

Looking back 100 Years in History...
The Lincoln-Thornton Debate
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Some time ago the president of this association requested that we, as present members of the Shelby County bar, take note of the Centennial Anniversary of the Lincoln-Thornton debate, perhaps one of the most important events with which our Bar has been connected.

One hundred years ago, on June 15, 1856, the spotlight of History fell for a few brief hours upon the old courthouse at Shelbyville. There, two distinguished lawyers debated an issue that was rising to greater and greater national significance, namely, "Should the institution of Negro slavery be extended to the Federal territories." This meeting was important, first, as a prelude defining the same issues that were soon to divide the country, culminating four years later in the Civil War, and secondly, as indicative of the roles these two men were later to carry forth, compatible to their political

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philosophies, in the government of this state and the nation.

Unfortunately, no record of the statements and arguments of this debate were preserved at that time. In this respect it may well be that phrases, ideas, arguments--that both these minds were adept at producing--and that later might have contributed to our literature, are lost. To approximate a consideration of the debate itself, we must draw entirely from the background of national affairs of that day, from the known character and beliefs of the opponents, and from contemporary and subsequent statements of those who were there.

Robert Marshall Root, the Shelbyville artist, must be given credit for preserving an awareness of this event thru his excellent portrait, which generations of Shelbyville young people have viewed in our local school. Historically, it must be noted that the evidence indicates that the meeting was not as formal as the picture might indicate, the almost Roman like posture of the participants and the orderly posing *en banc* of the audience would be quite questionable. It is also exceedingly doubtful if there were the many white-starched shirts in Shelby County at that time. Root's portraits were taken from family daguerreotypes--furnished by family members some 75 years later--but the spirit of the event which is the important matter is caught by the artist.

Shelbyville was less than 30 years old in 1856, a frontier village of log cabins--with livestock running at large in the

dusty or muddy streets, saloons and trading posts being the congregating points. The Asiatic cholera had scarcely subsided. In the county and state the people were concerned with the opening up of the country, the building of roads, canals, railroads. The people were from Kentucky and Tennessee and they still vividly remembered their birth states and the life they lived before coming to settle the Illinois prairies. Culturally and sentimentally the people of Shelby County were Southerners.

Political considerations were deeply imbedded in the lives of these early settlers. They were cognizant of the issue of slavery which had been a troublesome problem for generations and they were anxious to find a peaceable solution within the framework of the union.

The national picture had darkened. Henry Clay, after promoting his great compromise of 1850--was dead. Dead also was the Whig party--a political party both Lincoln and Thornton had supported. Southern extremists were in control of the nation--the Dred Scott decision had inflamed the North--the dominance of the Southern Democrats in Congress, in the Supreme Court, in the administration meant that a party of opposition must necessarily arise. The Republican Party had been created at a school-house in Ripon, Wisconsin on March 20, 1854. Lincoln had at long last found a party to carry his political philosophy to the national field. Thornton had reluctantly turned to the Northern Democratic Party as a party of moderation and in his judgment the party to avoid succession and trouble.

Thornton's course was that of the conservative--Lincoln's perhaps the more liberal and dangerous.

The Republican Party had nominated John C. Fremont for President, the Democrats had compromised on James Buchanan as a stop-gap measure--to hold the Northern and Southern branches together. The recently passed Kansas and Nebraska acts were the issue of the election. A southern dominated Congress had by the Nebraska Act extended the institution of slavery to Kansas and Nebraska territories--against the long-established compromise agreement that the Southern boundary of Missouri should limit slave territory and the Federal territories to the North thereof should be free with slavery prohibited. The Free Soil or Republican Party was definitely committed against these acts. The Abolitionists of the North were determined that Kansas should enter the Union as a free State, colonists from New England were being subsidized in Kansas; against these, pro-slavery supporters were waging guerilla warfare. John Brown was raiding and killing in behalf of the Northern forces. In fact, the Civil War had actually begun in "Bloody Kansas."

The policy adopted by Judge Thornton and followed by the Northern Democrats was one of self-determination by the inhabitants of a Territory as to whether they should enter the Union as free or slave states. This was to blossom further in the popular sovereignty doctrine of Stephen A. Douglas in the campaign of 1858.

The issue therefore of this debate was a national issue. The same issue upon which the presidency was to be determined in 1856 "shall slavery be extended or shall it be limited from expansion in the Territories of the United States."

Anthony Thornton, on June 15th, 1858, was forty-two years of age and had been engaged in the practice of law for twenty years in the Shelby County community. He had been born in November of 1814 near Paris, Kentucky and after the death of his parents had been reared by his grandfather in the old Southern tradition on a plantation in the blue grass country. His ideas in reference to slavery were fixed in these early days and he recalls the lives of the slaves upon the family plantation as being a happy and carefree life.

Quoting Thornton on his impressions of slavery is the following excerpt:

"There were always ten white persons in the family until my grandfather's death, and about one hundred Negroes. There were only eight rooms in the house, and I have often thought in mind, of the family, and company almost constant, how so many people could be cared for and bedded in so small a house. The Negroes, of course, occupied their own cabins. From Christmas Eve until New Year's Day the house was always well filled, and joy and feasting were the order of the holiday. We had indeed a joyous time to which memory often fondly recurs. The Negroes did not labor during the holidays, and they had, consequently, a good time. I can never forget the 'corn shuckings.' A good

supper and a dram of pure whisky awaited the end of the work. The Negro is naturally musical, and on these occasions the singing was grand and melodious."

Thornton was educated in Preparatory School at Gallatin, Tennessee, studied at Center College in Danville, Kentucky and then was graduated from Miami University at Oxford, Ohio in 1834. He was known for his exceptionally fine classical education in Latin and Greek. From 1834 to 1836, he had read law under his Uncle John R. Thornton and was admitted to practice in 1836, shortly after which he had migrated to Shelby County, Illinois. He was a well known leader in Shelby County, and a Whig Politician until the year 1856. He had known Abraham Lincoln personally and well for many years during the time that they had ridden the circuit together. In a biographical sketch of his life, Judge Thornton referred to those days in the following manner: "In our early practice we 'rode the circuit,' as it was called. For a number of years we rode on horseback from county to county. Afterward, when we had acquired money enough to buy a buggy, and the roads had become somewhat improved, we traveled the 'circuit' in buggies. * * *

"Of all the lawyers whom I ever met, Lincoln was the most marked for his fairness and honesty. He was always earnest and forcible, and could manage and present a good case with as much power and clearness as any man I ever saw.

"This traveling on the circuit was very pleasant. The lawyers were genial, and

the 'very pink of Courtesy.' The mode of life had so much variety as to preclude monotony. We met new faces every week; were often entertained with racy incidents and were encountered with novel and laughable cases."

Lincoln was 47 years of age at the time of this meeting and had, like Thornton, been a practicing lawyer for 20 years, having been admitted to the Bar in 1836. His early life includes his part in the Black Hawk War, as a State Legislator and Congressman, as a practicing attorney in the circuit is well-known to all of you. I mention only one incident in his early life which particularly bears upon this discussion. In 1831 when he was 22 years of age--he and John Hanks and John D. Johnson floated a flat-boat loaded with pork down the Sangamon and Mississippi rivers to New Orleans. There Lincoln first encountered the slave trade--saw signs advertising sales of slaves and generally observed the life of Negroes in New Orleans working about the docks as laborers. It is from this trip, his only contact with slavery, that his great dislike for Negro slavery arose and his determination to do what he could to end it. However it was 25 years before slavery became a sufficiently important political issue for Mr. Lincoln to tie his political future to that issue.

Turning now to contemporary accounts of the meeting. One of the best and most sympathetic is that of Col. Dudley C. Smith, who discussed the debate as follows:

"I first met Abraham Lincoln in 1856. He had come to Shelbyville, Ill., to engage

in a joint debate with Anthony Thornton, a resident of the place. Mr. Thornton was an educated man, and as a lawyer and public speaker, ranked among the ablest of the State. Both debaters were born in Kentucky. Both were of large frame, and spare and tall, their height being about the same. Both came in Illinois in early manhood; both chose the profession of law; both had been members of the Legislature, and both had been Whigs. They were warm personal friends, and until 1856 had stood shoulder to shoulder politically. In that year the Whig party, having been practically disintegrated and the Republican Party having been organized, Mr. Lincoln joined the Republican Party and advocated the election of John C. Fremont to the presidency; while Mr. Thornton became a Democrat and urged the election of James Buchanan.

"Mr. Lincoln had a few political admirers in Shelby County, and they arranged with the political friends of Mr. Thornton for the joint debate mentioned above. The day was warm and the speakers met in the Courthouse an hour before the debate was to begin, and spent the time in telling anecdotes and in reminiscing, much to the enjoyment of the goodly number of men gathered there. I had heard of Mr. Lincoln as an able lawyer and a forceful speaker, and as I had never heard a public speech in behalf of the principles of the Republican party, which principles I personally held, I was greatly interested in him and in what he said, and my memory of his personal appearance and of much that he said is still very distinct. He wore a long linen

duster, no vest, and a pair of trousers much too abbreviated in their lower extremities to have commanded the approval of a Beau Brummel. He sat in a split-bottom hickory chair, tilted back against the front of the Judge's desk, with his feet resting on the lower rung and his thumbs thrust under his suspenders. At the appointed hour he opened the debate substantially in the following exact words:

"Fellow Citizens: I rarely arise to address my fellow countrymen on any question of importance without experiencing conflicting emotions within me. I experience such at this hour as I have never experienced before. It is a matter of great regret to me that I have so learned, so able and so eloquent a man as my friend Anthony here, to reply to what I shall say. On the other hand, I take some comfort from the fact that there are but sixteen Republicans in Shelby County, and therefore however poorly I may defend my cause, I can hardly harm it, if I do no good.

"Anthony" and I were always old-line Whigs, and we stumped parts of Illinois and Indiana together in 1844 in advocacy of the election of Henry Clay, the Whig candidate for President. We have always been in substantial agreement on all public questions up to this time, but we have sometimes crossed swords in court, and you know, Anthony, that whenever we have, you have always "cut me as a file cuts soft soap"! Then, after a few more complimentary allusions to his friend 'Anthony,' he entered into a clear, logical and forceful discussion of the issues of the campaign, which was listened to be all present with rapt attention.

"Mr. Thornton, as I have said, was Kentuckian, and prided himself on maintaining Kentucky's reputed chivalry. In his reply to Mr. Lincoln, therefore, he eulogized him in the highest terms as a man, a friend, a lawyer, and a statesman, and finally said, that if the Republican convention had nominated 'Abe Lincoln' of Illinois, and John Mc Lean, of Ohio, instead of Fremont and Dayton, he would have felt constrained to vote for them, despite the Republican platform.

"Mr. Lincoln's speech, as I think, was the only Republican speech made in the county during that campaign; yet so profound and so lasting was the impression it made on the minds and hearts of those who heard it, that the sixteen known Republicans in the county before it was made swelled into a chorus of one hundred and fifty-odd at the polls in November."

Jasper Douthit, in his Auto-biography comments upon the meeting in the following manner:

"I have a clear recollection of Lincoln, as I first used to see him in the old hotel across the street from the courthouse where he stopped during the terms of the circuit court in Shelbyville. I see the Great Commoner as he sat on the porch, southern fashion, when court was not in session, his long, lank limbs doubled up, or straightened out with feet propped up, while he read the paper or a book, or chatted familiarly with the old farmers or his fellow attorneys. He never told a story for the story alone, but always to clinch an argument.

I heard him make the speech in the old courthouse in Shelbyville, in which he gave his reasons for breaking from the old Whig party and helping to organize the Free Soil, or Republican Party. There was a very intense partisan spirit in those days in southern Illinois, and the sympathy was nearly all with the South, so that an outspoken anti-slavery man was considered hardly human. Politicians were accustomed to indulge in personal abuse and ridicule of their opponents, and so did lawyers in pleading in court. Consequently, when I went with my father, as a boy, to the courthouse to hear political speeches or the leadings of lawyers, I always expected to hear them hurl denunciations and abuse at their opponents. But on that day, when Lincoln gave his reasons for leaving the Whig party, I witnessed a very different scene. I was surprised at the very pleasant manner and kindly spirit in which Mr. Lincoln treated his opponents.

"While he spoke, some who had been his associates in the Whig party grew furious, interrupted his speech, and hurled abusive epithets at him. I wonder that he took it all so calmly and with such self-control. I do not remember any words of that speech, I only know that he bore testimony against slavery; but I shall never forget how he looked and the manner in which he spoke--how patient he was toward his cross critics. I went home and told my father that I had heard a lawyer and a politician speak without talking harshly or abusing anybody. I had

never witnessed the like before in my life."

Carl Sanburg, in his works upon Abraham Lincoln, refers to the speech of Lincoln made at Shelbyville to a rally of Democrats. Sanburg states that he debated with the local leader and quoting from *Register* at Springfield, "that his three hour speech was 'prosy and dull--was about freedom, liberty and niggers. He dodged every issue'." That perhaps might have been influenced by the partisanship of the newspaper.

Judge Thornton in later years in writing of this event, in which he had participated, stated as follows:

"In June, 1856, I made an appointment to pronounce my first democratic speech in the old courthouse in Shelbyville. There were but few Republicans in Shelby County at that time. Slavery, and intimately connected with it, the Nebraska bill, was a principal question for discussion. A committee waited upon me and requested a joint discussion, to which I assented. On the appointed day, Mr. Lincoln appeared. I had then known him well for many years. As it was *my* meeting, and as a matter of courtesy, I consented that Mr. Lincoln should open the discussion. He commenced at 2 o'clock and spoke until nearly 5. He knew he was addressing people who sympathized with the South, and he made an ingenious and plausible speech. He, however, spoke so very long that I became apprehensive as to any effort I might make to a wearied crowd. I began my reply by telling one of Mr.

Lincoln's stories, and thus obtained the attention of the crowd and made a short speech. The meeting was a pleasant one. We parted with the kindest feelings, and that was the last public speech I ever heard Mr. Lincoln make."

From these accounts and other data I believe that we may reach the following conclusions:

1. The subject matter of the debate was purely political and closely tied to the Buchanan-Fremont Presidential campaign. Lincoln was speaking to a politically antagonistic audience and was using a proselyting appeal.
2. Lincoln's fame and ability as a speaker is acknowledged by all--his delivery is said to be forceful and eloquent--his arguments plausible, but his position was liberal, even revolutionary to the thoughts of his listeners. The southern background of the Shelby County people was too strong to be swayed by oratory.
3. Lincoln had found his vehicle to enter the national picture--he had the zeal and determination necessary to carry forward to becoming the acknowledged leader of the Anti-slavery forces.

A debate implies the determination of an issue, the awarding of a decision to the winner. If in this instance we treat this meeting as a debate, rather than a political meeting, Thornton was unquestionably the winner at the time, and in the following Fall, when James Buchanan was elected President, defeating Lincoln's candidate, Mr. John

C. Fremont. This was true in the County, the State and the Nation. But it was not long before Lincoln was to be the ultimate winner, with his eventual election to the Presidency and the settlement of the issue here debated by four years of bloody Civil War.

Our elevation of this event must reflect our own personal theory of history. Any historian must adopt either one of two approaches, namely, that men make history, their ideas bending and conforming events to their will and influence, or in the alternative that men are the pawns of issues and times, that economic forces cast certain individuals to the foreground irresistibly producing the man the surge of history requires.

These two attorneys, members of this Bar, who debated on that summer day in 1856, appear cast at that time to their ultimate destinies, Thornton becoming the wartime leader of this community, later to be elevated to the Supreme Court of our State and to great eminence in the legal profession. Lincoln within two years was a candidate for the U.S. Senate, debating with Stephan A. Douglas on the same issues he expounded here, within four years was elected President of the United States, within seven years had proclaimed the Emancipation Proclamation, and within nine years was dead--dying *perhaps* for those very principles for which he argued on that afternoon--100 years ago.

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