

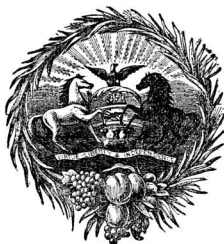
LIVES
OF THE
GOVERNORS
OF
PENNSYLVANIA,

WITH THE
INCIDENTAL HISTORY OF THE STATE,

FROM
1609 TO 1873.

BY
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WILLIAM FREAME JOHNSTON,

GOVERNOR UNDER THE CONSTITUTION OF 1838.

July 9, 1848, to January 20, 1852.

WILLIAM FREAME JOHNSTON, the third Governor under the Constitution of 1838, was born at Greensburg, Westmoreland County, on the 29th of November, 1808. His paternal ancestors were originally from Annandale, Scotland, where they at one time possessed the estates of Brackenside; but the head of the house, Alexander Johnston, being killed at the battle of Fontenoy, on the 30th of April, 1745, where he was serving as a captain of Welsh Fusiliers in the British service, the estate fell into dispute, and finally through political strife was lost, and the family settled in Ireland. There, in the County of Fermaugh, in July, 1772, the father of the Governor, Alexander Johnston, was born, and from thence emigrated to America in 1796. He at first served as a surveyor in the western part of the State, and finally settled in Westmoreland County. He was sheriff of the county in 1808, receiving his commission from Governor McKean, and afterwards served as Magistrate, Treasurer, and Register and Recorder under Governor Wolf. He was, during the greater part of his active life, largely engaged in mercantile pursuits, which the business of iron manufacture, then just commenced, rendered active.

The mother of the Governor, Elizabeth Freame, was born in Franklin County, in November, 1781. Her father, William Freame, a private in the British Army in 1760, came to this country with General Wolf, and at the peace of 1763 between Great Britain and France, accepted, with many of his comrades, the proposition of the English Government, to

remain in the Colonies. He settled first in Lancaster County, and afterwards removed to Franklin County, where he married Elizabeth Johnston, who had emigrated to this country from Ireland with her father in 1782. This branch of the Johnston family settled in Kentucky and North Carolina.

The issue of the marriage of Alexander Johnston with Elizabeth Freame was eight sons and two daughters. The two eldest sons were educated at West Point, and served in the regular army. The youngest, Richard, was a volunteer in the Mexican War. Before its close he was appointed a Lieutenant in the regular army, and was killed at the head of his company, while storming the enemy's works at the battle of Chapultepec. Hon. Edward Johnston resides in Iowa. The remaining sons are residents of this State. Colonel John W. Johnston served through the Mexican War, and in the late war was Lieutenant-Colonel and Colonel of the Fourteenth Regiment of the three months' service, and Colonel of the Ninety-third Regiment of the three years' service. The physical stature of the sons was remarkable, varying in height from six feet to six feet six inches, and in weight from two hundred to two hundred and fifty pounds. The father lived far beyond the period allotted to man, dying on the 15th of July, 1872, in the one hundredth year of his age. At the period of his death he was the oldest Freemason in the United States, having been initiated seventy-seven years before in Ireland.

The subject of this sketch was in early boyhood taught, by a kind and good mother, that the cardinal duties were to obey God's commands, to honor parents, and to love native country. His common-school and academic education was limited; but he had from youth an ardent taste for reading, and being blessed with vigorous powers of mind and body, he was enabled, by great diligence, to acquire a vast fund of information, which served him instead of elaborate training. He studied law under Major J. B. Alexander, and was admitted to the bar in May, 1829, in his twenty-first year. Shortly afterwards he removed to Armstrong County, where

he engaged in the practice of law, soon rising to a position of commanding influence. He was appointed by Attorney-General Samuel Douglass, and subsequently by Attorney-General Lewis, District Attorney for Armstrong County, which office he held until the expiration of Governor Wolf's first term. For several years he represented the county in the lower House of the Legislature, and in 1847 was elected a member of the Senate from the district composed of the counties of Armstrong, Indiana, Cambria, and Clearfield.

As a legislator Mr. Johnston was bold and original, not beholden to precedents, and was an acknowledged leader. During the period in which he was in the Legislature a great financial crisis occurred. So great was the distress that Mr. Van Buren, then President, was obliged to call an extra session of Congress, to devise means for the relief of the country. The Legislature of Pennsylvania, by the advice of Governor Porter, authorized the sale of all the bank and bridge stocks belonging to the Commonwealth, and revived the State tax. But every device failed to meet the emergency, and the interest on the State debts, then over forty millions, rested unpaid. The credit of the State was in a deplorable condition. English bondholders were loud in their denunciation of the bad faith of the Government, Sidney Smith, in particular, writing in the most bitter strain. At this crisis Mr. Johnston came forward with a proposition to issue relief notes, for the payment or funding of which the State pledged its faith. This he advocated with his usual energy and logical acuteness, and though a majority of the Legislature was politically opposed to him, it was adopted, and gave instant relief. It was designed as a temporary expedient, and as such was remarkably successful. As the originator of this measure, and its special advocate, he acquired a reputation for financial skill and ability throughout the commonwealth, its fortunate result serving only the more widely to circulate his fame.

In 1847, Mr. Johnston was elected President of the Senate. By a provision of the Constitution, if any vacancy occur by death, or otherwise, in the office of Governor, the Speaker

of the Senate becomes the acting executive officer. Governor Shunk had been re-elected in the fall of 1847, and had been re-inaugurated in January following; but in July of that year he had a violent attack of a pulmonary disease, from which he had for some time suffered. A copious hemorrhage of the lungs, by which he was reduced to the very brink of the grave, convinced him that he could not long survive, and on the 9th of that month he resigned. Accordingly, Speaker Johnston became Governor. But the Constitution provides; that if the vacancy occurs three months before the general Fall election, the acting governor shall order a new election; and the statute provides, that "the writ shall issue at least three calendar months before the election." If the vacancy should occur within three months of the election, so that a notice of three full months could not be given, then the new election must be postponed for a year. Governor Shunk resigned on the last day possible, to allow of a new choice at the ensuing Fall election, and that day was Sunday. The following day, Monday, would be too late to give a notice of the three full calendar months required by the statute. It was a case where the Constitution, and the statute providing for its practical operation, were in conflict. By a strict construction there was no authority for issuing a precept for a new election until the following year. But by this decision the acting governor might render himself liable to a charge of being actuated by selfish motives, inasmuch as he would thereby lengthen his lease of power an entire year. The Senate was not in session when the resignation occurred, and Mr. Johnston was at his home in a distant part of the State. It was not until the 26th that he reached the seat of government and assumed authority. This delay made the problem all the more difficult of solution.

Not wishing to hold the office one moment longer than the popular will seemed to dictate, he determined to avoid every occasion of a charge of selfishness and ordered the immediate election. In his first message to the General Assembly, he clearly states the motives which actuated him: "After a full and careful examination of the whole matter," he says, "I

believed it my duty to issue the writs, requiring notice to be given that an election would be duly held on the 2d Tuesday of October, then next ensuing, for the election of a Chief Magistrate of this Commonwealth. It appeared to me that in all cases of doubt there was no safer resting-place than submission to the decision of the people, and that in the construction of the laws relating to the point in question, if any doubt arose, the better course in a republican government was to refer to the citizen voter the right of selecting, at the earliest period, his presiding officer, rather than assume a position which would continue official station in myself, beyond the earliest legal opportunity to surrender it into his hands. The organic law required the election, and the legislative enactment should be so construed as not to contravene the constitutional provision. Had the terms of the Constitution and laws clearly given a different position to the question, however unpleasant the task of performing the duties of the office without the indorsement of the people's will, they would have been faithfully executed."

The election thus ordered resulted in the choice of Mr. Johnston for the full term of three years. One of the first subjects which occupied his attention, on assuming the executive trust, was that of the material interests of the Commonwealth. He saw on every hand the elements of great prosperity. The iron and the coal were bursting forth on every hill-side, and in every valley was a soil of untold fertility. It only needed the fostering care of government to fill the State with a busy population, and create marts where the hum of industry should be ceaselessly heard. In his opinion that fostering care could best be secured by a protective tariff. The legislation of Congress of 1846, upon this subject, was framed for revenue, and discriminated against, rather than for protection. This policy he argues against in his first message with great zeal and ability. "The price of labor," he says, "is regulated by its demand, and the value of the article it produces. . . . Hence, whatever increases profitable labor, is substantially beneficial to the working classes, and affords them the means of comfort, the delights of ra-

tional enjoyment, and the opportunity of exalting their condition, and performing with safety to the country the duties of citizens. The manufacturer, if he be sustained in his enterprise, produces this result by opening to the laborer a new source of employment. It is frequently urged that the system of protection to domestic industry is of more interest to the manufacturer than to the laborer, as it enables him to dispose of his fabrics for a higher price, and to realize a better profit on his capital; but is not the capital of the laborer also involved in the fabric, and does he not receive a reward in proportion to the value of the article? Let it be remembered also, that his daily bread, the wants of his family, the education of his children, all depend upon the success of the establishment at which he is employed, and the objection can have little weight. The manufacturer carries to market in the fabrics he proposes to sell, the produce of the farmer, who is thereby relieved of the hazard and expense of conveyance. In another form he is still more largely benefited. One of the elements of well regulated society is unity of interest. Whatever may be said to the contrary, no national antipathies exist between capital and labor. They are dependent on, are supported by, and receive vitality from each other. The manufacturer who invests under the fostering care of government his capital in profitable industry opens a new source of wealth to the farmer, the artisan, and the laborer. An industrious population whose reward affords comfort and competence, gathers around him; other classes are attracted, and the store-house, the workshop, the school and the church are erected; villages spring up; the din of active industry and the sound of enjoyment mingle together; roads are opened, bridges are built, lands rise in value, and the farmer finds a market at his door, not only for his ordinary surplus produce, but also for numberless articles which were deemed unworthy of transportation. From that overflowing fountain, by an hundred rivulets, wealth is poured into his treasury. When, on the other hand, the manufacturer, unprotected by the government, is compelled to discontinue his business, not only the laborer, the artisan, and

the agriculturist, but the State also, is seriously injured, in the general depression of business, the diminished wealth of the country, and the reduced value of capital."

To strengthen his position, Governor Johnston quoted in this connection, from the messages of Presidents Washington, Jefferson, Madison, and Monroe, and Governors Snyder, Findlay, Wolf, and Porter, in which at successive periods they had urged the same policy. The passage from Jefferson's message is striking: "The suspension," he says, "of our foreign commerce, produced by the injustice of the belligerent powers, and the consequent losses and sacrifices of our citizens, are subjects of just concern. The situation into which we have thus been forced, has impelled us to apply a portion of our industry and capital to internal manufactures and improvements. The extent of this conversion is daily increasing, and little doubt remains, that the establishments formed and forming, will—under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, *and of protecting duties and prohibitions—become permanent.*"

Until the administration of Governor Johnston, the records of the colonial and the State government had remained in single manuscript copy, and in a very confused condition, almost impossible of access. In addition to being in a perishable state, they were constantly exposed to destruction by fire upon the slightest accident. They covered a period of State and National history the most important and precious to the citizen. The Governor, ever jealous of the honor and renown of the Commonwealth, became solicitous for the safety of these documents. In his message of 1851, he says: "My attention has been called to the large body of original papers in the State Department, connected with the colonial and Revolutionary History of the State, and their extremely exposed and perishing condition. These records are worth preservation, as containing authentic information of the action of our fathers in the struggle for national existence. In the Capitol of Pennsylvania, and with the sympathies of her patriotic people, was independence matured and declared.

Her soldiers were most numerous around the standard of the nation, and there were more battle-fields on her soil than in the same area elsewhere. Every memorial of those days of devotion and trial should be faithfully preserved. There exists a single copy in manuscript of the minutes of the revolutionary Executive Council, a document by far too valuable to remain longer within the reach of accident or mutilation. It would be gratifying to a large body of our constituents if the Assembly would authorize the employment of a competent gentleman to select and arrange for publication these memorials of an interesting epoch in the history of the Commonwealth." In compliance with this recommendation, an act was passed authorizing the appointment of a suitable agent to select and superintend their publication. Mr. Samuel Hazard, a gentleman of taste and ability well suited to the execution of the trust, was delegated, and under his supervision twenty-eight volumes of *Colonial Records*, and *Pennsylvania Archives*, containing a vast amount of original papers of incalculable value and interest, were published.

The period during which the Fugitive Slave Law was under discussion, both before and after its enactment, was one of vital interest to every citizen of the Commonwealth. The excitement ran high while Governor Johnston was in the Executive chair. In his first message he enunciated the principles by which he should be governed, and which he believed ought to prevail. "While the compromises," he says, "of the Constitution should be maintained in good faith towards our Southern brethren, it is our duty to see that they are preserved with equal fidelity to ourselves. No encroachments, however sanctioned by use, should be acknowledged as precedents for further wrongs against the interests, prosperity, and happiness of the non-slave-holding States of the Union. If slavery be, in itself, an infraction of human rights — if it be directly opposed to the enlightened spirit of our free institutions — if it destroy the equality of power in the general Government, by enlarging, where it exists, the constitutional representation — if it possess a direct or indirect influence against Northern and Western policy and interests, by pro-

moting a system of laws destructive to domestic industry, and vitally affecting free labor — if it retard the natural growth of population and improvement, by the appropriation of large tracts of land for the benefit of the few to the injury of the many — if it be in open defiance of the spirit of the age, the march of rational truth, and the enlightened policy of mankind — it is time to arrest its further progress. These, it is believed, are the settled convictions of our citizens, and their determination to maintain them is unalterable.”

The passage of the Fugitive Slave Law, and the excitement incident to the return of fugitives under it, soon after became a subject of heated discussion. Governor Johnston held upon this subject that the Constitution provided that fugitives should be given up; that there could not be concurrent jurisdiction, as, in that case, thirty-one sovereignties might prescribe as many different rules of action, each meant to make effective National legislation; that, upon the question which should decide whether a person claimed ought rightfully to be given up, the State, or the National government, the decision of the Supreme Court had settled that it should rest with the latter; and that, consequently, whenever power over a subject-matter is vested by the Constitution in Congress, and the power has been exercised, the authority of the States has been judicially declared, merged, and abolished. Of the injustice and impropriety of the Fugitive Slave Law he had no doubt; but Congress having a clear right to make it, he believed that it should be obeyed until it could be modified, or entirely wiped from the statute book. The system authorizing commissioners to hold courts for determining the right of rendition in particular cases, he believed open to the gravest objections. Upon this question, he says: “All history shows that special tribunals, clothed with discretionary powers over person and property, are liable to abuse, and have been instruments of oppression. If in these the early days of the Republic, when no reason of urgent State necessity can be invoked, powers of a high judicial nature over the liberty and property of an individual, are to be vested by appointment of an inferior tribunal, in an irre-

sponsible person, the security of the life, reputation, and liberty of the citizen in after-times, when new political or social emergencies may arise, will depend on a most precarious tenure." He held that the representatives of Pennsylvania in Congress should labor to secure a modification of the law in this particular.

Governor Johnston deserves much credit for the successful manner in which he managed the financial affairs of the Commonwealth during his administration. Upon his accession the debt was over forty millions, having been increased eighteen millions during the preceding nine years. The interest on this vast sum was regularly paid.

His political course during his first term had been so satisfactory to the party by whom he was supported, that he received the nomination for re-election, but was defeated by a small majority. Upon retiring from office, he entered upon an active business life, and was engaged at different periods in the manufacture of iron, boring for salt, the production of oil from bituminous shales, and latterly in refining petroleum. Under his presidency the Alleghany Valley Railroad was constructed from Pittsburg to the town of Kittanning. During the rebellion he took an active part in organizing troops, and as chairman of the Executive Committee of Public Safety, superintended the construction of the defences at Pittsburg. In connection with Mr. John Harper, he became responsible for the ammunition which was sent to West Virginia at a critical juncture in the fortunes of that State, and which materially aided in preserving it from being overrun by the rebels. He was appointed by President Andrew Johnson collector of the port of Philadelphia, the duties of which office he for several months discharged; but through the hostility of a majority of the Senate to the President, he was rejected by that body, though ample testimony was given that the office was faithfully and impartially administered.

He was married on the 12th of April, 1832, to Miss Mary Monteith. The offspring of this marriage were five sons and two daughters. Governor Johnston died at Pittsburg, October 25, 1872, in the sixty-fourth year of his age.