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JOHN M. BERNHISEL LETTER TO BRIGHAM YOUNG

James F. Cartwright

As a student of Dr. Everett L. Cooley in archives and manuscripts at the University of Utah, I received the assignment of working with a letter from John M. Bernhisel¹ to Brigham Young. Dr. Bernhisel wrote this letter, now a part of the Phillip Blair Collection in the Special Collections of the Marriott Library at the University of Utah, on 23 April 1850 while serving as an appointed delegate to the U.S. Congress. The letter contains an informative account of the tensions dividing the nation over the admission of California, the organization of the remainder of the Mexican Cession territory, and, of course, the conflict concerning the extension of slavery into the western territories. John Bernhisel records a dramatic outburst of these tensions

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I appreciate Dr. Cooley's encouragement and permission to publish this letter and likewise appreciate the assistance Mrs. Della Dye, the manuscripts librarian at the Marriott Library, has given me.

¹John M. Bernhisel was born 23 June 1799 near Loysville, Cumberland Co., Pennsylvania. Probably in 1818, he left the family farm and traveled to Philadelphia to study at the University of Pennsylvania medical school. He completed the course for a certificate in 1820 and then traveled extensively, practicing for several months in various towns of the American West of that time: Trenton, Ohio; Herculaneum, Missouri; Nashville, Tennessee; Lexington, Kentucky; and Sparta, Alabama. In 1825, he reentered the University of Pennsylvania medical school, defending his thesis in March 1827. He then moved to New York City where he heard about Mormonism and joined the LDS church. After serving as the presiding authority in New York City for a few years, he moved to Nauvoo in 1843. Following the death of the Prophet Joseph, Emma Smith allowed him to make a copy of Joseph's manuscript corrections of the Bible. Early in 1849, John Bernhisel was selected by a convention meeting in Salt Lake City to carry a petition to the U.S. Congress for either statehood or territorial status. On his way to Washington, D.C., Dr. Bernhisel met Thomas L. Kane in Philadelphia, and throughout his career in Washington sought advice from Colonel Kane in representing the Mormons in Washington. Following the organization of Utah Territory, Dr. Bernhisel represented Utah in Washington, D.C., until 1863 after which he returned to Utah to practice medicine. (James Keith Melville, *Conflict and Compromise: The Mormons in Mid-Nineteenth Century American Politics* [Provo, Utah: Brigham Young University Press, 1974], pp. 57-60, 65-70, 88; and Gwyn William Barrett, "John M. Bernhisel, Mormon Elder in Congress" [Ph.D. diss., Brigham Young University, 1968], pp. 1-15.)

in the Senate between Senators Thomas Hart Benton² of Missouri and Henry Stuart Foote³ of Mississippi. Bernhisel's perspective of this incident and of other events he records is that of one who, though involved in these issues, was primarily concerned with the status of Utah; therefore his pages on the progress of the various compromises making up the Compromise of 1850 provide interesting source material on Utah history.

Bernhisel's letter is written on two pieces of paper 15 3/8 inches long by 9 7/8 inches high. Each sheet of paper is folded in half vertically, creating four leaves per sheet, the first three of which are lined with blue ink while the fourth is blank, undoubtedly to be used as the cover when the letter was folded and sealed.

As the two sheets are numbered with ink of the same color as the letter itself, it seems Bernhisel did this numbering; someone later has penciled page numbers 2, 3, and 4 on the unnumbered leaves of the first sheet and 6, 7, and 8 on those of the second sheet and has crossed out the 2 written in ink at the beginning of the second sheet and written 5 above. On the last leaf, Bernhisel finished his letter on the top 2 3/4 inches and wrote a postscript on the bottom 2 3/4 inches, leaving 5 3/8 inches for the address after the letter was folded and sealed.

Bernhisel's hand is highly legible, his spelling and punctuation consistent and quite similar to twentieth-century standards. He usually wrote a superior *r* in *Mr* with a colon turned onto its side under it. He did the same in writing the *st* and *d* of ordinal numbers. Following the suggestions of the *Harvard Guide to American History*, I have omitted the colon beneath the superior letters, and have lowered the superior letters to the main line. I have followed Bernhisel's

²Thomas Hart Benton, born 14 March 1782 in North Carolina, attended the University of North Carolina briefly before moving to Tennessee to supervise a large tract of land which his father had left the family at his death several years earlier. In 1809, Thomas Benton served in the state legislature and in 1811 gained admission to the state bar. In 1815, he moved to St. Louis; there he developed an extensive law practice and became editor of the *Missouri Enquirer*. In 1820 he became one of Missouri's original senators, beginning thirty years of service in that capacity. In the Senate, Thomas Hart Benton was a moderate, being a slave owner but favoring gradual abolition of slavery in Missouri, being an expansionist but rejecting the "54° 40' or Fight" slogan and opposing the annexation of Texas as an insult to Mexico. In most situations, he was an ardent unionist; he opposed the Compromises of 1850 because he felt they conceded far too much to the Southern secessionists. (*Dictionary of American Biography*, ed. Allen Johnson [New York: Charles Scribner's Sons, 1929], s.v. "Benton, Thomas Hart," 2:210-13.)

³Henry Stuart Foote, born in Virginia 20 September 1800, graduated from Washington College (now Washington and Lee University) and passed the bar examination shortly before moving to Alabama and then, in 1826, to Mississippi. He gained a high reputation as a criminal lawyer and became active in local political affairs. By 1847, when he won election as senator from Mississippi, he was an outspoken opponent of his colleague from Mississippi, Jefferson Davis. During the debates in 1850, Jefferson Davis and all the congressmen from Mississippi condemned the compromises and advocated the expansion of slavery and the states' rights of secession; Henry Stuart Foote vehemently supported the Union, denied the rights of secession, and championed the compromises as the means of maintaining the Union. (*Dictionary of American Biography*, ed. Allen Johnson and Dumas Malone [New York: Charles Scribner's Sons, 1931], s.v. "Foote, Henry Stuart," 6:500-1; and *Appleton's Cyclopaedia of American Biography*, ed. James Grant Wilson and John Fishe [New York: D. Appleton and Co., 1888], 2:496.)

practice of omitting periods following such abbreviations as *Mr*, *Col*, and *Hon*. I have made one more major change: I have broken the letter into several paragraphs, although Bernhisel wrote the entire letter in one paragraph.

Washington City April 23, 1850

President Brigham Young,

Dear Brother

As this is probably the last opportunity I shall enjoy for a long period of addressing you, I eagerly embrace it, in order to apprize [*sic*] you of what has transpired since the date of my last, which was the 27th ultimo. The Hon John C. Calhoun, the distinguished⁴ Senator from South Carolina, died at his lodgings in this city, on the morning of the 31st of March, aged sixty eight years. Mr Calhoun was one of the brightest luminaries in the political firmament. In 1811 he was first elevated to a seat in the Congress of the United States, and since that period, as Representative, Senator, Cabinet Minister, and Vice President, he has been identified with all the great events in the political history of this country. His earthly remains were enclosed in a metallic case, and temporarily deposited in a vault in the Congressional Burying Ground, from whence they were conveyed on the 22d instant, accompanied by a Committee of the Senate, to his "adored and adoring" South Carolina.

On the 13th instant Thomas Jefferson Campbell, Clerk of the house of Representatives, "went to that bourne from whence no traveler returns," and on the following Wednesday Judge Young⁵ of Quincy, Illinois, was elected to supply the vacancy occasioned by his death.

On the 17th of April, instant, a long and animated debate took place in the Senate, which terminated in a most disgraceful row, in which Senators Benton & Foote were the principal actors. Mr Foote was discussing a question of appeal, and was preparing to administer to Col Benton another withering castigation, when the latter, brimful of wrath and indignation, rose from his seat, threw his chair violently upon the floor, rapidly approached Mr Foote, who retreated backward down the aisle to the area in front of the Vice President's chair, at the same time drawing a revolver from his bosom, and pointing it toward Col Benton. The greatest excitement and consternation now ensued. The whole Senate, as well as those in the galleries, appeared to be panic stricken.

In the mean time Benton, at the top of his voice, was heard shouting that he was unarmed, and for the "cowardly assassin" to fire, at the same time attempting to take off his coat, to expose himself to the murderous fire. Fortunately, however, Mr Foote did not fire, and after great exertion and much trouble order was sufficiently restored, to hear the voice of the Vice President whose calls to order were heard above the noise and din of the moment.

⁴Bernhisel made a slip of the pen in this word, dotting the *e* in the inflectional ending *ed*. That it was a pen slip seems obvious in that this example is the only one in the letter.

⁵Richard M. Young presided at the trial of the men accused of conspiracy in the murder of Joseph and Hyrum Smith (see Dallin H. Oaks and Marvin J. Hill, *Carthage Conspiracy: The Trial of the Accused Assassins of Joseph Smith* [Urbana: University of Illinois Press, 1975], p. 220).

Col Benton demanded that the Senate should take cognizance of the attempt to assassinate him. Mr Clay called on both Senators to pledge themselves that nothing further should take place between them, at least, not during the session of Congress. Mr Benton rose and said that he had done nothing wrong—had committed no breach of the peace—and would rot in jail before he would give any such pledge. Though I was an eye witness of this thrilling and startling scene, yet it is impossible for me to give you an adequate idea of it. The Senate appointed a committee of seven to investigate and report the facts in the case. Col Benton has called the attention of the United States District Attorney for this District, and that of the Grand Jury, to the conduct of his adversary, though public sentiment here is rather against him. I send you the Washington Globe of the 19th which contains a report of the debate which took place on that memorable day, and a brief sketch of the beautiful *finale*. These two dignified Senators had an altercation on a previous occasion, which reflected no credit on themselves nor upon the august body of which they are members.

On the 31st of December Mr Senator Foote reported a Bill to provide for the organization of the Territorial Governments of California, Deseret, and New Mexico, and to enable the people of Jacinto, with the consent of the State of Texas, to form a Constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States in all respects whatsoever. On the 25th of March, Judge Douglass, from the Committee on Territories, reported a Bill to establish the Territorial Governments of Utah and New Mexico, and for other purposes. On the 3d instant the Hon John A. McClernand of Illinois, submitted to the House of Representatives a Bill to admit the State of California into the Union, to erect the Territorial Governments of Utah and New Mexico, and for other purposes. A copy of each of these bills I have had the pleasure of forwarding to you, which I trust will have reached you ere you receive this.

On Friday last the Senate appointed a Committee of thirteen, of which Mr Clay is chairman, for compromising and adjusting the slavery, California, and Territorial questions. I am not very sanguine that any great good will result from the labors of this Committee. After the appointment of this committee, the Senate took up the bill for the admission of the state of California, and made it the special order of the day for Monday the 6th proximo. Mr Clay signified his intention of moving as an amendment to that bill, the bills to establish the Territorial Governments of Deseret alias Utah, and of New Mexico.

The exciting and distracting subject of slavery, in connection with the California and Territorial questions, has been the standing topic of discussion, with the exception of a few brief intervals, in both wings of the Capitol, during the whole of the session thus far. Now, however, there will be a short respite in the Senate, but it will continue in the popular branch of the national legislature. This protracted and exciting discussion has sometimes in both Houses, produced much noise and "confusion worse confounded"; frequent threats of dissolution of the Union, and occasional threats of, and even attempts at, personal violence. Another disreputable [*sic*] personal controversy took place on

Monday last between Col Benton and Senator Borland of Arkansas. The United States Senate has heretofore been regarded as the most dignified deliberative body in the world, but it is rapidly losing [*sic*] its exalted reputation. Formerly its proceedings were conducted with the greatest dignity and decorum, and Senators treated one another, not only with studied Senatorial courtesy, but with marked personal respect, but those glorious days of the Republic are numbered with the past, and the Lord has arisen and come forth out of his hiding place, and is vexing this nation through its representatives. On the 22d instant Col Benton in the course of some remarks which he delivered in the Senate, said, that what had hitherto taken place, was mere skirmishing, that when the California bill shall come up for discussion, the *war* would commence.

The prospect is much brighter at present than it was when I wrote you last, that California will be admitted, and that Congress will give us a territorial government before the close of the session, but still a week or two may entirely blast the present prospect, for the aspect of things here changes about as often as a camelion [*sic*] changes his color.

I should like to be in the valley "once more again," but I am somewhat apprehensive that I shall be detained here until the season is so far advanced that it will not be safe to return on account of the snow in the mountains. If a bill to establish a territorial government in our sequestered region of country⁶ should be passed into a law, which may occupy two or three months more; sometime [*sic*] will then probably elapse before the President can be induced to nominate officers, and then there will be another delay in the Senate before these nominations are confirmed.

I shall be exceedingly anxious to hear from you again, I hope therefore you will not omit writing in the fall. Direct to Washington City. If I should not be here I will endeavor to prevent your favor from being sent to the dead letter office. A company will doubtless come in next autumn; and you will please to instruct them, not to deposite [*sic*] any letters they may have for me in any post office until they reach St. Louis. If I shall be on my way to the far west I shall probably meet them.

I have made proposals to the Post office Department in behalf of brother Phenias [*sic*] Young, for carrying the mail twice a year between St. Joseph, Missouri, and Oregon City, in the Territory of Oregon, for the annual sum of nineteen thousand dollars. The decision of the Post Master General in regard to these proposals, will be known on the 14th of May.

With great respect I am
Yours very truly,
John M. Bernhisel

P.S. The enclosed notice of a lecture which Col Thomas L. Kane delivered before the Pennsylvania Historical Society on the 28th ultimo, I cut from the Philadelphia Inquirer; which he had the goodness to send me.

⁶A period in the original letter at this point is another obvious pen slip.