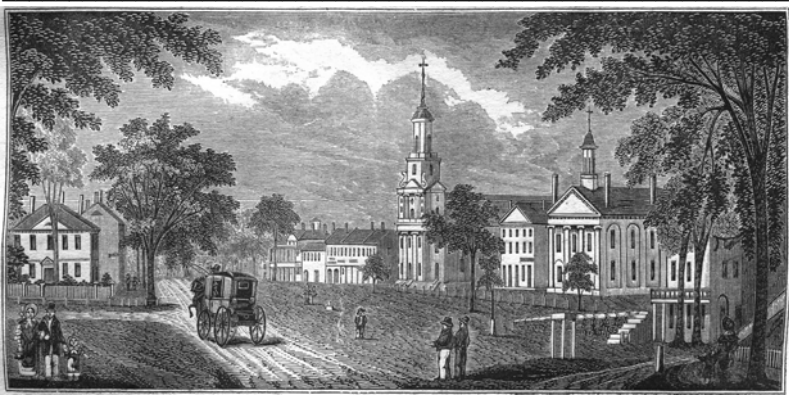


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of his natural limits. Although he played a leading role in Amherst's affairs, he never acquired the calm and powerful reserve traditionally associated with a pillar of the community. Instead, as Elizabeth Currier recalled, he gave "himself but four hours of sleep, studying and reading till midnight, and rising at four o'clock he often walked to Pelham or some other town before breakfast. Going to court at Northampton, he would catch up his green bag and walk the whole seven miles. *'I cannot wait to ride.'*"



Northampton, Massachusetts in 1839. The Congregational church is the large building in the center of town. The courthouse is to the right. From John Warner Barber, *Historical Collections ... of Every Town in Massachusetts* 328 (Dorr, Howland & Co. 1839).

The Squire spent most of his adult life practicing law in western Massachusetts. Probably his greatest claim to fame was his service as a founding trustee of Amherst College, beginning in 1821.

● ALFRED HABEGGER, *MY WARS ARE LAID AWAY IN BOOKS: THE LIFE OF EMILY DICKINSON* 8 (Random House 2001) (citing the family reunion memoir, *DICKINSON FAMILY. AMHERST, MASS. AUG. 8-9, 1883* at 174 (Binghamton Publishing 1884)).

THIRTEENTH AMENDMENT

It took three tries for the nation to ratify a thirteenth amendment to the Constitution. The first thirteenth amendment, proposed by the 11th Congress in 1809, dealt with titles of nobility. It sought to constitutionalize the automatic revocation of the citizenship of any

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American who accepted a title or “any present, pension, office or emolument of any kind whatever, from any emperor, king, prince or foreign power.” Of the 17 states in the Union, 11 ratified and 4 rejected. If Virginia and Massachusetts had ratified instead of abstaining, it might have become a lot easier to disqualify certain feckless or greedy federal officeholders.

The second, proposed by the 36th Congress, dealt – in what now seems a bit of ugly irony – with the worst of states’ rights:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as part of the said Constitution, viz:

Article XIII. No amendment shall be made to the Constitution which will authorize or give Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

President James Buchanan approved the resolution on March 2, 1861, and off it went to the states. In yet another irony, the only state to approve was Illinois, which transmitted its ratification on February 14, 1862 – less than one year after its own favorite son Abraham Lincoln had been sworn-in as President, and barely six months before his first announcement of the Emancipation Proclamation.

The third try was the charm. And even that was barely sufficient, as David Brion Davis describes the scene:

Using all the lobbying techniques of the executive to win votes, Lincoln and his men pressured the lame-duck session of the Thirty-eighth Congress to pass the Thirteenth Amendment, which on January 31 Congress barely did. Before submitting the amendment to the states for ratification, Lincoln, looking thin, and ten or twelve years older than his age of fifty-five, joyfully signed the document (though this

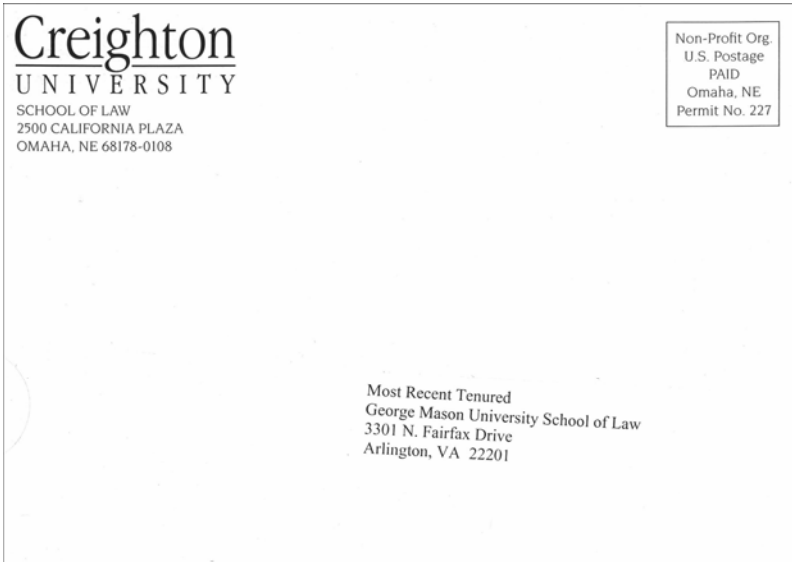
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was not required for constitutional amendments). Passionately confirming what would become “the emancipation tradition,” Lincoln remarked that this document rooted out “the original disturbing cause” of the great rebellion and civil war – a definitive response to all of those who later insisted that slavery was not the cause or major issue of the Civil War.

- 2 DOCUMENTARY HISTORY OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA, 1786-1870 (U.S. Dep’t of State 1894); DAVID BRION DAVIS, INHUMAN BONDAGE 321-22 (Oxford 2006).

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