THE PUBLIC LIFE OF THOMAS L. HAKER

A Thesis Presented for the Degree of Master of Arts

by

Franz J. Brickman, B. A.

THE OHIO STATE UNIVERSITY

1940

Approved by:

Eugene H. Roseboom
TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. THE LIFE OF THOMAS L. HAMER</td>
<td>1</td>
</tr>
<tr>
<td>II. STATE LEGISLATOR, 1825, 1828, 1829</td>
<td>10</td>
</tr>
<tr>
<td>III. CONGRESSMAN, 1833-1835</td>
<td>17</td>
</tr>
<tr>
<td>IV. CONGRESSMAN, 1835-1839</td>
<td>26</td>
</tr>
<tr>
<td>V. LAWYER AND POLITICIAN, 1840-1846</td>
<td>41</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>57</td>
</tr>
</tbody>
</table>
CHAPTER I

THE LIFE OF THOMAS L. HAMER

Thomas Lyon Hamer was born in Northumberland County, Pennsylvania, in July, 1800. His father is said to have been a farmer of moderate means, who, about the year 1812, took his family to the state of New York and lived for a short time near Lake Champlain.¹ Here, it is claimed, young Thomas saw McDonough defeat the British fleet on Lake Champlain.² In 1817, the elder Hamer moved to Ohio where he purchased a farm near Oxford, Butler County. Thomas accompanied his family as far as the mouth of Nine Mile Creek, a stream in Clermont County, where he left his parents.³ Having received a fair education, he was able to secure a school at Withamsville in the fall of 1817. While teaching there he began his study of law with books borrowed from Hezekiah Lindsey, and improved his general education with books secured from Dr. William Porter, both prominent men in that community.⁴ Later he took charge of a subscription school at Bethel, where he boarded in the family of Thomas Morris, a well-known lawyer of Clermont County, who supervised his

¹ The History of Brown County, Ohio, 343.
² Henry Howe, Historical Collections of Ohio, I, 331.
³ The History of Brown County, Ohio, 343.
⁴ Byron Williams, History of Clermont and Brown Counties, Ohio, I, 416.
legal studies until he was admitted to the bar.\(^5\)

In the spring of 1821, Hamer was admitted to the bar by the Supreme Court at Williamsburg, Thomas Morris and Thomas Porter recommending his admission.\(^6\) After his admission to the bar, Hamer, in August, 1821, moved to Georgetown, which only three months before had been made the county seat of Brown County, where he began to practice law.\(^7\) Brown County in 1820 had a population of 13,367.\(^8\) He was appointed justice of the peace of Pleasant Township and in 1824 he became editor of \textit{The Benefactor}, the first newspaper in Brown County.\(^9\) Thus for a time he was lawyer, magistrate and editor. He soon proved himself an able lawyer and his practice became lucrative, his skill as a jury lawyer attracting especial notice.\(^10\)

Hamer early showed an interest in politics. As editor of \textit{The Benefactor} he supported Jackson's candidacy in 1824.\(^11\) In 1825, he was elected to the lower house of the General Assembly, just meeting the constitutional age requirement of twenty-five years. In 1828, he was chosen a Presidential elector on the Jackson ticket, and was again elected Repre-

---

5. \textit{The History of Brown County, Ohio}, 343.
6. \textit{Ibid.}
7. \textit{Ibid.}
9. \textit{The History of Brown County, Ohio}, 344. See also, \textit{The Ohio Statesman}, June 14, 1842.
10. \textit{The History of Brown County, Ohio}, 344.
11. \textit{The Castigator (Georgetown)}, August 21, 1832.
sentative to the General Assembly. Re-elected the next year, he was unanimously chosen speaker of the House of Representatives at the organization of that body in December, 1829.12

Retiring voluntarily from public life at the close of his term in the Twenty-Eighth General Assembly, Hamer devoted his main efforts to the practice of his profession. Not for long was he to remain in private life, however, for in 1832, after a lively campaign, in which he ran against his old friend and counsellor, Thomas Morris, he was elected to the lower house of Congress. He was re-elected to that body in 1834, and again in 1836.13

Having declined re-election for a fourth term, Hamer, in 1839, again retired to private life and the practice of law.14 He continued, however, to participate freely in the discussion of political questions. An effective speaker, he was called upon in the gubernatorial campaign of 1840 to counteract the influence of the Whig candidate, Thomas Corwin, who "totally eclipsed" the Democratic nominee, Wilson Shannon, as a speaker.15 In the campaign of 1842, Hamer, having become the leader of the conservative Democrats, successfully defied the attempt of Samuel Medary, editor

12 For Hamer's work as a state legislator, see Chapter II.
13 For Hamer's career in Congress, see Chapters III and IV.
14 Congressional Globe, 1st sess., 30th Cong., 69.
of the Ohio Statesman, the leading Democratic paper in the state, to read him out of the party.16

Hamer's desire to secure the comfort of his family through the practice of his profession seems to have been largely responsible for his voluntary retirement from public life in 1839.17 That he did not let his interest in politics during this period divert him from this purpose may be seen from his interest in matters pertaining to his profession. Appearing in every issue of the Ohio Statesman from April 2, to December 3, 1841, is an advertisement inserted by Hamer, announcing in large print his availability as a lawyer and the courts before which he was entitled to practice.

Lawyers in Ohio had long been critical of the court system, which had not been revised since the original Constitution of the state had been adopted. The courts were overburdened with cases and were long in arrears with their work. Hamer, in a letter to Samuel Medary, editor of the Ohio Statesman, said that national politics during the past few years had been so exciting that Ohioans seemed to have lost sight of many important state questions. He went on to say that it was

16 For Hamer's political activity, 1840-1846, see Chapter V.
17 Williams, op. cit., I, 417.
doubtful whether a well-informed man can be found in the state who does not feel the necessity of a change in our judiciary system... Its inefficiency is daily becoming more manifest; and at the present time its operation is such as to amount to a denial of justice. Suits are continued from term to term because the Supreme Court has not the time to try them.  

In still another way Hamer showed his interest in the law. A professional associate of Timothy Walker, President Judge of the Ninth Judicial Circuit in Ohio, who was a founder of the Cincinnati Law School and a professor in that school, Hamer suggested to Walker the publication of a law journal containing the opinions of all the courts. The announced purpose of the venture was to create "an organ of communication among western lawyers." The result of these overtures on the part of Hamer was the beginning of the publication of the Western Law Journal, edited by Timothy Walker, ten volumes appearing between the years 1843 and 1853.  

In 1846, Hamer again evinced an interest in public life when he once more became a candidate for a seat in the lower house of Congress. When the war with Mexico broke out, Hamer, who supported President Polk's Mexican policy, first rode over his district where he addressed meetings to arouse the war spirit of his fellow countrymen, and then transformed his

18 June 15, 1841. This letter is over the signature of "A Democrat." Edgar A. Holt, Party Politics in Ohio, 1840-1850, 403, claims Hamer is the author.

words into action by volunteering as a private soldier. At
the organization of the First Regiment of Volunteers at Camp
Washington in Cincinnati, he was elected Major. On June
23, 1846, this regiment was received into the service of the
United States government. Within a week President Polk
appointed Hamer a Brigadier General, in which capacity he
served during the campaign at Monterey.

In the Battle of Monterey, September 21, to September
23, 1846, the only engagement in the war in which Hamer par-
ticipated, he acquitted himself well. When General Butler,
the commanding officer, was wounded, the command was turned
over to General Hamer, who was in charge during the rest of
the battle. In October, 1846, while Hamer was with the
army in Mexico, he was elected to Congress without opposi-
tion. Hamer, in a letter to Governor Bartley of Ohio,
praised highly the courage and the services of the Ohio vol-
unteers at Monterey.

General Hamer did not long survive the Battle of Mon-
terey. Unhurt in the fighting, he had the misfortune to be-

---

20 History of Brown County, Ohio, 350.
21 Official Roster of the Soldiers of the State of Ohio in
the War of the Rebellion, 1861-1866, and in the War with
Mexico, 1846-1848, 382.
22 Letter dated June 29, 1846, at Washington, from President
Polk to General Hamer, given in the History of Brown
County, Ohio, 350.
23 Luther Giddings, Campaign in Northern Mexico, 186.
24 History of Brown County, Ohio, 351.
25 The Ohio Statesman, November 9, 1846.
26 Letter dated at Monterey, October 12, 1846, appears in
Ryan and Randall, History of Ohio, IV, 53.
come ill; and on December 2, 1846, after an illness of only a few days, he died. 27 General Taylor in his report of December 3, 1846, announcing the death of General Hamer, said, "In council I found him clear and judicious; and in the administration of his command...impartial and just...His loss to the army at this time cannot be supplied. 28

On receiving word of General Hamer's death, both houses of the Legislature passed appropriate resolutions, the Supreme Court of Ohio adjourned for the rest of the day, and the bar held a meeting to pass resolutions of respect to the deceased. 29 On January 18, 1847, Rufus P. Spalding delivered a "Eulogy on the Life and Services of the Lamented General Hamer" before a joint session of the two houses of the General Assembly. 30 Jonathan D. Morris, who was elected to fill the seat in Congress made vacant by Hamer's death, pronounced a eulogy on Hamer before the House of Representatives. 31

Little is known about Hamer's family life. Soon after establishing himself in Georgetown in 1821, he married Lydia Bruce Higgins, the daughter of Colonel Robert Higgins, for-

---

27 The Ohio Statesman, December 31, 1846. See also the letter of a private soldier in Hamer's brigade, dated at Monterey, December 3, 1846, which appears in the History of Brown County, Ohio, 351. Byron Williams in his History of Clermont and Brown Counties, Ohio, I, 417, gives December 3, as the date of Hamer's death. Most authorities, however, give December 2, 1846.
28 Giddings, op. cit., 244.
29 The Ohio Statesman, December 31, 1846.
30 Ibid., January 19, 1846.
31 Congressional Globe, 1st sess., 30th Cong., 66.
merly of Virginia and then a prominent citizen of Brown County. After his first wife's death in 1845, Hamer was married to Catherine Johnston, the daughter of Dr. William Johnston of Kentucky. How many children there were in the family is likewise not known. That there were more than two seems certain for there is reference to the "eldest daughter of General Hamer by his first wife" and to his "eldest son," a youth of seventeen at the time of Hamer's death. 

With Taylor in Northern Mexico was a young second lieutenant in the seventh infantry, Ulysses S. Grant, who some years before had received his appointment to the military academy from Hamer. Jesse Grant, Ulysses' father, and Hamer, both residents of Georgetown where the elder Grant operated a tannery, were close personal friends for many years. As a result of a difference of opinion engendered during a warm discussion of some political question, however, the two stopped speaking to each other. According to Ulysses, both men felt bad about the estrangement and would gladly have become friends again; but neither wished to make the first advance. Such

---

33 The Cincinnati Daily Enquirer, December 31, 1846. It appears Hamer's second wife was a brother of a Captain Johnston, the original commander of the Brown County volunteers, who had married Hamer's eldest daughter by his first wife. Hamer was at the same time, then, the father-in-law and the brother-in-law of Captain Johnston. See also Dictionary of American Biography, VIII, 170.
34 Ibid.
was the situation when the elder Grant, learning of a vacancy at West Point from their district, wished to secure the appointment for his son; but under the circumstances he would not apply to Hamer. He did write to Thomas Morris, the United States Senator from Ohio, requesting the appointment for Ulysses. Ulysses believes this letter was sent to Hamer, who alone could make the appointment, the latter, without saying anything about it, appointed him to the military academy. This act cleared up the misunderstanding between Jesse Grant and Hamer and they became friends again.\(^{36}\) General Grant refers to Hamer as "one of the ablest men Ohio ever produced" and "believed that had his life been spared he would have been President of the United States during the term filled by President Pierce."\(^{37}\)

Hamer's body was brought back from Mexico and buried at Georgetown. No tombstone marks his grave but the citizens of Georgetown and Brown County erected a granite monument in his honor in the courthouse yard. This monument was unveiled in 1917.\(^{38}\)

\(^{36}\) Personal Memoirs of U. S. Grant, I, 33-34.
\(^{37}\) Ibid., 105. Professor Homer C. Hackett thinks Grant's estimate of Hamer may have been colored by the fact that Grant's appointment to West Point was due to him. See Dictionary of American Biography, VIII, 170.
\(^{38}\) "Centennial Anniversary of the Birth of Ulysses S. Grant," Ohio Archaeological and Historical Society, XXXI, 265.
CHAPTER II

STATE LEGISLATOR

While practicing law and editing The Benefactor in Georgetown, Hamer became interested in politics and was elected a member of the House of Representatives of the Twenty-Fourth General Assembly, taking his seat on December 5, 1825.\(^1\) No information is extant concerning the campaign engaged in by Hamer to win this seat in the Legislature.

The Legislature during this session passed more than a hundred acts, the majority of which were of a local nature.\(^2\) Probably the major act of the session was the one authorizing the canal commissioners to secure through the sale of bonds some $600,000 for each of the years 1827 and 1828 to meet the cost of canal construction.\(^3\) Hamer voted for this law.\(^4\)

Since the newspapers of this period seldom carry the accounts of the debates in the General Assembly, we cannot be certain as to Hamer's first appearance in debate in the house, but it seems to have been in connection with the

---

\(^1\) Journal of the House of Representatives, 1st sess., 24th General Assembly, p. 3.

\(^2\) The Ohio State Journal and Columbus Gazette, February 9, 1826.

\(^3\) Galbreath, op. cit., II, 487.

Gardiner case. The House by a large majority had declared the seat occupied by James B. Gardiner, Representative from Greene County, vacant on the grounds that he had violated the provision of the state Constitution which stated that any person who directly or indirectly promised any reward in order to be elected should be "rendered incapable for two years, to serve in the office for which he had been elected." In January, 1826, Gardiner was returned by his constituents to the seat from which he had been expelled. It was contended in the House that Gardiner, in spite of his re-election, was still ineligible to his seat under the two-year provision in the state Constitution mentioned above. Entering the debate in behalf of Gardiner, Hamer contended that the intention of the Constitution was to give the House as much power as was necessary for its own preservation—"to secure itself against the intrusion of unqualified persons," but that the House could not constitutionally expel a member twice for the same offence, that the question had been submitted again to Gardiner's constituents, and that their decision in the matter should be respected.

Hamer was not unmindful of the local interests of his constituents. He secured the passing of bills incorporating

5 The Ohio State Journal and Columbus Gazette, December 15, 1825, and January 12, 1826.
6 Ibid., February 2, 1826.
7 Ibid., January 19, 1826.
the town of Ripley in Brown County and providing relief for
the securities of Samuel C. Sperry, a former collector of
Brown County. His frequent appointments to select commit-
tees and the fact that he was often chairman of the commit-
tee of the whole indicate an active participation in the busi-
ness of the House.

Hamer apparently was a candidate for re-election to his
seat in the General Assembly in 1826. In an article appear-
ing in an opposition paper in 1828 over the name of "Anti-
Caucus," the writer asked, "Is this the same man [Hamer] who
offered himself [as a candidate] afterwards, but was per-
mitted to remain at home..." Whether he was a candidate
or not, he was not inactive politically between 1826 and
1828 when he was again elected from Brown County to a seat
in the lower house of the Legislature. He helped to draft
resolutions at a Brown County Democratic meeting in Geor-
town on December 1, 1827, which favored the candidacy of
Andrew Jackson for the Presidency in 1828, and which severe-
ly criticised the Adams' administration. At the same meet-
ing he was appointed a member of two committees, both de-

---

8 Journal of the House of Representatives, 1st sess.,
24th General Assembly, 127, 330, 348.
9 Ibid., 187, 330, 347.
10 The Western Aegis and Public Advertiser (Georgetown),
September 9, 1828, and September 30, 1828.
11 Journal of the House of Representatives, 1st sess.,
27th General Assembly, 3.
12 The Western Aegis (Georgetown), December 4, 1827.
signed to promote the interests of Jackson. At the state Democratic Convention, January 8, 1828, Hamer was nominated a Presidential elector from the Fifth Congressional District on the Jackson ticket.

During the summer of 1828, Hamer was nominated for a seat in the lower house of the legislature by a caucus which met in Brown County. Who his opponents for the seat were is not known, but that he had opposition is evident from the attacks made on him. He was accused of dictating the course of the party through the control of the caucus, was criticised as the author of the Sperry Law, and represented as having said "more than one-half of the people were damned fools anyhow." To this last charge Hamer replied claiming a misrepresentation of the facts. In spite of these attacks he was elected.

Hamer took his seat in the lower house of the Twenty-seventh General Assembly, and the next day was appointed a member of the standing Committee of Finance. More than a hundred and fifty bills were passed in this session.

13 The Western Aegis (Georgetown), December 4, 1827.
14 Ibid., January 15, 1828.
15 The Western Aegis and Public Advertiser (Georgetown), September 30, 1828.
16 Ibid., September 9, 1828.
17 Ibid., September 30, 1828.
18 Ibid.
19 Ibid., October 7, 1828.
21 Ibid., 7.
22 The Ohio State Journal and Columbus Gazette, February, 19, 1829.
Among the major laws passed were the act definitely establishing the deaf and dumb asylum and one which increased the facilities for buying alcoholic beverages through the licensing of retail grocers to sell them.\(^{23}\) When the House voted to engross the former bill for its third reading, Hamer cast a negative vote. The vote on the third reading which took place the next day was not recorded.\(^{24}\) The latter act received his approval.\(^{25}\)

In this session Hamer secured the introduction and passage of an act defining more clearly the duties of executors and administrators;\(^{26}\) favored a tax on the capital employed in tanneries;\(^{27}\) offered an amendment to a Senate bill providing for the sale of land granted Ohio by Congress, which would decrease, under certain conditions, the price from one dollar and twenty-five cents per acre to one dollar per acre;\(^{28}\) approved in a bill providing for the improvement of the common schools a provision requiring prospective teachers to secure certificates from two school examiners before being eligible for employment;\(^{29}\) and favored the repeal of an act

---

\(^{23}\) Galbreath, op. cit., II, 495.
\(^{24}\) Journal of the House of Representatives, 1st sess., 27th General Assembly, 226.
\(^{25}\) Ibid., 248.
\(^{26}\) Ibid., 19, 161.
\(^{27}\) The Ohio State Journal and Columbus Gazette, January 10, 1829.
\(^{28}\) Ibid., February 7, 1829.
\(^{29}\) Ibid.
regulating the admission and practice of lawyers and physicians. And with the local interests of his constituents in view, he offered a resolution requiring the canal commissioners to investigate the practicability of making navigable for flat boats five streams in Brown County, and to survey a route for a railroad from Hillsborough to Ripley, which resolution was promptly laid on the table. In the fall of 1829, Hamer was a candidate for re-election to his seat in the House of Representatives. Data concerning the nature of the campaign and its issues apparently are not available. He was elected, took his seat in the House December 7, 1829, and was unanimously elected its speaker a few days later. The session of the Twenty-eighth General Assembly was a busy one. One hundred and ninety-five laws, mostly local in character, were passed. The canals in Ohio were now in operation to a considerable extent, and a long act was passed regulating navigation upon them. No other laws of importance were passed. The United States Government was ceded a piece of land on which to place a lighthouse at Cleveland. Horse-racing on public roads and highways was prohibited under heavy penalties. Lotteries

30 The Ohio State Journal and Columbus Gazette, January 24, 1829.
31 Ibid., January 31, 1829.
32 Ibid., December 10, 1829.
33 Ibid., December 16, 1829.
34 Ibid., February 24, 1830.
of all kinds were prohibited, and persons selling tickets for outside lotteries were to be fined. Insurance companies were required to pay a yearly license fee of fifty dollars.\textsuperscript{35} 

"As a member of the Legislature and Speaker, Mr. Hamer's course was marked by impartiality and independence, rather than a narrow partisan spirit."\textsuperscript{36} The House in this session contained thirty-seven Jackson and thirty-five Adams men. "In appointing the fifteen standing committees, he [Hamer] appointed a majority of Jackson men on eight and a majority of Adams men on seven committees. In appointing select committees on local questions, he wholly disregarded political differences."\textsuperscript{37}

At the close of the Twenty-eighth General Assembly Hamer, having now served three terms, voluntarily retired from public life for a time. His belief in the doctrine of rotation in office, he claimed later, was responsible for this decision.\textsuperscript{38}

\begin{flushright}
\textsuperscript{35} Charles B. Calbreath, \textit{History of Ohio}, II, 497. \\
\textsuperscript{36} The History of Brown County, \textit{Ohio}, 344. \\
\textsuperscript{37} \textit{Ibid.}, 344-345. See also \textit{The Castigator} (Georgetown), October 2, 1832. \\
\textsuperscript{38} \textit{The Castigator} (Georgetown), August 21, 1832.
\end{flushright}
CHAPTER III

CONGRESSMAN, 1833-35

Hamers' retirement from public life was of short duration. In the summer of 1832 he announced himself a candidate from the Fifth Ohio Congressional District, composed of Adams, Brown and Clermont Counties, for a seat in the national House of Representatives.\(^1\) About six weeks later, in a long address to the voters of his district, he stated his position on nullification, the protective tariff, internal improvements and the United States Bank, questions of political importance then confronting the people of the country.\(^2\)

The doctrine of nullification he denounced in no uncertain terms. "A more pernicious doctrine could not well spring from a heated and disordered brain."\(^3\) The protective tariff he supported because the situation seemed to require it. "Free trade is undoubtedly the true policy of all countries, if all would adopt it." Since they would not, he felt that we should also have a protective tariff to enable us to compete on equal terms with countries similarly pro-

---

\(^1\) The Castigator (Georgetown), July 31, 1832.
\(^2\) Ibid., August 21, 1832.
\(^3\) Ibid.
ected, taking care, however, to arrange the duties so as not to injure any particular section of the country.⁴

Internal improvements at the expense of the federal government Hamer had no doubt were both constitutional and expedient. He hastened to add, however, that certain principles should govern Congress on this subject. Duties on imports should never be specifically levied in order to secure money for internal improvements. If, however, a surplus resulted from duties levied for revenue and protection, such funds should be used for the improvement of the country. In the second place, until some better rule was developed for the appropriation of money for these improvements, the one stated by President Jackson in his veto of the Maysville Road Bill, requiring all public works to be of a "national or general character," should be followed.⁵

Jackson's United States Bank policy Hamer did not apparently approve entirely. He began by saying that both the President and the members of Congress had taken an oath to support and uphold the Constitution; and that when a bill was presented to them which they believed to be unconstitutional, they had to vote against it or violate their oath, and Jackson had to do the same. "No real friend of the General could desert him for such a bold and fearless discharge of his

⁴ The Castigator (Georgetown), August 21, 1832.
⁵ Ibid.
But Hamer did not stop with this. He said he had read the veto message and the annual messages of 1829, 1830 and 1831, to see whether he could discover what sort of bank the President did want, but that he had failed. Jackson, he said, opposed the present bank, but had not outlined a plan for the sort of bank he did favor. Whether Hamer could agree with the President on the question of the bank depended on what the details of such a bank would be.

Congress, Hamer believed, possessed the power to create a bank. "With regard to a sound currency," Hamer said, "a United States Bank affords advantages which we have never enjoyed from any other institution, created by state authority." Feeling apparently that this was a strong statement for a candidate for office to make in opposition to the leader of his party, he hastened to add that he had always been opposed to the bank as it was then organized. In spite of the changes which Hamer then listed as being desirable, it is evident that he doubted the wisdom of Jackson's bank policy, that he believed the bank was constitutional, and that this bank had provided the best currency that the United States had ever had. Hamer's position here foreshadowed his views on banking in the 1840's.

---

6 The Castigator (Georgetown), August 21, 1832.
7 Ibid.
8 Ibid.
Hamer's rivals for this seat in Congress were William Russell, the incumbent and an anti-Jackson man; Owen T. Fishback, a Clay supporter; and Thomas Morris, who claimed to be the nominee of the Democratic party.9 Little can be found concerning the course of the campaign so far as it affected Russell and Fishback, even though Fishback finished a strong second in the contest.10 But a lively battle ensued between Morris and Hamer, which the latter had evidently foreseen. When Hamer stated his position on the issues of the day, he had also pointed out that it was reported that he had deserted the Jackson party and that he was only a nominal Jacksonian. He refuted these allegations by stating that Jackson had been supported in Ohio in 1824 and again in 1828 mainly because he was a friend of protective tariff and of internal improvements; favored rotation in office and reform; and believed in having the President elected directly by the people. Hamer asserted that on these principles he had supported Jackson in 1824 and again in 1828, and that

9 History of Brown County, 345. This account states that Hamer ran as an Independent Democrat. Hamer, however, was active in a Democratic county convention held in Georgetown, August 25, 1832, where he was appointed on a committee to prepare an address to the Democratic voters of Brown County. This convention adopted resolutions approving the measures and policies of the Jackson administration and also nominated certain candidates. While it was not specifically stated that Hamer's candidacy was supported by this convention, the inference seems to be that it was. See The Castigator (Georgetown), September 4, 1832.

10 The Castigator (Georgetown), January 1, 1833.
he intended to support him in the coming election.\textsuperscript{11}

The supporters of Morris evidently thought Hamer vulnerable on this point, for the attack soon began.\textsuperscript{12} In a letter addressed to Samuel Medary, editor of the \textit{Ohio Sun}, in reply to an article in the \textit{Sun} which attempted to show that there was only one Jackson candidate before the people for a seat in the House of Representatives, Hamer asserted that he had long been considered a member of the Democratic party, that he was in constant correspondence with the leaders of the party, that he had been elected a delegate to the Jackson convention last winter, and that he had been appointed only a few days ago at a Jackson convention in Brown County to draft an address to the voters of that county in behalf of Jackson. These facts, he maintained, proved him a Jackson man, statements of his opponents to the contrary notwithstanding.\textsuperscript{13}

In October, a few days before the election, Hamer, in a long statement to the electors of the Fifth Congressional District, again found it necessary to answer charges leveled at him by his political opponents. He denied that he had been partial to anti-Jackson men in making committee appointments while Speaker of the House in the General Assembly and

\begin{flushleft}
\textsuperscript{11} The Castigator (Georgetown), August 21, 1832.
\textsuperscript{12} Unfortunately the arguments of the supporters of Morris are not directly available and the points advanced by them must be inferred from Hamer's answers.
\textsuperscript{13} The Castigator (Georgetown), September 18, 1832.
\end{flushleft}
introduced statistics to support his contention. He denied that while Speaker he had said that farmers and mechanics were not competent to vote for judges and presented statements from members of the House who were present to support him. The charge that he had contributed funds toward the erection of a Catholic church was absolutely false, he asserted, although he did subscribe to the erection of three other churches in Georgetown. That he had aided in the organization of a temperance society the object of which was to encourage intemperance was simply not true, he claimed. 14

In spite of the efforts of his opponents to bring about his defeat, Hamer was elected. Fishback and Morris stood next in the number of votes received in the order named, with Hamer having only one hundred and fifty-three votes more than Morris. 15

Hamer's work in the first session of the Twenty-third Congress was not particularly outstanding. He took his seat in December, 1833, and soon afterward was made a member of the Committee on Elections. 16 His only recorded appearance in debate seems to have been in connection with the report of the Committee on Elections on the seat of the Representa-

14 The Castigator (Georgetown), October 2, 1832.
15 Ibid., January 1, 1833.
16 Register of Debates, 1st sess., 23rd Cong., 2160.
tive from the Fifth District of Kentucky, which had been contested.\footnote{17 Register of Debates, 1st sess., 23rd Cong., 4222-4239.}

McMaster, in speaking of this session, says that even though the removal of the deposits, the censure of the President by the Senate, the Senate's rejection of Jackson's nominations, and the existing financial distress overshadowed everything else, still some important legislation was passed.\footnote{18 A History of the People of the United States, VI, 212-213.} Hamer, it appears, had little to do with the passing of this legislation. When the act was passed which attached to the Territory of Michigan a large area lying west of the Mississippi, individual votes were not recorded.\footnote{19 Journal of the House of Representatives, 1st sess., 23rd Cong., 523.} The same thing occurred in connection with the act providing for the organization of a department of Indian affairs.\footnote{20 Ibid., 852.} When the bill providing for the regulation of the deposits of money of the United States in certain banks and the three coinage bills of the session were passed, Hamer was absent.\footnote{21 Ibid., 665, 804, 805, 825.}

In the second session of this Congress there were debates in the House on a number of important questions, but there was "little legislation on public affairs."\footnote{22 McMaster, op. cit., VI, 236.} Hamer participated briefly in the debate on the question of our
relations with France. In connection with the unpaid claims for French spoilliations prior to the year 1800, the House had just learned the contents of Minister Livingston's communications to the State Department, which it had requested, after receiving in Jackson's message of December 1, 1834, a request for the authorization of reprisals against France. At this point John Quincy Adams moved that the part of the President's message which dealt with the French claims together with Livingston's dispatches be referred to the Committee on Foreign Affairs with instructions to report forthwith. A vigorous debate followed in which the majority opinion appeared to be that while the matter should be referred to the Committee of Foreign Affairs, it would be unwise to call on that committee for a report at that time. Hamer supported this view. Two things, he felt, had to take place before the House could demand a report from its committee on this question. The memorial which Livingston had prepared "ought first to have been presented to the French Chamber of Deputies and the action of that body with respect to it known," and Jackson's message to Congress should have reached France and "the effect of that message...should also be known." Until these two things could be ascertained, it

23 Richardson, James B., Messages and Papers of the Presidents, III, 106.
24 Register of Debates, 2nd sess., 23rd Cong., 1222-1223.
would be imprudent, Hamer asserted, to demand a report from the committee.25

25 Register of Debates, 2nd sess., 23rd Cong., 1230-1231.
CHAPTER IV

CONGRESSMAN, 1835-1839

Hamer was a candidate for re-election to his seat in Congress in 1834. That he was elected by a vote of 3479 as compared with his vote of 2161 in 1832, appears to be all the information available on this election.\(^1\)

In the first session of the Twenty-fourth Congress, Hamer became a member of the standing Committee on Foreign Affairs,\(^2\) and the records of the House show that he was more active than in the previous Congress. About the middle of January, 1836, a resolution was introduced asking that a committee be appointed to investigate the military academy at West Point with the view of modifying the organization of the academy or even abolishing it.\(^3\) Debate followed in which Hamer participated in support of the resolution. He said that some asserted that the institution was aristocratic and others that it was one of the best schools ever established. Hamer could see no reason why anyone would want to oppose the investigation which was designed to discover the truth in the matter. He personally, and his constituents, he as-

---

1 *The Castigator and Democratic Expositor*, October 26, 1836.
2 *The Register of Debates*, 1st sess., 24th Cong., 1839.
asserted, were opposed to the institution in its present form.⁴

Hamer, it seems, was no friend of government regulation. In March, 1836, a Baltimore trades union had presented a memorial to Congress, requesting that the hours of labor on public projects be limited to ten hours each day. A debate arose on the question of the proper committee to which to refer the memorial during which Hamer moved that it be laid on the table. He said that some people seemed to think that everything should be regulated by law but that he was against that doctrine. The subject, asserted Hamer, should not even be entertained by Congress. "We might as well prescribe by law what sort of clothes a man should wear, or at what time he should eat his dinner! A man who is free should be left to make his own contract."⁵

In May, 1836, Hamer, in one of his few long speeches, spoke strongly in favor of an appropriation for the proposed expedition to explore the Pacific Ocean and the South seas. Almost every nation of Europe, he contended, had at one time or another sent out similar expeditions. The results of these expeditions were beneficial not only to that nation which financed the expedition but to the whole family of nations. Our own foreign commerce, Hamer claimed, owed its

⁴ The Register of Debates, 1st sess., 24th Cong., 2195.
⁵ Ibid., 2890-2892.
security to information which had been secured from surveys and explorations made by others. The project was not visionary as some asserted. Our own whaling fleet, for instance, which constituted one-tenth of the total tonnage of the United States, worked in these waters where shoals and rocks and islands not known to navigators abounded. All sections of the country would benefit from the trade which would surely result from the findings of the scientific corps which would accompany the expedition to study the vegetation and the animals and search for minerals on the islands certain to be discovered. The objection that Congress had not the power to finance such an expedition he waved aside by declaring the Congress had ample power under the commerce clause of the Constitution. 6

During Hamer's congressional career the Ohio-Michigan boundary dispute, which had its origin many years earlier, came up for settlement and needless to say Hamer vigorously supported Ohio's claims. The Ordinance of 1787 had provided that the boundary dividing the northern and the southern tier of states, which might be erected in the territory, should run due east and west through a point which marked the southern extremity of Lake Michigan. The enabling act passed by Congress in 1802, empowering Ohio to frame its Constitution, contained a similar clause; but the constitutional convention

---

6 *Register of Debates*, 1st sess., 24th Cong., 3555-3564.
of Ohio, learning that this line would probably leave outside the boundaries of the state the region around Maumee Bay, specified in the state constitution that, Congress being willing, the northern boundary of Ohio should run along a line from the southern tip of Lake Michigan to the most northerly point of Miami Bay, thus definitely including the region in question in Ohio's limits. Congress approved Ohio's constitution, without approving or rejecting this provision. Some years later the line claimed by Ohio was surveyed under the direction of the United States government by William Harris and as a consequence became known as the Harris line. A few years later President Monroe, at the request of the Territory of Michigan, ordered the boundary surveyed according to the line mentioned in the Northwest Ordinance. This was done by a man named Fulton and became known as the Fulton line. 7

A long dispute now took place between the Territory of Michigan which claimed the Fulton line as the correct boundary and the State of Ohio which insisted on the Harris line. In 1836, the Senate finally passed a bill to establish the northern boundary of Ohio and to provide for the admission of Michigan to the Union. When this bill reached the House it was vigorously debated. In the course of the debate Samuel Vinton of Ohio offered an amendment to the bill to the effect that if the Michigan constitutional convention

---

7 McMaster, op. cit., VI, 243-244.
provided for in the bill failed to give the required assent to the boundary as stated therein, the boundary between Ohio and Michigan would nevertheless remain as specified in the bill. At this point Hamer entered the debate in opposition to Vinton's amendment and in favor of accepting the Senate bill as it stood. This bill, which gave Ohio the boundary line she felt was rightfully hers, he argued, had passed the Senate with great difficulty. The opposition in the Senate was not directed at the provision in the bill which fixed the boundary, but against that part which provided for the admission of Michigan as a state. If the House accepted Vinton's amendment, however, the bill would have to go back to the Senate for concurrence; and it was extremely doubtful whether the Senate would pass it since opposition in that body to the admission of Michigan meanwhile had increased. Moreover, Hamer asserted, if the Senate bill was passed by the House and was signed by the President, it would be law and Michigan's possible rejection of the boundary provision could have no effect whatever on the location of the boundary. Why risk the possible failure of the bill in the Senate, he asked, when it already gave Ohio the settlement she wanted.

In addition to Hamer's views as revealed in the debates summarized above, two more matters in this session require

---

8 Register of Debates, 1st sess., 24th Cong., 4214.
9 Ibid., 4232-4249.
comment. The payment of the national debt by 1835 had released money which ordinarily had been applied toward its payment. A surplus resulted, which, increasing in amount, proved embarrassing to the government.10 A number of plans were suggested to dispose of it, but one which finally reached the House was outlined in Calhoun's bill introduced in the Senate early in the session. This bill, which provided for the regulation of the public deposits, contained two distinct provisions. Under one the Secretary of the Treasury was to select certain banks to be the repositories of public money provided they met certain conditions; and under the other, all the surplus in the Treasury on January 1, 1837, except five million dollars, was to be deposited with the states according to their respective representation in Congress. Each state was to pledge itself to keep this money safely and to return, when required, the share it had received. The money was to be paid in four equal installments on the first days of January, April, July and October, 1837. The House, after adopting an amendment to the bill, passed it. The Senate accepted the amendment and sent the bill to the President, who signed it.11

Hammer voted against this bill.12 He believed that any surplus which might exist in 1837 should be used for

10 McMaster, op. cit., VI, 307-308.
11 Ibid., 321-323.
national defense and "great national objects." If the existing tariff and the present prices of public lands were likely to result in a surplus in the Treasury in years to come, the proper course of action would be to reduce both and leave the surplus in the pockets of the people.\textsuperscript{13} This view, in the main, was in agreement with his statement on the subject of internal improvements made in the campaign of 1832.\textsuperscript{14}

The other matter concerned slavery. The House was receiving numerous petitions praying Congress to abolish the slave trade and slavery in the District of Columbia. Owing to the activities of the Abolitionists the subject of slavery whenever brought before the House precipitated debate which frequently became warm. In connection with these petitions the question arose as to what should be done with them and it was decided to refer the whole matter to a select committee, which committee reported three resolutions to the House. The first declared Congress had no constitutional authority to interfere with slavery in any of the states; the second, that Congress ought not to interfere with slavery in the District of Columbia; and the third stated that all memorials, petitions, or papers which referred in any way to slavery or the abolition of slavery should, without

\textsuperscript{13} The Castigator and Democratic Expositor (Georgetown), August 10, 1836. \textsuperscript{14} See page 18.
being either printed or "referred to," be laid on the table and no further action taken on them. The third resolution became known as the "gag rule."\textsuperscript{15} Hamer voted in favor of the three resolutions.\textsuperscript{16}

In the second session of the Twenty-fourth Congress, Hamer was again appointed a member of the standing Committee of Foreign Affairs.\textsuperscript{17} His activity in this session seems to have been confined to a long speech in opposition to a general investigation of the executive departments and a few remarks in favor of the recognition of the independence of Texas by the United States.

Early in December, 1836, Henry A. Wise of Virginia had introduced a resolution calling for the appointment of a select committee to investigate the various executive departments and the manner in which they had been conducted.\textsuperscript{18} Wise, speaking in support of his resolution, had launched a strong attack on Jackson's conduct as President.\textsuperscript{19} Hamer countered with a general defense of the administration and its policies. For three years, he asserted, he had listened to charges made by the opposition which he felt deserved reply. Because he and others thought the time of the House

\textsuperscript{15} McMaster, op. cit., VI, 295.
\textsuperscript{16} Journal of the House of Representatives, 1st sess., 24th Cong., 875, 881, 884.
\textsuperscript{17} Register of Debates, 2nd sess., 24th Cong., 1043.
\textsuperscript{18} Ibid., 1057.
\textsuperscript{19} Ibid., 1057-1067.
should be used to conduct the public business, many of these charges had gone unanswered and had gone out to the people uncontradicted. The opposition had frequently used the word "party" in a way designed to cast odium on the term. All free governments had parties, said Hamer. The President had frequently been denounced as a tyrant and an usurper, asserted Hamer, but no proof had ever been given, no instances of acts of tyranny or usurpation had been presented. 20 Lack of consistency on questions of the tariff, internal improvements and the bank had also been charged. Had the opposition any principle in common with reference to protection, asked Hamer, who then challenged them to state it. Just what were the important reforms to which the administration was pledged and which the opposition had claimed merited consideration? 21 The administration had been charged with increasing annual expenditures, continued Hamer. Why did not the opposition state the truth, that these increases were caused by the growth of our population, by the expense of new fortifications, and by the cost of removing the Indians. 22 Corruption had been intimated in the attacks by the President's opponents, but never had any specific instance been given. Who complained about the President, anyhow? Why, said Hamer, it was the same men who in 1824 and in 1828 said that our

20 Register of Debates, 2nd sess., 24th Cong., 1274-1275.
21 Ibid., 1278.
22 Ibid., 1279.
country would be ruined if Jackson were elected and the men who had made the same statement in 1836.\textsuperscript{23} The Democrats had been accused of dictation for using the convention to select a nominee for Vice President. Wirt and Clay, Hamer pointed out, in 1832 had been the first to use the convention.\textsuperscript{24} Hamer then concluded his defense of the administration by asserting that he had little to say definitely against the resolution then before the House except that it was too sweeping. He favored an investigation of any department if the evidence seemed to warrant it; but first definite charges would have to be presented.\textsuperscript{25}

Near the close of the second session of the Twenty-fourth Congress, Hamer supported an amendment to an appropriation bill, providing for the salary of a diplomatic representative to Texas. The sending of such a representative was equivalent, of course, to the recognition of Texas as an independent nation.

Answering objections to this amendment, Hamer maintained that the recognition of the independence of Texas did not necessarily involve the annexation of that country. Recognition and annexation, he insisted, were two separate and distinct questions. Some claimed that recognition should not be accorded because the population of Texas was less

\textsuperscript{23} Register of Debates, 2nd sess., 24th Cong., 1282.
\textsuperscript{24} \textit{Ibid.}, 1285.
\textsuperscript{25} \textit{Ibid.}, 1293.
than 100,000 and because the army and navy of Texas were small. With reference to the population, Hamer pointed out, it was a matter of discretion only; for in international law no limits were prescribed. Furthermore, the Texan navy, though small, had driven the Mexican navy into port and the army had defeated all the forces sent out against it. Congress in the last session, Hamer emphasized, had passed almost unanimously a resolution declaring the independence of Texas should be recognized as soon as the citizens of that country had an organized government in full operation. Such a government, patterned after our own, he said, was now an established fact in Texas. To the objection that the majority of Texans were originally Americans, he replied that if they had been of any other nationality, they would, under similar circumstances be entitled to recognition.\textsuperscript{26} Hamer then voted for this amendment.\textsuperscript{27}

In 1836, Hamer ran again for Congress. Some evidence that he was active in the campaign exists, but information concerning his views as expressed in that contest is meager. In a meeting of the Democratic voters, held at Georgetown, August 6, 1836, for the purpose of appointing delegates to

\textsuperscript{26} Congressional Globe, 2nd sess., 24th Cong., Appendix, 215.
\textsuperscript{27} Journal of the House of Representatives, 2nd sess., 24th Cong., 547.
a convention at West Union, Hamer was called on for a speech and spoke "between two and three hours." His remarks, as reported, were confined mainly to the qualifications of the Democratic candidates for the Presidency and the Vice Presidency, Martin Van Buren and Richard M. Johnson respectively, and to an explanation of his reasons for voting against Calhoun's deposit bill. This meeting adopted a resolution approving Hamer's action on the deposit bill.  

At the convention held at West Union on August 30, 1836, Hamer again spoke at length, but the contents of his speech were not published. Here, again, the convention adopted a resolution approving his vote against the deposit bill and stating that Hamer merited the delegates' "warmest confidence and support."  

On September 3, 1836, Hamer was formally nominated for Congress by the District Convention held in Georgetown. A few days later he addressed a Democratic meeting at Ripley. As early as June 1, 1836, the Castigator and Democratic Expositor had reprinted from the Washington Mirror an exceedingly favorable article on Hamer's speech on the proposed South sea expedition. One must wonder, in view of the fact that Hamer made few speeches in

---

28 The Castigator and Democratic Expositor (Georgetown), August 10, 1836. For reasons for Hamer's vote against the deposit bill, see page 32.  
29 Ibid., August 31, 1836.  
30 Ibid., September 7, 1836.  
31 Ibid., September 14, 1836.  
32 See page 27.
Congress, whether this speech was not made, in part, at least, for use in the approaching campaign. After the election had been held, it was found that Hamer had won over his Whig opponent, Owen T. Fishback, by a majority of 1070 votes.33

In the first, or special, session of the Twenty-fifth Congress which met in September, 1837, to deal with questions arising out of the panic, Hamer was made a member of two committees: the standing Committee of Ways and Means and the standing Committee of Foreign Affairs.34 Four major bills came before the House in this session. The first extended the time allowed merchants for the payment of their bonds for duties. The second postponed the payment of the fourth installment to the states under the terms of the Deposit Act of June, 1836. The third authorized the government to issue treasury notes to meet its expenses. And a fourth, which became known as the sub-treasury bill, imposed additional duties, as repositories, on certain public officers.35

The House passed the first three bills. On the first, the individual votes were not recorded.36 The bill authorizing the issue of treasury notes received Hamer's approval.37

33 The Castigator and Democratic Expositor (Georgetown), October 19, 1836.
35 Ibid., 28.
36 McMaster, op. cit., VI, 418.
38 Ibid., 180.
During the debate on the bill to postpone the payment of the fourth installment to the states, charges were being hurled back and forth as to the responsibility for the existing state of affairs. Hamer here entered the debate briefly, questioning whether it was wise to spend precious time during an emergency such as this to find the "culprit responsible" for the situation. He maintained that what was wanted at the moment was action to relieve the situation, not a debate in an effort to fix responsibility.\(^\text{39}\) Hamer voted for this bill.\(^\text{40}\)

The bill from the Senate providing for the sub-treasury system was tabled by the House, but Hamer voted against laying it on the table.\(^\text{41}\)

Beginning with the second session of the Twenty-fifth Congress, less and less evidence of activity on the part of Hamer as a member of Congress is found. In this session he served as a member of the standing Committee of Ways and Means;\(^\text{42}\) introduced several resolutions instructing the Committee on Post Office and Post Roads to inquire into the expediency of establishing certain post routes in his district;\(^\text{43}\) entered briefly into a debate in opposition to a resolution calling on the President for further information on the Car-

\(^{39}\) \textit{Congressional Globe, 1st sess., 25th Cong., Appendix, 67.}\n\(^{40}\) \textit{Journal of the House of Representatives, 1st sess., 25th Cong., 130.}\n\(^{41}\) \textit{Ibid., 198.}\n\(^{42}\) \textit{Congressional Globe, 2nd sess., 25th Cong., 17.}\n\(^{43}\) \textit{Ibid., 70, 243.}\n
oline incident;\textsuperscript{44} and finally asked to be excused from serving on a select committee because he expected to be absent before the end of the session.\textsuperscript{45}

In the third session of this Congress, Hamer reported after the session had begun and appears not to have received any standing committee appointment.\textsuperscript{46} The only evidence of activity in this session seems to be the introduction of two resolutions, the first instructing the Committee on the Judiciary to inquire into the expediency of increasing the salary of the judge in the district of Ohio;\textsuperscript{47} and the other instructing the Committee on Naval Affairs to inquire into the expediency of establishing a Hydrographical Bureau in the Navy Department.\textsuperscript{48} Hamer's interest in his Congressional career seemed to be receding into the background. He had not run for re-election in 1838, and his attention was focused apparently on his return to private life and the rebuilding of his law practice.

\textsuperscript{44} \textit{Congressional Globe,} 2nd sess., 25th Cong., 78.
\textsuperscript{45} \textit{Ibid.,} 465.
\textsuperscript{46} \textit{Ibid.,} 3rd sess., 25th Cong., 20.
\textsuperscript{47} \textit{Ibid.,} 89.
\textsuperscript{48} \textit{Ibid.,} 122.
CHAPTER V

LAWYER AND POLICITCIAN, 1840-1846

Hamer's retirement from public life at the end of his third term in Congress appears to have been prompted by his desire to provide more substantially for the needs of his family.¹ Even though actively engaged in building up his private practice again, he continued to keep alive his interest in politics. The Brown County Democratic Convention held on December 30, 1839, which Hamer attended, for example, selected him as a delegate to the state Democratic Convention and also appointed him a member of a committee which was charged with the duty of promoting the party's interests in the county.²

The state convention which met in Columbus in January, 1840, elected Hamer its president and nominated Wilson Shannon as the Democratic candidate for governor.³ The convention also elected Hamer a delegate to the national convention.⁴ However, he apparently failed to attend.⁵ While still interested in politics, it is also evident that he was

¹ Williams, op. cit., 417.
² The Ohio Statesman, January 6, 1840.
³ Ibid., January 10, 1840.
⁴ Ibid.
⁵ Ibid., May 12, 1840.
not neglecting his legal practice. In a public statement, Hamer said he was ready at any time to debate publicly the current issues with any respectable political opponent, provided a day was selected on which the courts in his district were not in session.6 Shannon, however, appeared unable to cope as a speaker with his Whig opponent for governor, Thomas Corwin, and Hamer was pressed into service against him.7 In spite of their efforts, the Democrats were unable to defeat Corwin.8

Ohio state politics in the 1840's were focused mainly on the question of banking. The Democrats had been put into power in Ohio "in order to reform the banks and provide a safe currency."9 These promises had not been fulfilled and numerous bank failures lent support to the Whig contention that the Democrats knew little about banking and finance. The Whigs, moreover, were presenting a solid front in 1840, while the Democrats themselves were divided on the question of bank regulation.10

Governor Shannon in his message to the legislature in December, 1839, said he "considered it impracticable for this state to return to a hard money currency." Dispensing with bank notes would not prevent the circulation of bank notes.
notes in Ohio, he claimed, for notes from other states would be used. Shannon favored an "independent banking system properly restricted...as the best which could be adopted at this time." Each stockholder was to be personally liable for his share of the debts of the bank in proportion to the amount of stock he owned. No bank was to be permitted to extend its liabilities beyond a specified ratio to the amount of specie it held. Each bank was to redeem its notes in specie or forfeit its charter, and notes smaller than five dollars in denomination were not to be issued. Such were the main features of Shannon's recommendations which he claimed "would in no way operate against fair and legitimate banking or prevent capitalists from realizing a liberal profit on their investments..."\textsuperscript{11} It is important to emphasize here that Shannon was opposed to an exclusive hard money currency, that he favored private banks, and that he limited definitely the personal liability of the individual stockholders so that persons with capital would take out bank stock. Hamer strongly supported these principles as will be shown later.

On the other hand, President Van Buren in his message of December, 1839, recommended to Congress an independent treasury system, which called for a separation of the government from banking and for a gradual return to a specie currency. He claimed "his plan would remove the evils of over-

\textsuperscript{11} The Ohio Statesman, December 3, 1839.
banking and end speculation with the money of the people."12 The state Democratic Convention which had re-nominated Shannon in January by acclamation was in possession of both his and Van Buren's views on banking and currency. And this same convention adopted resolutions to the effect that the interests of the country demanded the establishment of the independent treasury.13 Hamer himself, as President of the convention, though he favored Shannon's ideas, called Van Buren's message "one of the ablest state papers which had ever emanated from the executive chair."14 This inconsistency was not lost on the Whig press which remarked, "They support Mr. Van Buren because he is an anti-bank man, and they support Mr. Shannon because he is a well-known and practiced friend of the banking system."15 During the campaign of 1840, the radical Democrats were inclined to stress Van Buren's views on banking and the currency and shove Shannon's into the background, while the conservative Democrats, led by John A. Bryan and Hamer, stressed the Shannon platform. As the campaign continued and it appeared that the Whigs would win, the two wings of the Democratic party drew together in an effort to stave off defeat.16 Hamer's views on banking and the currency which produced a

12 McMaster, op. cit., 541-542.
13 The Ohio Statesman, January 10, 1840.
14 Ibid.
15 The Ohio State Journal, January 11, 1840.
16 Holt, op. cit., 78.
fight with the radical Democrats in the campaign of 1842 has made necessary this treatment of the bank question in 1840.

The Whigs, who had won the House in 1840, introduced a bank bill in January, 1841, which failed to pass. The Whigs leaned toward the safety fund idea which required a deposit by each bank to a fund under the supervision of state officials. The Democrats wanted to amend the bill so as to provide for individual liability of stockholders and directors. This the Whigs opposed saying that it would prevent the investment of banking capital. The Democratic majority in the Senate finally blocked the bill, but it became evident that the Democrats could not maintain indefinitely the position they had taken.18 Hamer, who, it will soon be shown, was especially interested in the matter of personal liability of stockholders, declared in a public statement that some kind of banking law should be passed at this session of the legislature.19

It is not known whether Hamer was active in the state campaign in 1841 in which the Democrats won both houses of the General Assembly.20 He was one of sixty-nine Democrats of the state who signed a letter dated December 24, 1841,

17 Holt, op. cit., 30.
18 Ibid., 81.
19 The Ohio State Journal, February 20, 1841.
20 The Ohio Statesman, December 28, 1841.
at Columbus, urging Wilson Shannon, in the interests of party harmony, to retreat from his stand not to accept another nomination for the governorship. 21 Hamer was again appointed a delegate from Brown County to the state convention which met in Columbus in January, 1842. 22 He was called upon twice to address the convention. 23 Shannon was nominated unanimously and the convention adopted resolutions condemning the repeal of the Independent Treasury Act and requiring state banks either to resume specie payments or surrender their charters. 24

In 1842, the legislature, now controlled by the Democrats, passed several bank laws which reflected the ideas of the radicals in the party. In February, the General Assembly passed the Latham Act, the first general banking law of its kind in Ohio, which stated that all banks chartered in the future must come under its provisions. "The most important sections provided for individual liability of stockholders and officers of the banks for losses to note-holders, and prescribed fines and imprisonment for any officers of any bank who violated the provisions of the act." 25 The Specie Resumption Act was also passed "which provided that the charters and franchises of all banks which refused
to redeem their notes should be forfeited.\textsuperscript{26} The bankers did not incorporate under the Latham Act. Their refusal to incorporate was due, it was claimed, to their dislike of the personal liability provision and to the "belief that the Whigs would soon provide a more favorable banking scheme."\textsuperscript{27}

The passage of the Latham and the Specie Resumption Acts by the radical wing of the party led to an intra-party fight later in 1842, in which Hamer became the leader of a strong group of conservative Democrats in southern Ohio.\textsuperscript{28} The leaders of this group, evidently dissatisfied with the stand taken by the party in the convention in January, and with the passing of the Latham and Specie Resumption Acts, met in West Union, Adams County, March 25, 1842, and adopted unanimously a set of resolutions prepared and introduced by Hamer.\textsuperscript{29} Since the publication of these resolutions brought the dissatisfaction within the party into the open and precipitated the fight between the conservative Democrats led by Hamer and the radicals led by Samuel Medary, editor of the Statesman, it may be well to examine the main ones briefly.

The first resolution declared in favor of a well-regulated banking system for the state which would combine safety for the billholders and a fair profit for the bankers, and

\textsuperscript{26} Holt, op. cit., 95.
\textsuperscript{27} Ibid., 97.
\textsuperscript{28} Ibid., 97.
\textsuperscript{29} The Democratic Standard (Georgetown), April 26, 1842.
at the same time furnish a currency convertible into specie on demand. A second resolution expressed regret that there was a hard money faction developing in the state which was opposed to all banks of circulation. Another stated that it was the duty of those who approved the resolutions listed above to prevent, if possible, the opponents of a paper currency "from exercising a pernicious influence upon the legislation of the General Assembly, as it is believed they did at the last session." Another held that anyone who insisted on such severe restrictions and penalties in a bank charter that it would deter honest and prudent men from buying stock was "at heart and in practice, a hard money man, however strongly he may deny the charge."30 These, then, were the West Union Resolutions in which the views expressed in the main were similar to Shannon's in 1840.

The attacks on Hamer by the radical Democrats were not long in coming. The editor of the Ohio Eagle, in the issue of May 5, had immediately inquired whether Hamer and his associates intended to separate themselves from the Democratic party. Hamer replied at once that no member of the West Union meeting had ever thought of leaving the party, that everyone would vote for Wilson Shannon and for the Democratic candidates for Congress and the General Assembly. But in selecting the latter, he said, they would reject "hard money

30 The Democratic Standard (Georgetown), April 26, 1842.
men" and choose "sound, consistent, firm Democrats, who are practical business men."31

Samuel Medary, editor of the Statesman then attacked Hamer. The bankers, he asserted, who found themselves prostrate by their own misconduct "looked for an easy and willing instrument... and found it in Thomas L. Hamer... who has long been their debtor... If Mr. Hamer," he continued, "came with clean hands, and this was his first and not his sixth attempt at party treason... he might deserve a little more lenity in the analysis of his present position." A vicious attack on Hamer followed.32

Hamer lost no time in answering Medary's attack. In a letter dated June 6, 1842, at Hillsborough, addressed to Medary, he said that Medary had failed entirely to let the public know the actual points at issue; that if Medary succeeded in reading him out of the party, he would have to send with him [Hamer] a large part of the Democrats of southern Ohio. And suppose Medary were successful, would that, Hamer continued, affect the real question, which was, whether there should be a "new, safe banking system put into operation" or whether there should be "an exclusive metallic currency."

As to most of the provisions of the Latham Act, Hamer said he could agree with Medary. Medary, Hamer asserted, claimed

32 The Ohio Statesman, May 31, 1842.
he stood for bank reform and for "individual liability."

Hamer said he stood for the same.

The great difference between us, however, is... that I wish individual liability applied in such a manner as to make the billholder perfectly safe and yet hold out inducements to men of property to take stock; whereas you wish to apply it in a mode that will...prevent any responsible man from taking stock, and thereby prohibit a new system of banking from being established.33

Hamer objected particularly to the Twenty-fifth section of the Latham Act. Under this provision, as Hamer quoted it, "every stockholder shall be jointly and severally liable for all the paper issued and debts due, from the bank; and that he may be sued, and stripped of all his property and reduced to beggary; before the safety fund, the assets of the bank, and other securities are exhausted." Hamer maintained that no responsible and prudent man with capital would invest in bank stock under such a harsh liability restriction. The result would be that no banks would be established.34

Hamer, in the event a bank became insolvent, wanted to apply the personal liability principle in general as follows: first use the safety fund; second, the assets of the bank; third, the assets of any officers or directors who may have violated the bank's charter; and lastly, make the "stockholders individually liable for all that remains...each in proportion to the stock he holds--and if anyone is insolvent,

33 The Ohio Statesman, June 17, 1842.
34 Ibid.
let the rest make up the deficiency."35

Medary in an editorial answered Hamer by accusing him of being willing to see another loose banking system established in the state. At least, Medary continued, Hamer objected to the individual liability principle "unless time is given to the stockholder to sell his property and run away." Hamer, he charged, was "coming to" and "backing out" of his former positions. Then followed two columns of abuse of which Medary appeared to be a past master.36

Hamer, now thoroughly aroused, replied in a stinging letter to Medary. Medary, he charged, silenced prominent Democrats who came to Columbus by playing off one section of the state against the other. By use of this procedure, he [Medary] was able to get through the legislature the kind of bill he favored. "Then, we bid the Democrat--north, south, east, or west, who dares call into question the infallibility of these laws. Disorganizers, deserters, professed Democrat, bank attorney, bank debtor, bank bought federalist, are choice and chaste epithets bestowed upon a freeman who has the hardihood to think for himself."37

In every campaign from 1835 to 1841, Hamer continued, the Democratic party had stressed bank reform as one of the main issues. In every one of these campaigns the Democrats

---

35 The Ohio Statesman, June 17, 1842.
36 Ibid., June 21, 1842.
37 Ibid., July 15, 1842.
had denied the charges of their opponents that they wished to destroy banks of circulation and substitute a hard money currency. In the last campaign, asserted Hamer, relief had again been promised. And what had been the result? The Latham Act and "a preëmptory order to all banks in the state to resume species payment on the fourth of March on all their liabilities at once." The letter ended on a defiant note. "Go on," wrote Hamer, "and convince the people that this is not the first time that I have tried to think for myself... Your shallow device of pretending to turn me out of the party is a piece of childish futility unworthy of notice. Who conferred power on the State Printer and a half dozen two-penny editors through the country to turn men in every way their superior out of Democratic ranks?"

Medary published no more of Hamer’s letters nor did he appear to attack him directly after this. The main effort now seemed to be directed against Corwin, the Whig nominee, who opposed Shannon for the governorship.

The Whig press could not conceal its satisfaction at this exchange of letters between Medary and Hamer. The Ohio State Journal indirectly commented favorably on Hamer’s views and at the same time directed several blasts at Medary.

38 The Ohio Statesman, July 15, 1842.
39 July 13, 1842. In article reprinted from Ripley Telegraph.
The *Cincinnati Daily Gazette* accused the "ultra loco foco press" of refusing to publish Hamer's last letter. The intra-party fight did not, however, prevent the Democrats from electing Shannon and carrying both houses of the General Assembly.

How active politically Hamer was in 1843 is difficult to determine. He was scheduled to address a meeting at Russellville on September 30, 1843, in the interests of the Democratic candidates for the legislature. And he evidently was active in promoting the candidacy of Cass for the Presidency for 1844. Holt says: "Medary insinuated Hamer's objection to Van Buren arose from a dispute with Amos Kendall over a mail contract."

Hamer apparently was not a delegate to the state Democratic Convention in January, 1844, which nominated David Todd for governor on a strong anti-bank platform. He appeared as a speaker at a mass meeting of Brown County voters on July 30, 1844, however, in behalf of Polk, George M. Dallas, David Todd and Joseph McDowell, the last a candidate for Congress; but his speech was not published. Two weeks later, in a letter to Medary, he took Corwin to task for claiming in an address in Brown County that the annexation of Texas by the

---

40 *July 16, 1842.*
41 *The Ohio Statesman,* October 21, 1842.
42 *The Democratic Standard* (Georgetown), September 30, 1843.
43 Holt, op. cit., 176.
44 *The Democratic Standard* (Georgetown), August 6, 1844.
United States would indirectly enable Great Britain to send goods into the United States under our tariff walls. 45

No material appears to be available to show how active politically Hamer was in 1845. He was not apparently a delegate to the convention of January, 1846, which again nominated David Tod for governor, and which opposed all paper currency and resolved to return to specie. 46

In March, 1846, Hamer addressed a meeting of the Highland County Democrats at Hillsborough, which adopted unanimously a set of resolutions stating that its members approved the nomination of Tod for governor; that they would sustain the administration in any measures it might take to secure Oregon; that they opposed any tariff favoring one section of the country or one class over another; and that while they disclaimed any intention of destroying banks, they were opposed to the creation of any more of them. Hamer was reported to have spoken an hour and a half during which "he sustained with great ability, the principles set forth in Col. Tod's letter...to the January convention." 47 Tod, in this letter, had opposed banks, saying that he was convinced "any system of banking that can be devised must be based on unequal privileges..." and that "sad experience...shows that all guards and restrictions that may be thrown around paper currency by

45 The Democratic Standard (Georgetown), August 20, 1844.
46 The Ohio Statesman, January 8-9, 1846.
47 Ibid., March 30, 1846.
law, furnish no adequate security to check its evils and
frauds, and clearly requires that the peace and welfare of
society require the abandonment of all grants of corporate
and special privileges."48 How Hamer could "sustain" these
"principles" in view of his previous assertions is difficult
to explain. His intention to run again for Congress may have
caused him to avoid antagonizing party leaders; whereas in
1842 he had not been a candidate for office. Tod had also
recommended an amendment to the constitution to revise the
judicial system, something in which Hamer had long been in-
terested.49 It is improbable, however, that this alone would
have caused him to shift so quickly his views on banking and
the currency--views long held and frequently strongly asserted.
In fact, before the meeting of the state convention in January,
1846, there appears to have been a movement on the part of
conservative Democrats to substitute Hamer for Tod, but this
evidently failed to generate any force.50

Commenting editorially on Hamer's address at the Hills-
borough meeting, the Statesman "rejoiced to learn...that this
eloquent advocate of liberal principles [Hamer] has taken the
field, and is urging forward with his usual ability, the meas-
ures best calculated to lead to a permanent triumph of those
principles...Those who held the belief that Mr. Hamer would

48 *The Ohio Statesman*, January 9, 1846.
not abide by the decision of the January convention" would now see that this belief had no foundation. Medary even found it possible to say that Hamer "is a politician of an enlarged mind, and knows too well how much is at stake in the contest, to afford any countenance to the efforts of disorganizers."51 Strange, it seems, are the ways of politics.

Little more is known of Hamer's political activity in 1846. The outbreak of the Mexican War and his entrance into the army on June 23 cut short political activity, although his efforts to raise volunteers for the service and his own enlistment no doubt helped him politically.52 In June he had been nominated for Congress by a convention in his district and in October was elected without opposition.53 After acquitting himself well in the Battle of Monterey in September, 1846, he became ill and died in December of that year—a Brigadier General of Volunteers in the United States Army and a Congressman-elect to the Thirtieth Congress.

51 The Ohio Statesman, March 30, 1846.
52 See pages 5-7.
53 Congressional Globe, 1st sess., 30th Cong., 69.
BIBLIOGRAPHY

1. State and Federal Documents.

Congressional Globe, 24th, 25th and 30th Congresses.
Register of Debates, 23rd and 24th Congresses.
House Journal, 23rd, 24th and 25th Congresses.
House Journal, 24th, 27th and 28th General Assemblies.


2. Newspapers.

The Castigator (Georgetown).
The Castigator and Democratic Expositor (Georgetown).
The Cincinnati Daily Enquirer.
The Cincinnati Daily Gazette.
The Democratic Standard (Georgetown).
The Ohio State Journal.
The Ohio State Journal and Columbus Gazette.
The Ohio Statesman.
The Western Aegis (Georgetown).
The Western Aegis and Public Advertiser (Georgetown).


By an Officer of the First Regiment of Ohio Volunteers (Luther Giddings), Sketches of the Campaign in Northern Mexico in Eighteen Hundred Forty-Six and Seven. George P. Putnam and Company, New York, 1853. This volume is located in The Ohio State Library. The author's name has been inserted in brackets on the title page in what appears to be librarians' script.

4. Special Monographs.

5. Local Histories.


7. Miscellaneous.


Compiled Under the Direction of the Roster Commission, Official Roster of the Soldiers of the State of Ohio in the War of the Rebellion, 1861-1865, and in the War with Mexico, 1846-1848. The Lening Company, Norwalk, Ohio, 1895.
