Bacon, a pioneer missionary who preached the first sermon in Lucas County, August 8, 1800. The congregation was comprised of unfriendly Indians. Reverend Bacon had been sent out to preach the gospel and convert the Indians at Detroit. Starting from Connecticut afoot, he arrived at Detroit, where he found only woods, savages, and a military post. Soon after this, the missionary came to preach to the Indians of the Maumee Valley, whose wigwams were situated on the present site of Toledo.

These are samples of the many interesting things that can be found in the library's scrap books on your own city. Because we believe you will be interested in some of the high lights concerning the history of Toledo, we are going to tell you about them.

Toledo, situated at one end of the Great Lakes, its harbor considered to be one of the finest harbors on the Lakes, is an important transportation center. It is served by 16 main line railroads, 8 branch lines, 15 bus lines and over 150 motor truck lines. In this position for industry, Toledo can answer the needs of man, near and far. Toledo is not dependent on one or two major industries, but is a city of a great variety of plants and factories. More than 1,100 individual business establishments are located here.

When the world turns to one single city for so many of its daily needs, that city must be considered great for its usefulness. Did you know that: It is impossible for a man to ride in his machine, heat his house, ride behind a steam locomotive, take the baby for an airing or weigh him, without depending upon Toledo to furnish some of the means? For Toledo is the manufacturing center of automobile accessories. The largest spark plug factory is located here, as are the manufacturers of scales and children's vehicles.

An automobile in Asia, Africa, or South America depends on what has been made in Toledo. For Toledo builds more presses and dies for the auto industry than any other city in the world, and also has a most modern gear-treating plant.

Whenever a worker picks up a tool to begin a piece of work or lays down that tool to drink his noonday coffee, he is advertising the greatness of Toledo. For Toledo has the second largest tool manufacturing plant and is the second largest coffee and tea manufacturing center in the country.

When an American buys a window pane, a drinking glass, a mirror, a tube, or a bottle, he is no doubt coming in contact with Toledo. For here is the center of the glass industry that reaches around the world and the

merging of glass businesses definitely makes Toledo the headquarters of the bottle-making industry.

Toledo leads the world in the manufacture of atomizers; oil well supplies; sheet metal stamping; spray painting equipment; anesthetic appliances and many other products.

While many Toledo people know in a general way of the city's importance as a soft coal port, it is doubtful whether we realize that Toledo is one of the largest coal loading ports on the Great Lakes and one of the largest not only in the country but in the world, being exceeded only by Hampton Roads, Virginia, and by the port of Cardiff, in Wales. Perhaps the reason for this is that the country's most modern coal and ore docks are those on Presque Isle. This development is of special interest because Presque Isle was a popular summer resort in the 1880's.

Too many people think of Toledo simply as an industrial and commercial city. Not enough people are aware of the unusual interest the people of this city have taken in culture and education. Toledoans are proud of their educational institutions. Public, private, and parochial schools are of the finest type, being unusually well equipped. The beauty of their buildings and the facilities provided are an attraction to visitors.

Toledo also holds the distinction of being the first city in Ohio to provide its citizens with a free public library. Toledoans make liberal use of their libraries with interests beyond the workaday world of smokestacks, railroad yards and foundries, as can be seen from the circulation of over a million books in a single year, the many thousands of questions that are answered, and the material provided on almost every subject. It is an influential factor in the cultural life of the city, and like a true university, serves all ages.

Now that we have told you something about present Toledo, let's turn back to early Toledo.

Did you know that: Toledo's first industry was a water power saw mill built in 1831 by Ezra Goodale and Oliver Stevens, who constructed a dam across Swan Creek near the present crossing of Detroit Avenue?

The Chippewa Indians were the first settlers in Toledo?

During the Canal Age more than 4,000 canal boats arrived and departed each year from the Toledo port?

There was a fine of 5 dollars for traveling faster than a walk on Toledo's first bridge, a wooden structure built in 1864, over the Maumee?

That Toledo's first newspaper was the Toledo Herald published in 1834 to be followed by the Blade?

That one hundred years ago, the first train pulled in at the Toledo Terminal at the corner of Monroe and Water Streets? The railroad was organized in 1835 as the Erie & Kalamazoo Railroad and is now a branch of the New York Central system?

Also that much of our present downtown section was, in 1865, a popular residential district where some of the wealthiest familes lived? The most popular section was the one surrounded by Madison, St. Clair, Monroe and Superior Streets?

Then, too, Lagrange Street and the immediate neighborhood near Summit Street used to be paved with boulders and a few other streets were planked, but most of them were in a horrible condition, with many sidewalks missing and gas lamps lighting the streets very poorly?

That one of the first theatres was Union Hall on Summit near Jackson Street where the Neuhausel Brothers conducted a store for many years? In fact, their store was on the first floor beneath the hall. It was the gathering place for all sorts of entertainment from lecture courses and school commencements to sporting events. Minstrel shows were favorites, especially those that gave elaborate street parades.

Many of the older residents can recall the thrill of seeing such stage stars as Edwin Booth, Jos. Jefferson, Maggie Mitchell, Sarah Bernhardt and Lawrence Barrett at the Wheeler Opera House, then located at Monroe and St. Clair Streets. This theatre, then one of the finest in the mid-west was destroyed by a spectacular fire in 1893.

Did you know that Toledo's greatest night of terror was January 3, 1893? This was the night of the greatest fire Toledo ever saw, which started at the Qual & King elevators at the foot of Madison Avenue. Being fanned by a high wind, the flames leaped across Water Street and destroyed the old Chamber of Commerce building and threatened the entire business district. But the wind shifted, and in the morning, when the blackened ruins appeared, there was only a spurt of flame to be seen. While other fires have caused greater loss of life, this fire was the most menacing to the city.

Few of the present population have any personal recollection of the great cholera scourge of 1854, which carried off hundreds of the then small population, frightened others into leaving their homes and in many cases wiped out whole families. Records show that the loss of life was as high as 331 from the time of its discovery to the time it was stamped out. One out of every twelve persons died of cholera.

Floods have always been a menace to the city for old accounts tell of 12 great disasters. The first disastrous flood in 1867 caused serious damage to the first bridge, but old timers probably will recall the flood of 1883, which everyone says was the worst in the history of Toledo, with damage amounting to many hundreds of thousands of dollars. Water Street flooded eight feet, was fairly choked with ice, driftwood and wreckage. It was at this time that the Cherry Street Bridge was carried away by the floe of ice.

In 1904, 300 feet of the Fassett Street Bridge was carried away and a span of the Wheeling & Lake Erie Bridge and the westerly approach of the lower Terminal Railroad Bridge were carried out by the ice.

Then there is an incident overlooked by historians of this area. How many know of the cavalrymen who battled a company of Canadian Patriots on the ice fields southwest of Pelee Island, 15 miles north of here on March 3, 1837? It was called the "Battle of the Ice". The Marblehead peninsula and the nearby Lake Erie Islands were a "rendezvous" for many of the "Patriots" during the disturbance. Homes were destroyed, supplies seized and horses stolen which were later sold to mainland residents. One day a party of "Patriots" near the Canadian Boundary were met

by British Cavalrymen. Hurriedly throwing up a barricade of ice, the "Patriots" began firing at the soldiers, but were completely routed. The Battle of Ice marked the end of military activities in this area.

These are just a few of the interesting facts about your city, with a little historical background. To tell you of the growth of Toledo would take far more time, for industry, commerce, culture and education have all played an important part in the city's development. You can become better acquainted with your city by going to your nearest public library, where you will find material for your use.

MAGNA CARTA

War has its horrors—its triumphs—its losses—but the present war has temporarily enriched America by the deposit recently in the custody of the Librarian of Congress (for the duration of the war only) of one of the four existing original copies of Magna Carta—usually recognized as the foundation of English liberty.

In the ceremonies attending the presentation by the British Ambassador, the Marquess of Lothian, and attended by the Justices of the Supreme Court and others, Lord Lothian said that the great charter which had been loaned for exhibition in the British Pavilion during the World's Fair, was too precious to have its return to England imperilled during the war era and so he was instructed by his government to ask the Library of Congress to keep it until travel by sea is safer.

As the ambassador said:

"The principles which underlay Magna Carta are the ultimate foundations of your liberties no less than ours. Samuel Adams appealed to the rights of magna carta to which the colonists, as free subjects, have undoubted claim. It was in their name that your ancestors threw the tea into Boston harbor and rejected the claim of King George III to tax the colonies for defense.

"It was in their name," he added, "that, after bitter sacrifices and frustration, they drew up that constitution which Mr. Gladstone, one of the greatest champions of human freedom, described as the most wonderful work ever struck off at a given time by the brain and purpose of man."

Mr. MacLeish accepted the Latin manuscript and directed its installation in a case made especially for it. The case stands just across the gallery from the two historic documents of United States history, the Declaration of Independence and the Constitution. After officials had put Magna Carta in place, the keys were handed to Mr. MacLeish.

Lord Lothian described Magna Carta as a basic charter of American, as well as English, liberties. Mr. MacLeish said that its deposit in its temporary resting place was "an action full of meaning for our times."

He referred to statements heard in this and other countries to the effect that representative government, with its guarantees of the rights of the individual, is an outmoded, inefficient form of organization.

"History has many curious and circuitous passages, many winding stairways which turn upon themselves," he said, "but none, I think, more curious than the return of time which brings the great charter of the

English to stand across this gallery from the two great charters of American freedom. Thomas Jefferson, who was the true founder of this library as well as the true author of the noblest of our charters, would have relished the encounter."

A few members of Congress, some diplomats and many spectators from the reading rooms were in the audience, as well as the Supreme Court Justices.

The copy of Magna Carta is generally considered to be the best of the four that are extant. It belongs to the Dean and Chapter of Lincoln Cathedral.

SHOOTING

The hunting season is about over, shot-guns and rifles are laid aside for another year and the successes of the hunt are only recalled when good fellows get together around the evening fire.

Nimrod, too was "a mighty hunter" four thousand years ago. But he killed wild game only for food or in self defense.

Too many of our hunters today kill for the love of killing or to boast of the number of birds or animals they have shot as proof of their prowess with a weapon which gives the victim little chance for its life.

They shoot to bag the maximum number of birds or animals permitted by the law. Other hunters are content with a small bag and get their chief pleasure from the day's tramp in the open.

With small game the wide-scattering shot-gun is deadly—a minimum of skill is required. Birds actually killed are usually retrieved. Those merely wounded are left to die of their wounds in the brush.

We knew a real hunter many years ago. He shot only with a rifle and felt disgraced if he failed to shoot a squirrel through the head.

To kill it with a ball through the body—a larger target, easier to hit—was not sportsmanlike in his judgment. It was unethical.

Toledo has at least one remnant of those older sportsmen, a man who loved the wild for its own sake: who, when ill health compelled him to give up his prosperous business, spent most of his time in the forests—the wilder the better—boating with an Indian or Canadian guide in a birchbark canoe, over waters seldom before visited by white men, sleeping in the open under the sky or under a tent, or in the shelter of a bark lean-to, looking up at the stars through the tree tops, listening to the strange night sounds of the forest animals, occasionally shooting a deer or squirrel or catching fish but only when out of food; but, in his communion with nature, finding a restful cure for all bodily ills,—a lover of nature for its own sake and the lessons it taught him.

How eloquent he grows today when some one refers in his presence to those earlier days. He still loves to fish and hunt but now he must go far to find the wilderness which he loves, the real wild wood.

No mean shot today, his friends are often the recipients of a brace of ducks or a portion of venison but there is for him no wanton killing. Whether he deals with man or beast, fair play he gives to every opponent.

Moralizing

This leads us to moralizing.

In some of our early wars as a nation, the prowess of our militia with the rifle was a great asset.

Anthony Wayne's troops were largely recruited from men from Kentucky and Ohio accustomed to the skilled use of the rifle. They had learned to depend on it to protect their homes from Indian attacks.

So, at the time of Braddock's defeat—in the war of 1756 after the militarily trained British troops had been defeated and were fleeing from the fire of the ambushing Indians, the Virginia Militia, accustomed as they were to Indian fighting, were able with their rifles to fight their way out, with a minimum loss.

Do we have to read Cooper's romances of Natty Bumpo to learn of the marksmanship of American riflemen?

To them the wide spatter of the shot-gun was unknown. Keen eyesight and steady nerves made the rifle—even the muzzle loader—a formidable weapon in the hands of men trained to its use.

The sharpshooters of the Civil War carried down the earlier traditions. They did not have repeating rifles to add to their deadly prowess.

Political Warfare

But not in military warfare alone is individuality an asset.

In politics especially we need men of keen sight for the public good, with consciences to guide them in their individual actions.

We are so accustomed to mass fighting in politics and civil affairs that skilled and honest leadership is almost lost.

We follow propaganda en masse. We vote en masse. We expect our Senators and Congressmen and State legislators to act en masse according to party instruction or their conception of party advantage.

Spatter shot-gun politics—not honest rifle politics!!

All this is contrary to the ideas of the framers of our Constitution.

The Purpose of the Constitution

Originally it was intended by those founders of our Republic that the people would elect to Congress and to other positions of public trust, men of *character*. Men conspicuous for their integrity, their intelligence, their known mental and moral courage. Men who could be depended on to vote wisely as their own consciences dictated. Men who would study deeply the needs of the *whole people* and would protect all rights, present and future, of the *whole people*—not merely of a party or local clique.

Congressional log rolling was an unthought of thing.

Theoretically at least, these representatives of the people were elected because the people could trust their judgment, not merely because of a pre-election avowal of party allegiance.

Some men have served in the United States Senate and Congress whose votes were often cast in direct opposition to the known opinions of their constituents, and those constituents continued to re-elect them year after year because they respected their character and found that their judgment was uniformly sound and trustworthy.

Today the timid congressman or executive studies first the supposed wishes of the voters at home—not their real interests but their temporary wishes—already largely influenced by all sorts of propaganda put forth by pressure groups. His own judgment and conscience are subservient to party demands, taken as the "mandates of the people", and to the possible results of the next election as affecting his own return to office. He is a scatter gauge shot-gun shooter, not an honest rifleman—a political guesser, not a thinker.

If he guesses right as to what is wanted, he is called a statesman. If he makes a wrong guess, he is retired at the next election.

Is this the best that American democracy can hope for?

The Editor.

ALLEN COUNTY HISTORICAL SOCIETY

We have just received from Lima, Ohio, a program of the meetings of the Allen County Historical Society for this winter and spring.

It is most attractive and we congratulate the Society on its schedule of interesting addresses.

Among those to be given soon are talks and papers on:

"Searching for Great Grandfather,"

"Lincoln's Impressionable Years,"

"The Hundredth Anniversary of the Log Cabin Hard Cider Campaign,

"The Preservation of the Community of Zoar," etc.

We are especially glad that our neighboring County Seats are developing an interest in their historical inheritance and we hope that this example will be followed by the formation of similar societies in all of the counties of Ohio. Some of the older counties have had such societies for years.

The early struggles of Ohio pioneers have been very inadequately recorded. There is a wealth of historical data that should be preserved and which will be completely lost unless soon preserved in a permanent form. Ohio needs a real historian who, not content with reciting the dry documentary proofs of outstanding but limited events, will with some touch of sympathetic imagery make a close study of the lives and surroundings of patriots who did so much in individually quiet ways to create the great state in which we live.

Older states are doing much toward re-creating this historical background. But the task grows more difficult with each passing year, as those who took an early part in our growth or knew of the struggles of their parents are passing to the great beyond.

An outstanding example of such historical research is just now before us, as a result of our allusion in our last number to "Zeisberger, the founder of the first town in Ohio."

That reference happened to catch the eye of Dr. Elsie Murray, the historian in charge of the Tioga Point Historical Museum in eastern Pennsylvania. Dr. Murray has a passion for historical research and it was from her brochure that we gleaned most of the information about the French town of "Azilum" with its romantic connection with Marie Antoinette which we published in our issue of April, 1938.

Te-A-O-Ga—Annals of a Valley

Dr. Murray, noticing our allusion to Pastor Zeisberger, has now sent us a copy of her latest monograph on the annals of the Tioga valley. (Early spelling Te-A-O-Ga in attempted imitation of the Indian pronunciation.)

This little pamphlet is so interesting that it is hard to lay it down; containing, as it does, a graphic account of the traditions—Indian, military, pioneer, etc.—of that famous valley near the site of Azilum and the Susquehanna river—on the famous Sullivan trail.

In that pamphlet are constantly arising the specters of men and incidents intimately associated with early American history—Washington, Schuyler, Sullivan, Ethan Allen, great characters of the Revolution, Sir William Johnson, Joseph Brant; Indian chieftains of the Mohicans, the Lenni Linape, Algonquins and Iroquois, Zeisberger and other devoted missionaries to the Indians, the massacre of the Wyoming and Cherry Valleys, the heroic struggles of pioneer men and women. Even De Soto and Champlain and Captain John Smith come into the picture with Indian myths and legends.

Ohio has much of such lore now fast fading from the minds of our citizens, because of the lack of men or women willing and competent to preserve it all for future generations.

Dr. Murray's little pamphlet (obtainable for 53 cents) is well worth perusal by all of us who are interested in such subjects.

Would that Ohio had historians with the same passion for accurate research and with sufficient imagination to appreciate the import of those early struggles and to dramatize them so that the rest of us could see what our ancestors really struggled for in the creation of our state.

FORMATION OF THE UNION

A valuable and greatly appreciated addition to our Historical Society's library is a volume presented by Mr. Alfred C. Hirth of Perrysburg entitled *"Documents Illustrative of the Formation of the United States."*

Published by the United States Government, it is authentic and contains much material seldom available to the students of our national history and containing in one convenient volume a full account of the heart-breaking efforts of our early statesmen to solve the thousand new and intricate problems confronting them.

It goes back of our *"Declaration of Independence"* and gives in full the *"Resolves"* adopted in Charlotte Town, Mechlenburg County, North Carolina, May 31st, 1775, which under the name of the *"Mechlenburg Declaration,"* are regarded by many constitutional writers as the first and real Declaration of Independence of America.

It even goes farther back and quotes the *"Declaration and Resolves of the First Continental Congress, October* 14, 1774" which recited many of the grievances of which the colonies were complaining and made declaration of the rights claimed by the people of those colonies, including the right to the Common Law of England and the "inestimable privilege of being tried by their peers of the vicinage" according to the course of that law,—the right of peaceable assemblage, the right to petition the King without prosecution therefor, with many other rights duly enumerated.

This was a very mild document with no threats of revolution but was followed by others of a more warlike character and finally by the Declaration of Independence of July 4th, 1776, all of which documents are recited in full with the *Articles of Confederation,* dated March 1st, 1781, and, later on, "The Proceedings of Commissioners to Remedy Defects of the Federal Government" which resulted in the adoption of our present constitution.

The *"Ordinance of July* 13, 1787, *for the Government of the Territory of the United States, Northwest of the River Ohio"* (given in full in that volume,) is of especial interest to the people of this section of Ohio.

Importance of the Problems Discussed by the Framers of Our Constitution

But the chief value of the volume lies in its revelation of the problems, new and perplexing, which confronted the framers of our Constitution and the description of the men who studied and debated those problems.

Their task was a tremendous one. The old *Articles of Confederation* had been proven a failure. They were so weak as to be unenforceable and the government under them was without credit at home or abroad.

An entirely new form of government, with practically no model ancient or modern to follow, must be worked out and it must be made a form which would be permanent.

They were embarking on an untried sea.

How well these men—giants in their day—performed their task is best stated by William E. Gladstone, England's great statesman and student of Government in his celebrated pronouncement,

"The most wonderful work ever struck off at one time by the brain and purpose of Man."

No stenographic notes were taken of the proceedings of the convention. In fact the members were sworn to secrecy—at least for a time. But the individual members took their private notes, some of which have recently become available for the first time and are embodied in this book which we are considering.

Organization of the Convention

While General Washington was President of the convention much of the work was done in committee of the whole with other members acting from time to time as chairmen.

Each state had sent to the convention as its representatives, the ablest men it could choose. Many of them were ripe scholars familiar with the classic lore of ancient Greece and Rome, with the laws and philosophies and theories of government which had been there tried and had failed, as well as with all the later philosophies of medieval Europe, with the codes of Justinian and the legal writings of Grotius, Puffendorf and other commentators on international law and the principles underlying all law, and writers of later times, with the horrible example of the French Revolution to warn them of excessive liberty.

Division of Powers Into Three Classes— Legislative, Executive and Judicial

Apparently, the convention almost immediately agreed that the new government should consist of three branches, the legislative, the executive, and the judicial. Then the trouble began.

Was the new Federal Government to entirely supersede the state Governments? Or were they to exist side by side, and which, if so, was to have precedence over the other?

Was the legislative branch (the Congress) to be appointed, or elected by the people?

Was it to consist of one house or two?

Were the members of one house to be elected by the legislatures of the states or were both to be elected by direct vote of the people?

Was the Senate, if there was to be a Senate, to equal the lower house in members, or was it to be inferior to the lower house in numbers but to exceed it in power?

How were the numbers of members in each house to be apportioned among the states?

Was little Delaware entitled to as much representation as New York or Virginia? She stoutly contended that she was. (Even threatening to stay out of the Union unless she was accorded absolute equality—a contention which accounts for the compromise which gives all states equal representation in the present Senate.)

On what subjects should Congress be empowered to legislate? And what subjects should be reserved for the legislatures of the several states? And in case of a conflict, which should be superior to the other?

The Executive

What powers should be given to the Executive? Should he be empowered to declare war? Or was that power to be reserved for the Congress?

Always, behind these discussions of the Executive's power appeared the spectre of *Monarchy*, like a threatening goblin or demon, or like the sword of Damocles hanging over the nation.

Would powers granted to the President lead to his usurpation of other powers with ultimate dictatorship? (Recent political discussions indicate that that spectre has not been completely exorcised.)

Mr. Pinckney was for a vigorous Executive but was afraid the Executive powers, under the existing confederation might extend to peace and war, etc., which would "render the Executive a monarchy of the worst kind, to wit, an elective one." Mr. Rutlidge was for vesting the Executive in a single person, tho' he was not for giving him the power of war and peace.

Should the President be controlled by a Council? Mr. Randolph doubted whether even a Council would be sufficient to check the improper views of an ambitious man.

It was even proposed to do away with the idea of a single executive and to divide the executive power among three men (a proposition advanced by Mr. Randolph.) But Mr. Wilson said that "a plurality would probably produce a tryanny as bad as the Thirty Tyrants of Athens or as the Decemvirs of Rome."

It was proposed to *"appoint"* the Executive officer for three years, eligible for reappointment for a total of nine years only. Others thought a single long term preferable. A term of four years without restriction as to reelection was finally adopted. Today we are facing the question as to a third term. The question still argued was fully discussed as to whether a good President should be eligible for reelection and whether a bad President could be gotten rid of, and how.

The question of impeachment was debated pro and con.

The veto power was fiercely argued, and from strange angles, always with the fear that monarchy would result: others thought that no President would ever dare to veto an act duly passed by the legislative bodies!!!

Even Dr. Benjamin Franklin expressed this view.

Officers to Serve Without Pay

Dr. Franklin also proposed that *no salaries be paid to the public officers, but that their necessary expenses be paid.*

"This would make men." he said, "more desirous of obtaining the esteem of their countrymen than avaricious or eager in the pursuit of wealth."

What would modern politicians think of this proposition?

It was also debated whether the Executive should be elected by the National legislature or by votes of representatives of districts or by popular vote.

The Judiciary

The composition and powers of the Judiciary caused long discussion—the number of Justices of the Supreme Court and that Court's relation to lower courts, federal and state.

How should decrees and judgments of the Supreme Court be enforced? Could that court decide cases against a state, and, if so, how could it enforce the judgment? (A question which afterwards received a supposedly decisive negative in an attempt to compel the State of Georgia to pay such a judgment.) Since then other states have bowed to the decrees of the Supreme Court.

Other Vital Questions

The above are only a few of the hundreds of perplexing questions—new in that day, then for the first time presented and discussed and decided—discussed with a patriotic ardor and with a profound learning and eloquence such as have been seldom witnessed in human history.

A new world in the domain of government was being created. All realized the vital and solemn importance of wisely laying its foundations.

Characters Represented in That Convention

Perhaps the most interesting part of the notes of the members of the Convention—some of them never revealed until this volume was published, is found in the frank estimates of the characters and qualities of their colleagues. We quote from the notes of one member:

Rufus King of Massachusetts

"Mr. King is a man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have a good classical as well as legal knowledge. He has served for three years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his Country-men. This Gentleman is about thirty-three years of age, about five feet ten Inches high well formed, an handsome face, with a strong expressive Eye, and a sweet high toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming and graceful, but there is a rudeness of manner sometimes accompanying it. But take him *tout en semble*, he may with propriety be ranked among the luminaries of the present age."

Alexander Hamilton of New York

"Col. Hamilton is deservedly celebrated for his talents. He is a practitioner of the Law, and reputed to be a finished Scholar. To a clear and strong judgment he unites the ornaments of fancy and while he is able, convincing, and engaging in his eloquence the Heart and Head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory;—it is my opinion that he is rather a convincing Speaker than a blazing orator. Colo. Hamilton requires time to think,—he enquires into every part of his subject with the searchings of phylosophy, and when he comes forward he comes highly charged with interesting matter. there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on.—His language is not always equal; sometimes didactic like Bolingbroker's, at others light and tripping like Stern's. His eloquence is not so diffusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreeable."

Benjamin Franklin of Pennsylvania

"Dr. Franklin is well known to be the greatest phylosopher of the present age;—all the operations of nature he seems to understand, the very heavens obey him, and the Clouds yield up their Lightning to be imprisoned in his rod. But what claims he has to the politician posterity must determine. It is certain that he does not shine much in public Council,—he is no Speaker, nor does he seem to let politics engage his attention. He is, however, a most extraordinary Man, and tells a story in a style more engaging than anything I ever heard. Let his Biographer finish his character. He is 82 years old, and possesses an activity of mind equal to a youth of 25 years of age."

Mr. James Wilson of Pennsylvania

"Mr. Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show him to advantage. He is well acquainted with Man, and understands all the passions that influence him. Government seems to have been his peculiar Study, all the political institutions of the World he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Grecian commonwealth down to the present time. No man is more clear, copious and comprehensive than Mr. Wilson, yet he is no great Orator. He draws the attention not by the charm of his eloquence but by the force of his reasoning. He is about 45 years old."

Mr. Governeur Morris of Pennsylvania

"Mr. Governeur Morris is one of those Genius's in whom every species of talents combine to render him conspicuous and flourishing in public debate;—He winds through all the mazes of rhetoric, and throws around him such a glare that he charms, captivates and leads away the senses of all who hear him. With an infinite *'streach'* of fancy he brings to view things when he is engaged in deep argumentation, that render all the labor of reasoning easy and pleasing. But with all these powers he is fickle and inconstant,—never pursuing one train of thinking,—nor ever regular. He has gone through a very extensive course of reading, and is acquainted with all the sciences. No man has more wit,—nor can any one engage the attention more than Mr. Morris. He was bred to the Law but I am told he disliked the profession and turned merchant. He is engaged in some great mercantile matters with his namesake Mr. Robt. Morris. This Gentlemen is about 38 years old, he has been unfortunate in losing one of his Legs, and getting all the flesh taken off his right arm by a scald, when a youth."

General George Washington of Virginia

"Gen'l Washington is well known as the Commander in chief of the late American Army. Having conducted these states to independence and peace, he now appears to assist in framing a Government to make the People happy. Like Gustavus Vasa, he may be said to be the deliverer of his Country;—like Peter the Great, he appears as the politician and the

Statesman; and like Cincinnatus he returned to his farm perfectly contented with being only a plain Citizen, after enjoying the highest honor of the Confederacy,—and now only seeks for the approbation of his Country-men by being virtuous and useful. The General was conducted to the Chair as President of the Convention by the unanimous voice of its Members. He is in the 52d year of his age.

Mr. George Wythe of Virginia

"Mr. Wythe is the famous Professor of Law at the University of William and Mary. He is confessedly one of the most learned legal characters of the present age. From his close attention to the study of general learning he has acquired a compleat knowledge of the dead languages and all the sciences. He is remarked for his examplary life, and universally esteemed for his good principles. No Man it is said understands the history of Government better than Mr. Wythe, nor any one who understands the fluctuating condition to which all societies are liable better than he does, yet from his too favorable opinion of Man, he is no great politician. He is a neat and pleasing Speaker and a most correct and able Writer. Mr. Wythe is about 55 years of age."

Mr. James Madison, Junr. of Virginia

"Mr. Madison is a character who has long been in public life; and what is very remarkable every Person seems to acknowledge his greatness. He blends together the profound politician, with the Scholar. In the management of every great question he evidently took the lead in the Convention and tho' he cannot be called an orator, he is a most agreeable, eloquent, and convincing speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed man of any point in debate. The affairs of the United States, he, perhaps has the most correct knowledge of, of any man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest members that ever sat in that Council. Mr. Madison is about 37 years of age, a Gentleman of great modesty, with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreeable style of conversation."

We might quote the estimates given of many others, the Pinckneys, Pierce Butler, Edmond Randolph, Luther Martin, Daniel Carrol, Robert Morris, Wm. Livingston, Wm. Patterson, Gerry and many of lesser fame, but space forbids.

Perhaps, however, we should not neglect the statement about Roger Sherman, evidently one of the most striking characters in the whole membership of the Convention. It is as follows:

"Mr. Sherman exhibits the oddest shaped character I ever remember to have met with. He is awkward, unmeaning and unaccountably strange in his manner. But in his train of thinking there is something, regular, deep and comprehensive; yet the oddity of his address, the vulgarisms that accompany his public speaking, and that strange New England cant which runs through his public as well as his private speaking make every

thing that is connected with him grotesque and laughable; and yet he deserves infinite praise,—no Man has a better heart or a clearer Head. If he cannot embellish he can furnish thoughts that are wise and useful. He is an able politician and extremely artful in accomplishing any particular object;—it is remarkable that he seldom fails. I am told that he sits on the Bench in Connecticut and is very correct in the discharge of his Judicial functions. In the early part of his life he was a Shoe-maker; but despising the lowliness of his condition, he turned Almanack maker, and so progressed upwards to a Judge. He has been several years a member of Congress, and discharged the duties of his Office with honor and credit to himself, and advantage to the State he represented. He is about 60."

The notes above quoted are from those of Major William Pierce of Georgia and his concluding estimate of himself may be taken either as one of extreme modesty or of egotism, as one chooses to interpret it. He says: "My own character I shall not attempt to draw, but leave those who may choose to speculate on it, to consider it in any light that their fancy or imagination may depict. I am conscious of having discharged my duty as a soldier through the course of the late revolution with honor and propriety; and my services in Congress and the Convention were bestowed with the best intention towards the interest of Georgia, and towards the general welfare of the Confederacy. I possess ambition, and it was that, and the flattering opinion which some of my Friends had of me, that gave me a seat in the wisest Council in the World, and furnished me with an opportunity of giving these short sketches of the Characters who composed it."

James Madison in his notes thus describes the opening proceedings:

"Mr. Robert Morris informed the members assembled that by the instruction & in behalf, of the deputation of Pena. he proposed George Washington, Esq. late Commander in Chief for president of the Convention. Mr. Jno Rutlidge seconded the motion; expressing his confidence that the choice would be unanimous, and observing that the presence of Genl Washington forbad any observations on the occasion which might otherwise be proper.

General Washington was accordingly unanimously elected by ballot, and conducted to the chair by Mr. R. Morris and Mr. Rutlidge; from which in a very emphatic manner he thanked the Convention for the honor they had conferred on him, reminded them of the novelty of the scene of business in which he was to act, lamented his want of better qualifications and claimed the indulgence of the House towards the involuntary errors which his inexperience might occasion.

"(The nomination came with particular grace from Penna. as Doc'r Franklin alone could have been thought of as a competitor. The Doc'r was himself to have made the nomination of Gen'l Washington, but the state of the weather and of his health confined him to his house.)"

While General Washington was President of the Convention much of the work was done in committee of the whole with other members acting from time to time as chairmen.