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# Morrill and the Missing Industries

Strategic Lobbying Behavior and the Tariff, 1858–1861

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Historians have generally acknowledged the significance of the Morrill Tariff in trade policy, identifying it as both the last of the great antebellum trade battles and as an important early marker in the industrial age. Except for its proximity to the cataclysm of the Civil War, the Morrill Tariff would perhaps have commanded historical attention comparable to the 1828 “Tariff of Abominations” or 1846 Walker Tariff, but it has remained in history’s shadows.<sup>1</sup>

James M. McPherson’s otherwise monumental history of the Civil War era never mentions the statute by name and only briefly describes antebellum tariff politics as an occasional contributor to “sectional tensions.” Where discussed, the Morrill Tariff remains the domain of narrow specialty fields including trade historians and biographers of its author, Representative Justin Morrill of Vermont. On occasion, the tariff is cited as evidence to support or refute Charles A. Beard’s economic interpretations of the late antebellum sectional crisis but far fewer historians have directly examined the politics behind the Morrill Tariff itself.<sup>2</sup>

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1. Frank Taussig, *The Tariff History of the United States* (New York, 1931), 158; Reinhard Luthin, “Abraham Lincoln and the Tariff,” *American Historical Review* 49, no. 4 (1944), 626.

2. James M. McPherson, *Battle Cry of Freedom: The Civil War Era* (New York, 1989), 192, 220, 225. The Morrill Tariff’s relationship to the Beard Thesis may be found in Charles A. and Mary Beard, *The Rise of American Civilization* (New

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Scholarship on the tariff contains widely disparate assessments of its protective character and, more surprisingly, an often unquestioning acceptance of the bill's political origins. In a frequently quoted 1870 speech, Morrill responded to what he termed a "libel" against protectionism—the charge that "protection is always increasing its demands for further legislative favors." Instead the manufacturers who stood to gain from higher tariffs were said to be noticeably silent:

In 1861 our tariff was largely changed to specifics; not much raised, though made more protective by being unchangeable; not vanishing to a minimum when a maximum is most needed, as *ad valorem* vanish upon a fall in prices; but the change was not asked for, and but coldly welcomed at the time by manufacturers, who always and justly fear instability. It was, however, as favorable to their interests as to those of agriculture, then more directly acknowledged, or of the Government, which sought a more honest method of collecting its revenues by treating all importers with a fixed and unalterable measure.

Morrill's claim directly conflicts with an extensive political economy literature on tariff formation. Whereas tariffs are usually thought to be the product of intense political lobbying by beneficiary firms, Morrill claims such lobbying was missing.<sup>3</sup>

Free trade, to quote Dani Rodrik, has long been one of the economic profession's "most cherished beliefs," yet it is also an area where theory and policy have greatly diverged over history. Most models of tariff formation, and Public Choice theory in particular, credit political lobbying, campaign contributions, vote trading, or other policy-instigating activities by the anticipated beneficiaries of a protective duty. As summarized by Gordon Tullock, "governments do not impose protective tariffs on

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York, 1933), 36–38; Richard Hofstadter, "The Tariff Issue on the Eve of the Civil War," *American Historical Review* 44, no. 1 (1938), 50–55; Alan Nevins, *The Emergence of Lincoln, Vol. II: Prologue to Civil War* (New York, 1950), 465; Marc Egnal, "The Beards Were Right: Parties in the North, 1840–1860," *Civil War History* 47, no. 1 (2001), 30–56; and Mark Thornton and Robert B. Ekelund, *Tariffs, Blockades, and Inflation: The Economics of the Civil War* (Wilmington, DE, 2004), 2. Specialty works that address the Morrill Tariff in depth include Taussig, *Tariff History*; Edward Stanwood, *American Tariff Controversies in the Nineteenth Century* (2 vols., New York, 1903); William Belmont Parker, *The Life and Public Services of Justin Smith Morrill* (Boston, 1924); and Coy F. Cross, *Justin Morrill: Father of the Land Grant Colleges* (East Lansing, MI, 1999).

3. *Congressional Globe*, 41<sup>st</sup> Congress, 2<sup>nd</sup> sess., 3295.

their own” but “have to be lobbied or pressured into doing so by the expenditure of resources in political activity.” University of Chicago theorists including George Stigler and Sam Peltzman similarly approach tariffs as a classic example of a regulatory “capture” where lobbying interests offer political support to lawmakers as “payment” for the adoption of favorable regulations that drive up the prices of their product and prevent competitor entry.<sup>4</sup>

Political economy, of course, has no monopoly on explaining policy, past or present, although recent works such as Jack High and Clayton Coppin’s studies of the Pure Food and Drug Act illustrate its utility to historians. High in particular found the “capture” approach to regulation “strikingly compatible” with the otherwise politically divergent historical research of Gabriel Kolko. James L. Huston similarly observes that political economy has taken an increasingly prominent role in antebellum history over the last two decades. Specific to trade history, Jonathan Pincus applied a mathematical lobbying model to the 1824 Tariff, while Kevin Gutzman and Lacy Ford have associated antebellum tariffs with the political theories of “factional abuse” and its implied lobbying component. Nonetheless, much work remains to be done in this area. Douglas Bowers describes antebellum lobbying as a “neglected chapter in American history” and indicates that attempts to analyze its role in historical tariff formation have only recently begun to take hold.<sup>5</sup>

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4. Public Choice theory attributes tariff formation to the influence of beneficiary interest groups, typically though not always consisting of those seeking protectionism. The Virginia School of Public Choice emphasizes tariffs as a source of “rent,” or the economic gain the protectionist interest receives as the result of the tariff policy. The Chicago School similarly treats tariffs as the result of a political bargain between interest groups and legislators, where votes are traded for a policy that insulates the recipient interest’s market by imposing entry barriers on its competitors. In both cases, policies are driven by the intense political lobbying from their beneficiaries. See also Dani Rodrik, “Political Economy of Trade Policy,” in *Handbook of International Economics Vol. III*, ed. G. M Grossman and K. Rogoff (Amsterdam, 1995), 1458. Gordon Tullock, “The Welfare Costs of Tariffs, Monopolies, and Theft,” in *Virginia Political Economy: The Selected Writings of Gordon Tullock*, ed. Charles K. Rowley (Indianapolis, IN, 2004), 174; George Stigler, “The Theory of Economic Regulation,” *Bell Journal of Economics and Management Science* 2 (1971), 3–21; Sam Peltzman, “Toward a More General Theory of Regulation,” *Journal of Law and Economics*, 19–2 (1976), 211–240.

5. Jack High and Clayton Coppin, “Wiley and the Whiskey Industry: Strategic Behavior in the Passage of the Pure Food Act,” *Business History Review* 62 (1988), 286–309; High and Coppin, *The Politics of Purity: Harvey Washington Wiley and*

Historians have generally recognized the resurgence of protectionism after the Panic of 1857. Sidney Ratner attributed “a vigorous campaign for a higher protective tariff” to the Panic, while James Huston noted “a considerable amount of enthusiasm” for protectionism after the economic downturn that led to calls for tariff revision. But the exact role of lobbyists in developing the Morrill Tariff has received only cursory examination. Although McGuire and Van Cott as well as Thornton and Ekelund provide interest group explanations for the tariff, they offer little additional detail. Clarence Cramer implies that Morrill was influenced by wool, marble, and maple sugar producers in his home state, while Coy Cross indicates that Morrill received “[a]dvice, recommendations, and pleas . . . from special interests around the country” and cites a brief list of examples.<sup>6</sup>

Still, most studies of the Morrill Tariff pay scant attention to the role of lobbyists, deferring with little scrutiny to Morrill’s “Missing Industry” claim. This dates back at least to the 1888 edition of Frank Taussig’s *Tariff History of the United States*, and to a speech two years later by Carl Schurz. By the early 20<sup>th</sup> century the “Missing Industry” theory was well established in the historical literature. Harold Faulkner, citing Morrill, stated “[t]here was no widespread demand by manufacturers for a high tariff in

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*the Origins of Federal Food Policy* (Ann Arbor, MI, 1999). Jack High, ed., *Regulation, Economic Theory and History* (Ann Arbor, MI, 1991), 2–7; Gabriel Kolko, *Railroads and Regulation, 1877–1916* (Princeton, NJ, 1965); James L. Huston, “Economic Landscapes Yet to be Discovered: The Early American Republic and Historians’ Unsubtle Adoption of Political Economy,” *Journal of the Early Republic* 24 (Summer 2004), 219–32; Jonathan Pincus, *Pressure Groups and Politics in Antebellum Tariffs* (New York, 1977); Lacy K. Ford, “Inventing the Concurrent Majority: Madison, Calhoun, and the Problem of Majoritarianism in American Political Thought,” *Journal of Southern History* 60, no. 1 (1994), 19–58; Kevin R. Gutzman, “A Troublesome Legacy: James Madison and the Principles of 98,” *Journal of the Early Republic* 15 (Winter 1995), 569–89; Douglas E. Bowers, “From Logrolling to Corruption: The Development of Lobbying in Pennsylvania, 1815–1861,” *Journal of the Early Republic* 3 (Winter 1983), 439–74.

6. Sidney Ratner, *The Tariff in American History* (New York, 1972), 28; James L. Huston, *The Panic of 1857 and the Coming of the Civil War* (Baton Rouge, LA, 1987) 43; Robert McGuire and T. Norman Van Cott, “The Confederate Constitution, Tariffs, and the Laffer Relationship,” *Economic Inquiry* 40 (2002), 439; Thornton and Ekelund, *Tariffs*, 87, 14–17; Clarence Cramer, *American Enterprise: The Rise of U.S. Commerce* (London, 1972), 556; Cross, *Morrill*, 45.

1860” and Richard Hofstadter described manufacturers as “aloof,” “indifferent,” or even “actually hostile” to the Morrill Tariff. In subsequent decades Reinhardt Luthin, Wilfred Binkley, and Arnold Green all cited Morrill’s statement to describe the tariff, while elements of the “Missing Industry” thesis persist in more recent scholarship. Daniel Verdier states that, with a few exceptions, “most manufacturers in New England took no part in the debate over the Morrill Act” due to satisfaction with the status quo. Jane Flaherty gives credence to a similar contention by Representative John Sherman of Ohio, “who reiterated that this tariff did not present a gift to manufacturers.” Sherman, like Morrill, denied the allegation that the “manufacturers are urging and pressing this bill.”<sup>7</sup>

The resulting picture of the Morrill Tariff’s origins is fragmentary and divergent, caught between an established but dated volume of works that restate Morrill’s “Missing Industry” claim and an emerging yet incomplete literature on antebellum lobbying that emphasizes the connection between industry pressures and tariff politics. A strong and related point of contention exists in the literature regarding the tariff’s character and purposes. Consistent with the expectations of a bill born of industry pressures, the Morrill Tariff enjoys a protectionist reputation. Nonetheless, little consensus exists regarding the extent of its protective attributes or even the character of its rates. Assessments range from extreme and “dramatically higher” protection in which existing rates were “nearly doubled” to a “mild,” “moderate,” or “incidental” upward adjustment, driven primarily by revenue concerns.<sup>8</sup>

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7. Per Taussig, “Most of the manufacturing States at this time still stood aloof from the movement toward higher rates.” See *Tariff History*, 14; Carl Schurz, “The Tariff Question” in *Speeches, Correspondence, and Political Papers of Carl Schurz*, ed. Frederic Bancroft (New York, 1913), 5: 52; Harold Faulkner, “The Development of the American System,” *Annals of the American Academy of Political and Social Science* 141 (Jan. 1929), 14; Richard Hofstadter, “The Tariff Issue on the Eve of the Civil War,” *American Historical Review* 44, no. 1 (1938), 54–55; Wilfred Binkley, *American Political Parties: Their Natural History* (New York, 1945), 233; Arnold Green, *Henry Charles Carey: Nineteenth Century Sociologist* (Philadelphia, 1951), 143; Daniel Verdier, *Democracy and International Trade: Britain, France, and the United States, 1860–1990* (Princeton, NJ, 1994), 70; Jane Flaherty, “Incidental Protection: An Examination of the Morrill Tariff,” *Essays in Economic and Business History* 19 (2001), 110.

8. These disparate assessments are summarized by Flaherty, “Incidental Protection,” 113, n43. See also McGuire and Van Cott, “Confederate Constitution,” 435; Ratner, *Tariff*, 29; Alan Nevins, *Emergence of Lincoln*, 193, 448, 465.

Conflicting accounts of the tariff's origins contribute to this disparate assessment. Edward Stanwood portrayed the tariff as a corrective response to the Panic of 1857. Flaherty describes it as "a bipartisan effort to resolve a fiscal crisis" of looming budget deficits. William McKinley, himself a noted protectionist, depicted it as a reaction to the previous decade of trade liberalization. Hofstadter treated the measure as an intentional Republican electoral strategy to gain the crucial votes of Pennsylvania and New Jersey. Some truth accompanies each of these explanations, yet none definitively accounts for the Morrill Tariff's legislative history, spanning from December 1858 until March 1861, or for the role of political lobbying in its creation.<sup>9</sup>

Morrill's "Missing Industry" claim was in fact incorrect and requires reevaluation. Documentary evidence suggests that the tariff's supporters engaged in widespread strategic lobbying and coordination to secure a protective tariff rent, as expected by the Public Choice literature of tariff formation. Additional consideration is given to the Morrill Tariff's rates on a sample of imported goods for the purpose of ascertaining its character by way of comparison to other antebellum tariff schedules. The Morrill Tariff that became law in 1861 was the product of almost three years of legislative maneuvering amidst the influence of extensive industry lobbying. While this tariff revision attended to the government's revenue obligations, it also gave many manufacturing interests the opportunity to seek and obtain favorable rates.<sup>10</sup>

The Morrill Tariff originated shortly after the Panic of 1857, which accompanied a series of price drops at the conclusion of the Crimean War. Facing a growing public debt and declining revenue, President James Buchanan called for an increase in the country's tariff schedule

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9. Stanwood, *Tariff Controversies*, 2: 109–15; Flaherty, "Incidental Protection," 115; William McKinley, *The Tariff: A Review of the Legislation of the United States from 1812–1896* (New York, 1904), 27–28; Hofstadter, "Tariff Issue," 54. The election thesis is also developed in Luthin, "Lincoln and the Tariff," 609–29; Thomas Pitkin, "Western Republicans and the Tariff in 1860," *The Mississippi Valley Historical Review* 27, no. 3 (1940), 401–20; and Gabor Boritt, "Old Wine into New Bottles: Lincoln and the Tariff Reconsidered," *The Historian* 26 (1966), 289–317.

10. "Rents" are the economic gain received by (a) the producer of the protected good, as he charges higher prices under the tariff regime, and (b) recipients of public expenditures, as tax revenue responds to the change in tariffs.

when the lame-duck session of the Democrat-controlled 35<sup>th</sup> Congress convened on December 6, 1858. Buchanan's request would direct attention to tariffs for the next three years, but events in Congress had more immediate influence on tariff revision.<sup>11</sup>

The House Ways and Means Committee responded to Buchanan's call in January of 1859 with three proposals. Free-trade Democrats espoused the status quo. Democratic Chairman John Phelps authored a moderate increase, purportedly to stimulate revenue. Morrill, a Republican, proposed extensive tariff revision. When the lame-duck session adjourned on March 3, the three factions were in stalemate. Any tariff revision would turn on the control of the incoming 36<sup>th</sup> Congress, set to convene on December 5, 1859.<sup>12</sup>

During the 1858 elections a Democratic split, combined with the Know Nothing movement, gave Republicans a House plurality though none had the majority required to elect a Speaker. An impasse lasting two months produced 44 ballots without a victor, and was broken only on February 1, 1860, when the Republicans replaced their first caucus choice, John Sherman of Ohio, with William Pennington of New Jersey, reputed as a moderate on slavery. As Richard Benseal notes, the Republicans triumphed when "southern Democrats refused to barter the tariff in return for the protection of slavery's interests." On two prior ballots the Know Nothings and a small group of Pennsylvania Republicans offered their support to moderately pro-tariff Democratic candidates, only to be rebuffed. Pennington's election gave the Republicans control of Ways and Means, now chaired by Sherman as consolation for withdrawing his candidacy.<sup>13</sup>

By early 1860 Morrill's tariff revision had been in the works for over a year. Its author saw the bill as a reaction to the 1857 Tariff Act, which he vigorously opposed, and the Panic. He began work during the 1858-59 winter session stalemate on Ways and Means, aligning with fellow Republicans William A. Howard of Michigan and Henry Winter Davis of Maryland. According to Morrill, they agreed on "altering the schedules and producing an orderly protective tariff." Though lacking

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11. Cross, *Justin Morrill*, 45; Flaherty, "Incidental Protection," 104.

12. Huston, *Panic*, 179-83.

13. Richard F. Benseal, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877* (Cambridge, UK, 1995), 50-56.

committee votes, Morrill hedged his tariff on the prospect of a Republican Speaker in the coming session. “We entered into the preparation of the bill with diligence. I wrote all the bill; the other two diligently conferred with me.”<sup>14</sup>

Early on, the pro-tariff wing of the Republican Party inundated Morrill with suggestions and support for an upward revision. Newspaperman Horace Greeley wrote the congressman on February 22, 1859, that “we have your bill in type, but are disappointed in not hearing that it was moved today,” seeing the tariff as a political strategy for the Republicans. “The more yeas and nays we get on the record the better,” he wrote, “and as we can get no more than that, we ought to make the subject as prominent as possible.”<sup>15</sup>

Morrill’s correspondences indicate that the bulk of the work on the tariff occurred between January and February 1859 and continued throughout the recess until December. An August 20 letter from Henry Winter Davis illustrated an emerging Republican legislative strategy:

I wish you all success in your hunt for new facts and methods for the improvement of your bill. I fear I cannot add much to them but I will be only too glad to have the honor of doing battle for your work. It was rightly named: No one in the House of Representatives but you could have prepared it. . . . I suppose some intriguers will propose procrastination till after the Presidential election; but how can the imputation of faithlessness be met after such conduct? We must pass a bill in the House and force the Senate to accept or defeat it; it is sound policy—a necessity—nay, more—honesty. I feel confident you can strengthen your bill in more points than one by returning to the more moderate rates you, Howard, and I all preferred; and driving discontented and arrogant interests to present their extreme claims as separate amendments; if they fail, so much the better—they have gotten the best they could; if they pass, we have gotten the best we could. But passed in one shape or another it ought to be. We are now independent of Penn. Locofocos, and all rotten sticks.

Davis’s letter exemplified the political intrigue surrounding Morrill’s bill, while anticipating the hurdle presented by the incoming Senate. Far from being missing, certain “arrogant interests” evidently wanted more pro-

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14. Parker, *Life of Morrill*, 103, 104.

15. Justin Smith Morrill, “Letters From My Political Friends,” *The Forum* 24 (Sept. 1897–Feb. 1898), 270.



tection than the Republicans were willing to offer. Ideologically, Davis and Morrill concurred on producing a protective bill while stopping short of prohibitive rates. Such a position was “moderate” in relation to the most avowed protectionists but also a substantial deviation from the status quo “free trade” rates of 1857.<sup>16</sup>

After Congress resolved the Speaker contest in Pennington’s favor, Ways and Means with Sherman at its helm turned promptly to the tariff question. Sherman deferred to Morrill’s expertise and “concurred, with rare exceptions, in the principles and details of the measure.” Morrill reported the bill favorably to the House floor on March 12, 1860. The Democrats immediately responded with a procedural motion to block it, only to be outmaneuvered with the imposition of a new rule allowing the tariff to advance to the House floor on March 19. The subsequent debate lasted for more than a month as the bill’s opponents attempted to amend away its provisions.<sup>17</sup>

According to Sherman, the free-trade assault on the bill had a discouraging effect on Morrill, who became “disposed to abandon it to its fate.” Later in life both men independently recounted their strategies to salvage the tariff from unfriendly amendments. According to Morrill, Sherman “came to me and said ‘Have you a clear copy of the bill as you want it to be?’” At Sherman’s signal, Morrill offered an amendment in the nature of a substitute for the entire bill. Sherman, taking the “clear copy” just provided, then offered a substitute to Morrill’s substitute, consisting of the original bill with minor modifications “as were evidently favored by the House, without affecting the general principles of the measure.” Sherman’s motion invoked a parliamentary rule preventing any further amendment and forced a vote on accepting the “clear copy.” In short order the bill, now containing only minor changes to Morrill’s original draft, came up for a final vote. On May 10 it passed on a vote of 105 to 64, split between the North and South. Wrote Sherman, “we knew upon the passage of this bill that it could not pass the Senate during that session.” Nonetheless, it was sent to the Democratic Senate with the explicit intent, as Davis had indicated, of strategically forcing a vote.<sup>18</sup>

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16. Henry Winter Davis to Justin Morrill, Aug. 20, 1859, Justin Morrill Papers (Library of Congress, Washington, DC).

17. John Sherman, *Forty Years in the House, Senate, and Cabinet* (Chicago, 1895), 183; Parker, *Life of Morrill*, 106–9.

18. Parker, *Life of Morrill*, 109; Sherman, *Forty Years*, 186.

Tariff legislation in the nineteenth century instigated strong sectional and ideological division in any normal year, let alone the tense political climate of 1860. As the election approached, according to Reinhardt Luthin, “protectionist sentiment mounted to a fever heat in Pennsylvania. And no individual contributed so much to make the state tariff-minded as the renowned political economist Henry C. Carey of Philadelphia.” Known as the “Ajax of Protection,” Carey favored high and exclusionary rates intended to boost home industry. He was nonetheless a keen political observer who understood the value of a more modest increase, particularly if it reestablished the doctrine of protection that had been rejected for a “revenue tariff” in 1846 and 1857.<sup>19</sup>

Morrill thought highly enough of Carey’s economic theories to remark, “His high rank as a political economist is conceded on the continent of Europe, and in America he has such partisan antagonists as thrive on British theories” of free trade, “but [Carey has] no equal as an authority of the subject.” When Carey lent his support and expertise to the tariff cause in early 1860, Morrill patiently received him. “He wrote me long and frequent letters—difficult to read but not difficult to understand, and always of more or less importance.”<sup>20</sup>

Few of these letters survive, but Carey’s contribution to the tariff bill is evident in his efforts to rally public and congressional support. He “flooded the Republican press” with political tracts attributing the Panic of 1857 to tariff rate reductions. Though he worked from Philadelphia, Carey closely monitored the tariff’s progress on Capitol Hill through reporter James Harvey of the *Philadelphia North American*, a publication dubbed “Philadelphia’s Bible of protectionism.” In one surviving letter Harvey reported that Pennsylvania iron producers visiting Washington “expect us to drum up votes, button-hole members, and argue their cases” before Congress. “I will try & see the Morrill bill through.” He did so by counting votes, providing favorable press coverage, and serving as a conduit of political information to Morrill and other sponsors. Pennsylvania could be won, Harvey assured Morrill, by “any reasonable candidate who is right on the tariff by a 25,000 vote majority.”<sup>21</sup>

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19. Luthin, “Lincoln and the Tariff,” 614.

20. Morrill, “Letters,” 146.

21. Luthin, “Lincoln and the Tariff,” 614, 618; James Harvey to Henry C. Carey, “Thursday” in Henry C. Carey Papers (Historical Society of Pennsylvania,

Carey operated within an intricate network connecting policymakers, Republican strategists, newspapers, and businesses to the Morrill Tariff. A letter from Pennsylvania Rep. George W. Scranton illustrates the scope of his interests:

We hope to get the Tariff Bill to a vote this week. . . . I have written to one of my friends, a delegate to Chicago from Pa. stating to him in substance the views you expressed when here in relation to the proposed conference between N.J. and Pa. delegations before they meet at Chicago. He is personally acquainted with two or three of the N.J. delegates and will be likely to meet some or all of them several times before the Convention. . . . Coal stocks and estates well located are improving in value and have touched the lowest points; if we can carry the Tariff Bill through, you may safely mark up your coal interests.

These comments display Carey's organizational complexity, showing him engaged in (1) lobbying Congress, (2) organizing pro-tariff delegates to the Republican Convention in Chicago, and (3) personally investing in the coal market, contingent on the tariff bill's adoption.<sup>22</sup>

Carey's lobbying intensified as the bill advanced and the election drew closer. Securing a tariff revision, he told Sherman, was "more important as regards the future of the opposition party than any other [issue] that could be presented." Morrill recalled that Carey "took a very deep interest in the passage of this Tariff law, because the duties were largely specific and also surely, but moderately, protective." In a surviving letter from April 1860, when the bill was on the House floor, Carey asked Morrill, "Pray let me know who it is that makes the present iron difficulty, and what, exactly, it is about." He continued, alluding to his influence with Pennsylvania's iron industry, "Perhaps I may assist in having it removed." Though additional surviving correspondence is sparse, Morrill later described enlisting Carey's help to expedite the bill in the Senate later that year:

Mr. Carey was very impatient at its long delay in the Senate. I knew it could not be passed so long as a majority of the Secessionists remained there. Mr. Hunter, of

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Philadelphia) in Luthin, "Lincoln and the Tariff," 626; Harvey to Morrill, Nov. 14, 1859, Morrill Papers.

22. George W. Scranton to Carey, Apr. 30, 1860, Carey Papers, in Luthin, "Lincoln and the Tariff," 614–15.

Virginia, was chairman of the Senate Committee on Finance, and rather reluctantly joined the fire-eaters of South Carolina; but Southern Senators, preferring allegiance to their own States rather than to the Union, were now rapidly deserting the Senate. I therefore wrote to Mr. Carey that he could urge the matter, if he chose to do so, by writing to Senators Wade and Wilson, which he did. They assured him that their anxiety was quite equal to his, and that the Tariff would be passed as soon as the Senate had the power.

These and other instances of coordination, lobbying, and advocacy illustrate the political maneuvering that successfully guided the Morrill Tariff through Congress. They do not, however, explain how the tariff bill itself came to exist.<sup>23</sup>

As anticipated in the Public Choice literature, tariffs go hand in hand with lobbying interests. Yet this prediction conflicts with Morrill's "Missing Industry" statement wherein the tariff "was not asked for, and but coldly welcomed at the time by manufacturers." As Taussig first observed, this theme recurs in the arguments of the tariff's advocates. Morrill described himself as being "in the position of an impartial juror" on the proper rates, assessing them by need rather than partiality to special interests. Alexander Rice of Massachusetts told Congress "(t)he manufacturer asks no additional protection." Sherman was similarly explicit:

When Mr. Stanton says the manufacturers are urging and pressing this bill, he says what he must certainly know is not correct. The manufacturers have asked over and over again to be let alone. The tariff of 1857 is the manufacturers' bill; but the present bill is more beneficial to the agricultural interests than the tariff of 1857.

Sherman's 1895 memoir followed suit, describing Morrill as a "perfectly impartial" representative of "a small agricultural state" who "was not biased by sectional feeling or the interests of his constituents." While seeming to corroborate each other, these public speeches and accounts by the tariff's backers must be understood in the context of tariff advocacy, where critics of protection regularly alleged collusion with business interests.<sup>24</sup>

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23. Carey to John Sherman, Jan. 8, 1860, John Sherman Papers (Library of Congress, Washington, DC); Morrill, "Letters," 146, 147.

24. *Congressional Globe*, 41<sup>st</sup> Congress, 2<sup>nd</sup> sess., 3295; *Congressional Globe*, 36<sup>th</sup> Congress, 1<sup>st</sup> sess., 1974; Taussig, *Tariff History*, 160; Sherman, *Forty Years*, 183.

The “Missing Industry” claim aside, Morrill’s correspondence contains plenty evidence of the same type of manufacturer collusion he denied. Industry pressure began to form in Pennsylvania, New Jersey, New York, and Massachusetts—the primary manufacturing states—in the fall of 1858. Tariff supporters identified Morrill as a potential ally well before he emerged as the tariff’s primary author. “Your friends here are much satisfied that you are placed on the Committee of Ways and Means,” wrote D. Crawford, a Vermont constituent, in early 1859. “I suppose a revision of the Tariff and an increase of duties [is] indispensable. . . . I would favor no prohibitory duties, but I do believe that such a tariff of duties as would place our own markets under our own control would greatly promote the interests of our whole country. Especially would I have the wollen, cotton, and iron market in our own hands.”<sup>25</sup>

Republicans quickly coalesced behind Morrill in early 1859 and directed letters to him from constituent industries, even though Democratic control of the committee would block any bill until the next Congress. David Ritchie of Pennsylvania forwarded a Pittsburgh smelter’s petition “for a proper protection to the manufacturers of copper.” Isaiah Clawson of New Jersey and Henry L. Dawes of Massachusetts delivered glazier requests for window glass protection. Freeman Morse of Maine transmitted a complaint about unfair competition from English carpet makers.<sup>26</sup>

Many of the manufacturer requests contained specific price calculations to assist in establishing a desired rate. Cadwallader Washburn of Wisconsin supplied a lead-maker’s list of grievances against the alleged “inferior quality” of foreign lead, complete with import price levels and recommendations to make his product competitive. A sheet iron manufacturer similarly supplied Morrill with a detailed chart of gauge measurements and accompanying duty requests, all of which were promptly added to the draft bill.<sup>27</sup>

Morrill operated as the Republicans’ primary tariff coordinator from

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25. Michael F. Holt, *The Political Crisis of the 1850s* (New York, 1983), 201; D. Crawford to Morrill, Jan. 5, 1859, Morrill Papers.

26. Park & McCurdy Co. to David Ritchie, Dec. 18, 1858; Joseph Porter to Isaiah Clawson, Jan. 17, 1859; William A. Phelps to Henry L. Dawes, Jan. 17, 1859; W. H. Simpson to Freeman Morse, Jan. 15, 1859, Morrill Papers.

27. C. Rogers to Cadwallader Washburn, Jan. 24, 1859; McCullough & Co. to Morrill, Jan. 12, 1859, Morrill Papers.

the bill's inception. The pattern of forwarded letters from other states and districts continued throughout the spring of 1859, and resumed in 1860 and 1861 as the House and Senate floor debates prompted additional requests for favorable duties on a wide variety of goods (see Table 1). He developed the bill with the direct assistance of manufacturing firms and Republican political operatives. In late January 1859, New York political boss Thurlow Weed telegraphed Morrill to arrange for review of his tariff bill by a prominent shipping firm:

Please advise Grinnell Minturn & Co. New York proposed duty on sugar iron lead tin & when to take effect. Also please send them early copy of your bill.

Morrill supplied a draft, and a representative from Grinnell Minturn responded the following week, requesting modifications to the bill and a reduction in proposed rates on the copper sheathing it used to outfit its ships.<sup>28</sup>

Horace Greeley also weighed in on the bill at this time, favoring “ten cents per tone more on iron” in place of a \$1 duty on coal, which he doubted would pass through to the iron price as intended. He then pledged the *New York Tribune's* support: “If I ever can be allowed to say a word for your bill, I shall gladly do so.” For this favor Morrill described Greeley as “the ablest writer on the subject of a protective tariff we have had since the time of Hezekiah Niles, the editor of *Niles' Register*.”<sup>29</sup>

Scores of protection seekers contacted Morrill directly to plead their cases. He discussed hemp and wool duties and copper sheathing exemptions with I. M. Forbes, an agent working from Willard's Hotel. At Morrill's request, Forbes subsequently obtained data on favorable copper rates from his client, the Revere Copper Co. of Boston. Other letters flooded in from dozens of different industries seeking tariffs on everything from sugar to carpets to sulphate of ammonia.<sup>30</sup>

Surviving records show Morrill himself directly soliciting rate recommendations from a beneficiary firm. In early 1860, he wrote the president

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28. Thurlow Weed to Morrill, Jan. 27, 1859; Grinnell Minturn & Co. to Morrill, Jan. 31, 1859, Morrill Papers.

29. Morrill, “Letters,” 270.

30. I. M. Forbes to Morrill, Feb. 18, 1859; Forbes to Revere Copper Co., Feb. 18, 1859; Thomas Lamb to Morrill, Feb. 21, 1859; Simpson to Morrill, May 19, 1860; Rosengarten and Sons to Morrill, Mar. 19, 1860, Morrill Papers.

**Table 1: Manufacturer letters to Congress regarding the Morrill Tariff, 1858–1861**

<i>Date</i>	<i>Recipient</i>	<i>Sender</i>	<i>Company</i>	<i>Location</i>	<i>Subject</i>	<i>Source</i>
12-18-1858	Rep. David Ritchie (W-PA)	Park McCurdy & Co	Lake Superior Coppersmith	Pittsburg, PA	Protect sheet copper	JM-LOC
1-5-1859	Rep. Justin Morrill	D. Crawford	—	Putney, VT	Protection in general	JM-LOC
1-12-1859	Rep. Justin Morrill	D. Daniel and E. Carvey	McCullough & Co.		Suggests sheet iron rates	JM-LOC
1-15-1859	Rep. Freeman H. Morse (R-ME)	W. H. Simpson	Roxbury Carpet Co.	Boston, MA	Protect carpets	JM-LOC
1-17-1859	Rep. Isaiah Clawson (R-NJ)	Joseph Porter	—	Waterford, Woodstown, NJ	Suggests glass rates	JM-LOC
1-17-1859	Rep. Henry L. Dawes (R-MA)	William A. Phelps	—	Massachusetts	Suggests glass rates	JM-LOC
1-24-1859	Rep. C. C. Washburn (R-WI)	C. Rogers	—	New York, NY	Protect lead	JM-LOC
1-27-1859	Rep. Justin Morrill	Thurlow Weed	for Grinnell Minturn & Co.	New York, NY	Requests a copy of the tariff for review	JM-LOC
1-31-1859	Rep. Justin Morrill	Grinnell Minturn & Co.	Grinnell Minturn & Co.	New York, NY	Exempt copper sheathing	JM-LOC
2-18-1859	Rep. Justin Morrill	I. M. Forbes	—	Willard's Hotel	Rates on hemp, wool, exempt sheathing	JM-LOC
2-18-1859	James Daw	I. M. Forbes	Revere Copper Co.	Boston, MA	Exempt copper sheathing	JM-LOC
2-21-1859	Circular to Congress	Nicholas Lennig	Tacony Chemical Works	Philadelphia, PA	Protect chemicals, exempt raw materials	JS-LOC

**Table 1 (Continued)**

<i>Date</i>	<i>Recipient</i>	<i>Sender</i>	<i>Company</i>	<i>Location</i>	<i>Subject</i>	<i>Source</i>
2-21-1859	Rep. Justin Morrill	Thomas Lamb	Boston Sugar Refinery	Boston, MA	Protect refined sugars	JM-LOC
2-22-1859	Rep. Justin Morrill	Horace Greeley	New York Tribune	New York, NY	Protect iron, substitute for coal duty	Forum
2-25-1859	Rep. Justin Morrill	Horace Greeley	New York Tribune	New York, NY	Protect iron, substitute for coal duty	Forum
ca. 1/1860	Rep. Justin Morrill	John Lewis	Jersey City Pottery	Jersey City, NJ	Exempt ground flint and borax for glaze	JM-LOC
3-2-1860	Sen. James F. Simmons	William G. Angell	American Screw Co.	Providence, RI	Protect wood screws	JS-LOC
3-2-1860	Rep. Justin Morrill	William G. Angell	American Screw Co.	Providence, RI	Protect wood screws	JS-LOC
3-9-1860	Sen. James F. Simmons	R & W. Mauthis & Co.	R & W. Mauthis & Co.	Providence, RI	Exempt printer's ink	JS-LOC
3-14-1860	Rep. John Sherman (R-OH)	Stuart & Peterson	Spring Garden Iron Foundry	Philadelphia, PA	Protect iron	JM-LOC
3-16-1860	Rep. John Sherman (R-OH)	E. Cornell	—	Ithaca, NY & Coshorton, OH	Protect coal oil	JM-LOC
3-19-1860	Rep. Justin Morrill	Rosengarten & Sons	Rosengarten & Sons	Philadelphia, PA	Protect sulphate of ammonia	JM-LOC
3-19-1860	Rep. Justin Morrill	Henry Bowers	—	Philadelphia, PA	Protection in general against English manuf.	JM-LOC



<i>Date</i>	<i>Recipient</i>	<i>Sender</i>	<i>Company</i>	<i>Location</i>	<i>Subject</i>	<i>Source</i>
3-19-1860	Morrill introduces H.R. 338, the first draft of the tariff bill					
3-20-1860	Sen. James F. Simmons	Josiah Seagrave	Uxbridge Woolen Manuf. Co.	Uxbridge, MA	Protect woolens in exchange for wool protection	JS-LOC
3-23-1860	Sen. James F. Simmons	George Kellogg		Bookville, CT	Protect woolens, restore wool exemption	JS-LOC
4-26-1860	Sen. Charles Sumner (R-MA)	Henry L. Pierce	—	Boston, MA	Exempt cocoa	JM-LOC
5-7-1860	Joseph S. Fay	—	unnamed woolen manufacturer	New York, NY	Customs house corruption	JM-LOC
5-8-1860	Rep. Justin Morrill	Joseph S. Fay	Washington Mills (woolens)	Boston, MA	Protect woolens, exempt wool, repeal warehousing act	JM-LOC
<b>5-8-1860</b>	<b>Morrill presents his bill with substituted amendments, including the 18-cent wool exemption compromise</b>					
5-10-1860	Morill Tariff passes the House of Representatives					
5-11-1860	Sen. James F. Simmons	Josiah Seagrave	Uxbridge Woolen Manufacturing Co.	Uxbridge, MA	Protect woolens in exchange for wool protection	JS-LOC
5-11-1860	Sen. James F. Simmons	Edward Pierce	American Screw Co.	Providence, RI	Protect wood screws	JS-LOC
5-15-1860	Rep. Justin Morrill	J. Wiley Edmands	—	Boston, MA	Exempt raw wool; customs house corruption	JM-LOC

**Table 1 (Continued)**

<i>Date</i>	<i>Recipient</i>	<i>Sender</i>	<i>Company</i>	<i>Location</i>	<i>Subject</i>	<i>Source</i>
5-19-1860	Rep. Justin Morrill	W. H. Simpson	Roxbury Carpet Co.	Boston, MA	Protect carpets	JM-LOC
5-28-1860	Sen. James F. Simmons	James H. Coggeshall	American Horse Nail Co.	Providence, RI	Protect horseshoe nails	JS-LOC
5-29-1860	Sen. James F. Simmons	Charles Lennig	Tacony Chemical Works	Philadelphia, PA	Protect alkali chemicals	JS-LOC
12-17-1860	Sen. James F. Simmons	Edward Pierce	American Screw Co.	Providence, RI	Protect wood screws, supports tariff	JS-LOC
12-18-1860	Senate Finance Committee	Boston Merchants	various	Boston, MA	Opposes wood screw protection	Smith
1-24-1861	Sen. James F. Simmons	William G. Angell	American Screw Co.	Providence, RI	Protect wood screws	Smith
1-24-1861	Sen. James F. Simmons	Alex Barclay		New York, NY	Protect iron saddlery hardware	JS-LOC
1-25-1861	Sen. James F. Simmons	Earl P. Mason	Earl P. Mason & Co.	Providence, RI	Exempt soda ash	JS-LOC
1-27-1861	Sen. James F. Simmons	Israel Lombard	Lombard Whitney & Co.	Boston, MA	Exempt East Indies tea	JS-LOC
1-29-1861	Sen. James F. Simmons	George A. Clark	Clark Spool Cotton	New York, NY	Reduce spool cotton duty	JS-LOC

<i>Date</i>	<i>Recipient</i>	<i>Sender</i>	<i>Company</i>	<i>Location</i>	<i>Subject</i>	<i>Source</i>
1-31-1861	Sen. James F. Simmons	Charles Scranton	iron proprietor	Oxford Furnace, NJ	Protection in general, supports tariff	JS-LOC
2-2-1861	Sen. William Fessenden (R-ME)	J. Jewitt	—	Portland, ME	Suggests sugar rates, favors specific duties	JM-LOC
2-4-1861	Sen. William Fessenden (R-ME)	J. Jewitt	—	Portland, ME	Suggests sugar rates, favors specific duties	JM-LOC
2-6-1861	Sen. James F. Simmons	Powell & Weightman Co.	Powell & Weightman Co.	Philadelphia, PA	Protect quicksilver	JS-LOC
2-17-1861	Sen. James F. Simmons	M. C. Rosengarten	Philadelphia Drug Exchange	Philadelphia, PA	Protect opium and morphine	JS-LOC
2-18-1861	Sen. Benjamin Wade (R-OH)	Thomas P. Stotesbury	Stotesbury Co. (sugar refining)	Philadelphia, PA	Protection, reminder of election promises	BW-LOC
2-21-1861	Sen. Charles Sumner (R-MA)	Israel Lombard	Lombard Whitney & Co.	Boston, MA	Tax European tea, exempt East Indies tea	JM-LOC
2-21-1861	Sen. Charles Sumner (R-MA)	I.M. Forbes	—	Exempt East Indies tea	JM-LOC	
<b>2-28-1861</b>	<b>Morrill Tariff adopted, sent to President for signature</b>					
<b>3-2-1861</b>	<b>Morrill Tariff signed into law by President Buchanan</b>					

This table illustrates a sample of manufacturer requests sent to the Morrill Tariff's supporters in Congress. Sources: JM-LOC indicates Justin Morrill papers, Library of Congress (Washington, DC). JS-LOC indicates James Fowler Simmons papers, Library of Congress. BW-LOC indicates Benjamin Wade Papers, Library of Congress. Forum indicates Morrill, "Letters." Smith indicates Smith, "Rising Industry."

of American Screw Company at the instigation of Rhode Island Senator James F. Simmons, requesting a rate to “fairly place [the company] in competition with foreign trade,” without being prohibitory. Morrill continued,

You will do me and those with whom I am associated a favor by suggesting an ad valorem rate that would be proper and its equivalent put in a specific form. Any suggestions you may have to make upon any points in the whole subject will be gladly received—especially if sent within a few days, as early action is anticipated.<sup>31</sup>

At the time of this exchange the American Screw Company had an unsavory reputation for concocting schemes that insulated its product from foreign competition. Merchants from London to New York accused William G. Angell, the company’s president, of sending “an agent to England, who pays Mr. Nettlefold,” a British screw producer, “£5,000 Sterling or twenty-five thousand dollars per annum not to file any orders for America.” By 1860, when increased competition from other screw manufacturers in Germany and Britain made this arrangement untenable, Angell pressed Simmons for a favorable protective rate.<sup>32</sup>

At Simmons’s instigation, Morrill supplied the screw company with a copy of his draft bill for review. Angell’s response confirms the collusion: “Since writing the above we have received from Mr. Morrill a copy of the tariff bill . . . [I] will immediately upon my return prepare a statement for Mr. M.” Angell made no effort to conceal his desire for protection, writing Simmons,

I am expecting to be in Washington either Saturday night or Sunday morning. Will bring along with me several statements in different forms showing the protection needed on screws to enable the American manufacturers to compete favourably with the English and hope you will keep Mr. Morrill in the right track until we can see him together and exhibit to him the new statements.

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31. Morrill to William G. Angell, Feb. 24, 1860, James Fowler Simmons Papers (Library of Congress, Washington, DC).

32. George W. Smith, “A Rising Industry’s Battle for the Morrill Tariff,” *Bulletin of the Business Historical Society* (Dec. 1942), 107; “The Im-Morrill Tariff Bill—Facts for Mechanics and Others,” *Daily Eagle* (Brooklyn, NY), Feb. 13, 1861.

Though the “statements” themselves do not appear to have survived, a later letter indicates that “Mr. Morrill had assured [Angell] that the bill as originally reported should be amended placing wood screws at 5 cents” per pound as desired by the company, and he kept his word in the final version of the bill.<sup>33</sup>

Additional instances of manufacturer influence can be discerned in several other categories of goods in Morrill’s original draft bill of March 19, 1860. Table 2 illustrates the similarities between the proposed rates and manufacturer requests found in Morrill’s papers. The proposed sugar tariffs more or less matched those sought by the Boston Sugar Refinery, and Morrill assessed copper sheathing at the rate requested by the Revere Copper Company’s agent. The tariff’s gauge specifications for sheet iron corresponded to the letter of a manufacturer’s request, as did the rates for each size category. In one instance, a glass manufacturer complained that an existing rate “yields but small revenue to the government and scarcely any protection” on an import-competing glass category, and he included a list of recommended specific duties “to assist the manufacturer in window glass.” Morrill’s bill exceeded the requested rates in all categories. While it is impossible to identify the origin of every rate, these documents strongly suggest that industry lobbyists directly influenced the rates of protection, categories of exemption, and even revenue collection procedures.<sup>34</sup>

The case of wool and its associated manufactured goods merits special attention due to Morrill’s own familiarity with the industry and the internal disputes between its producers. Manufacturers of woolen goods, such as yarn and blankets, sought low tariffs on their raw wool inputs and high tariffs on their finished products. The sheep farmers of the

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33. Angell to Simmons, Mar. 2, 1860, Simmons Papers; Edward Pierce to Simmons, May 11, 1860, Simmons Papers; Smith, “Rising Industry,” 111.

34. McCullough & Co. to Morrill, Jan. 12, 1859; Joseph Porter to Clawson, Jan. 17, 1859, Morrill Papers. According to its author, the suggested specific duties were drawn up from consultation with several fellow glass producers. The clearly protective character of the suggested duties is demonstrated by an accompanying request to place glass “in the same bracket with iron in bars” and assess a rate of “at least 35%” ad valorem should specific duties prove unfeasible. By comparison, window glass was taxed at 20 percent under the 1846 Walker Tariff and 15 percent under the 1857 Tariff. When enacted, the Morrill Tariff taxed various categories of rough window glass at ad valorem equivalents of 35 to 65 percent (see Table 3).

**Table 2: Instances of Lobbying Influence in Justin Morrill's Original Draft Bill**

<i>Requested</i>	<i>Requested rate</i>	<i>Actual item</i>	<i>Actual rate</i>	<i>Letter from</i>
Glass < 10×14"	1.2 cents/ft	Glass < 10×12"	1 cent/ft	Joseph Porter
Glass 10×14" to 16×24"	1.5 cents/ft	Glass 10×12" to 12×18"	2 cents/ft	Joseph Porter
Glass 16×24" to 24×30"	2.1 cents/ft	Glass 12×18" to 24×30"	3 cents/ft	Joseph Porter
Glass > 24×30"	3 cents/ft	Glass > 24×30"	4 cents/ft	Joseph Porter
Lead	Change to specific duty	Lead	Specific duty 1 to 1.5 cent/lb	C. Rogers
Copper sheathing 14×48"	enact a duty	Copper sheathing 14×48"	2 cents/lb	Lake Superior Copper Mill
Copper sheathing	2 cents/lb	Copper sheathing 14×48"	2 cents/lb	I. M. Forbes (Revere Copper Co.)
Copper raw	2 cents/lb	Copper bars, pigs, ingots	2 cents/lb	I. M. Forbes (Revere Copper Co.)
Manilla hemp	25% ad valorem, equal to approx. \$24.40/ton	Manilla hemp	\$20/ton	I. M. Forbes
Yellow, white, clayed sugars	1.5 cents/lb	Yellow, white, clayed sugars	1 to 1.5 cents/lb	Boston Sugar Refinery
Brown sugar	1 cent/lb	Brown sugar	1 cent/lb	Boston Sugar Refinery
Refined sugar	2.5 cents/lb	Refined sugar	2.5 cents/lb	Boston Sugar Refinery
Sulphate of ammonia	15% ad valorem	Sulphate of ammonia	10% ad valorem	Rosengarten & Sons
Coal oil	enact a duty	Coal oil	10 cents/gallon	E. Cornell
Enamel and tinned ironware	4 cents/lb	tinned ironware	2.5 cents/lb	Spring Garden Iron Foundry

<i>Requested</i>	<i>Requested rate</i>	<i>Actual item</i>	<i>Actual rate</i>	<i>Letter from</i>
Sheet iron 20 gauge or thicker	1 cent/lb	20 gauge or thicker	\$20/ton (1 cent/lb)	McCullough & Co.
Sheet iron 21-24 gauge	1.25 cents/lb	21-25 gauge	\$25/ton (1.25 cents/lb)	McCullough & Co.
Sheet iron 25 gauge or thinner	1.5 cents/lb	thinner than 25 gauge	\$30/ton (1.5 cents/lb)	McCullough & Co.
Ground flint	exempt	Ground flint	exempted	Jersey City Pottery Co.
Crude borax	exempt	Crude borax	exempted	Jersey City Pottery Co.
2 inch wood screws*	5 cents/lb	2 inch wood screws	5 cents/lb	American Screw Co.
Woolen goods (manufactured)*	change from ad valorem to specific duties	Woolen goods (manufactured)	Most items changed to specific duties	Washington Mills
Wool raw—valued less than 20 cents/lb*	exempt	Wool raw—valued less than 18 cents/lb	exempted	Washington Mills
Wool raw—valued less than 20 cents/lb*	exempt	Wool raw—valued less than 18 cents/lb	exempted	J. Wiley Edmonds, Pacific Mills

This table illustrates specific instances in which a manufacturer request appears to have influenced a tariff rate, product categorization, or both in Justin Morrill's initial draft bill as introduced on March 19, 1860. An asterisk (\*) denotes rates and categories that were amended by Morrill in response to lobbying between March 19 and the bill's adoption in the House on May 10, 1860. Letter locations correspond to Table 1.

**Table 3: Ad Valorem and Equivalent Rates for Selected Dutiable Items, 1842–1861**

<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>	<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
<b>Wool—raw</b>						
	unmanuf > 7 cents/lb	39.95%	unmanufactured 18-24 cents/lb	30%	24%	35.16%
			unmanufactured >24 cents/lb	30%	0-24%	19.75%
	unmanuf < 7 cents/lb	5%	unmanuf < 18 cents/lb*	30%	0%	5.00%
<b>Manufactured woolens, clothing, and carpet</b>						
	cloths of wool	40%	cloth	30%	24%	34.85%
	shawls of wool	40%	shawls	30%	24%	31.41%
	wool manuf. not otherwise provided	40%	wool manuf. not otherwise specified			34.76%
	woolen yarn	30%	woolen & worsted yarn .5-1\$	25%	19%	29.87%
	worsted yarn	30%	woolen & worsted yarn > \$1	25%	19%	35.80%
			woolen & worsted yarn < .5	25%	19%	25.00%
	worsted stuffs	30%				
	clothing readymade	50%	clothing readymade	20-30%	15-24%	27.57%
	clothing articles of wear	40%	clothing articles of wear	20-30%	15-24%	27.44%
	blankets < 75 cents each	15%	blankets < 28 cents/lb	20%	15%	39.69%
	blankets > 75 cents each	25%	blankets 28-40 cents/lb	20%	15%	51.97%
			blankets > 40 cents/lb	20%	15%	42.85%
	wilton carpets	23.71%	carpets < 1.25/sq yrd	30%	24%	31.16%



<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>	<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
<b>Manufactured woolens, clothing, and carpet</b>						
	treble ingrained carpets	73%	carpets > 1.25/sq yrd	30%	24%	25.73%
	brussels carpets & tapestry	40.34%	brussels carpets & tapestry	30%	24%	39.65%
	venetian carpets	42.07%	venetian carpets	30%	24%	326.41%
	saxony carpets	28.70%				
<b>Manufactured cottons and hemp</b>						
	cotton manuf not otherwise provided*	25%	cotton manuf n.o.p.*	25%	19%	30.00%
	cottons, colored > 30 cents/sq yd	30%	cotton manuf <140 threads	20-25%	15-19%	62.44%
	cottons, colored < 30 cents/sq yd	43%	cotton manuf 140-200 threads	20-25%	15-19%	12.23%
	cottons, colored < 20 cents/sq yd	47%	cotton manuf >200 threads	20-25%	15-19%	20.35%
	cottons, uncolored > 20 cents/sq yd	30%	bleached cottons <100 threads	20-25%	15-19%	11.27%
			bleached cottons 100-140 threads	20-25%	15-19%	36.65%
			bleached cottons 140-200 threads	20-25%	15-19%	30.56%
			bleached cottons >200 threads	20-25%	15-19%	34.09%
			printed cottons <100 threads	20-25%	15-19%	37.15%
			printed cottons 100-140 threads	20-25%	15-19%	32.88%

Table 3 (Continued)

<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>					<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
						printed cottons 140–200 threads	20–25%	15–19%	34.40%	
						printed cottons > 200 threads	20–25%	15–19%	25.00%	
	manilla & india hemp	37.10%					manilla & india hemp	30%	25%	18.40%
<b>Glass</b>		<i>8x10–10x12</i>	<i>10x12–14x10</i>	<i>14x10–16x11</i>	<i>16x11–18x12</i>	<i>&gt;18x12</i>				
	cylinder window glass	33.83%	40.63%	41.35%	44.03%	66.50%	rough window glass < 10x15in	20%	15%	35.71%
	crown window glass	17.69%	53.65%	30.55%	18.38%	73.88%	rough window glass 10x15–16x24	20%	15%	45.84%
	polished plate glass	30.18%	25.29%	39.47%	34.60%	30.82%	rough window glass 16x24–24x30	20%	15%	53.90%
	window glass <8x10	21.34%					rough window glass >24x30	20%	15%	65.58%
							pol. window glass < 10x15in	20%	15%	7.86%
							pol. window glass 10x15–16x24	20%	15%	11.99%
							pol. window glass 16x24–24x30	20%	15%	10.06%
							pol. window glass >24x30	20%	15%	10.10%
<b>Sugar—raw</b>										
	Brown or muscovada sugar	61.42%					Brown or muscovada sugar	30%	24%	24.23%
	white sugar	72.94%					white sugar	30%	24%	14.61%
<b>Sugar—refined</b>										
	loaf sugar	92.25%					loaf sugar	30%	24%	59.19%
	syrup of sugarcane	93.33%					syrup of sugarcane	30%	24%	54.11%
	molasses	28.71%					molasses	30%	24%	15.27%

<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>	<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
<b>Salt</b>						
	Salt	76.05%	Salt	20%	15%	43.13%
			Salt—in bags	20%	15%	34.06%
<b>Coal</b>						
	Coal, all forms	67.03%	bituminous	30%	24%	32.03%
			other	30%	24%	50.00%
<b>Lead</b>						
	lead shot*	90.91%	lead shot*	20%	15%	30.00%
	lead scrap	76.38%	lead scrap	20%	15%	36.52%
	lead in sheets & forms n.o.p.	108.42%	lead sheets*	20%	15%	30.00%
			lead pigs and bars	20%	15%	25.53%
	pewter, scrap for remanufacture	0%	pewter, scrap for remanufacture	5%	4%	7.63%
<b>Copper raw</b>						
	scrap, for remanufacture	0%	scrap, for remanufacture	5%	0%	10.16%
	pig and block copper	0%	pig and block copper	5%	0%	27.78%
<b>Iron raw</b>						
	pig iron	48.90%	pig iron	30%	24%	44.62%
	scrap iron	48.81%	scrap iron	30%	24%	52.05%
	rolled bar iron	75.64%	rolled bar iron	30%	24%	32.50%

**Table 3 (Continued)**

<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>	<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
<b>Iron Manufactures</b>						
	wood screws	60.70%	wood screws > 2 in.	30%	24%	54.97%
			wood screws < 2 in.	30%	24%	37.04%
	wrought nails	58.01%	wrought nails	30%	24%	38.35%
	horse shoe nails		horse shoe nails	30%	24%	25.31%
	chain cables	87.11%	chain cables	30%	24%	49.38%
	chains, other than cables	98.61%	wire trace chains > 1/2 in. diam.	30%	24%	44.25%
			wire trace chains 1/4-1/2 in. diam.	30%	24%	40.83%
			wire trace chains < 1/2 in. diam.	30%	24%	35.56%
	wrought for ships, locomotives, steam	87.79%	wrought for ships, locomotives, steam	30%	24%	24.62%
	malleable irons	46.22%	malleable irons	30%	24%	42.63%
	mill irons and cranks	46.22%	mill irons and cranks	30%	24%	23.54%
	mill saws	38.19%	mill saws	30%	24%	17.31%
	steam, gas, water tubes	29.22%	steam, gas, water tubes	30%	24%	20.12%
	anchors or parts	61.53%	anchors or parts	30%	24%	26.07%
	anvils	45.09%	anvils	30%	24%	21.50%
	blacksmith's hammers	52.00%	blacksmith's hammers	30%	24%	48.88%
	castings, vessels of	51.86%	castings, vessels of	30%	24%	58.52%
	hollow ware, glazed or tinned	33.76%	hollow ware, glazed or tinned	30%	24%	15.80%
	cast butts and hinges	41.14%	cast butts and hinges	30%	24%	36.02%
			wrought hinges	30%	24%	44.50%

<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>	<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
<b>Iron Manufactures (continued)</b>						
	sheet iron	60.24%	sheet iron, polished	30%	24%	65.01%
			sheet iron, 20 gauge or thicker	30%	24%	46.38%
			sheet iron, 21-25 gauge	30%	24%	49.09%
			sheet iron, thinner than 25 gauge	30%	24%	42.39%
	hoop iron	109.79%	hoop iron	30%	24%	44.58%
			boiler plate iron	30%	24%	43.14%
	nail, spike, and slit rods	98.98%	slit rods	30%	24%	44.56%
	wire, not thinner than 14 gauge	61.41%	wire, iron not thinner 16 gauge	30%	24%	37.31%
	wire, above 25 gauge	29.71%	wire, iron above 25 gauge	30%	24%	31.48%
	wire, 14-25 gauge	23.44%	wire, steel not thinner 16 gauge	30%	24%	32.11%
			wire, steel finer than 16 gauge	30%	24%	33.98%
	band, casement rod, & scroll iron	70.47%	band iron	30%	24%	51.05%
<b>Tobacco</b>						
	unmanufactured leaf*	20%	unmanufactured leaf*	30%	24%	25.00%
	manufactured	*63.98%	manufactured*	40%	30%	30.00%

**Table 3 (Continued)**

<i>Type</i>	<i>1842 Tariff import category</i>	<i>1842 Tariff (AVE)</i>	<i>1861 Morrill Tariff import category</i>	<i>1846 Tariff</i>	<i>1857 Tariff</i>	<i>1861 Tariff (AVE)</i>
cigars		28.13%	cigars <\$t per mille	40%	30%	38.51%
			cigars \$5–10 per mille	40%	30%	41.03%
			cigars > \$10 per mille	40%	30%	37.34%
snuff		34.27%	snuff	40%	30%	49.52%
<b>Alcohol</b>						
brandy		131.94%	brandy	100%	30%	73.62%
grain spirits		142.67%	grain spirits	100%	30%	104.02%
other spirits		211.64%	other spirits	100%	30%	108.01%
cordials		41.34%	cordials	100%	30%	53.04%
beer, ale, porter in casks		34.61%	beer, ale, porter in casks	30%	24%	31.32%
beer, ale, porter in bottles		21.51%	beer, ale, porter in bottles	30%	24%	30.28%

Rates for the Tariff Acts of 1846 and 1857 are taken from *Public Statutes at Large of the United States of America*, Vols. 9, and 11. Equivalent rates for the Tariff Act of 1842 are calculated Ad Valorem Equivalents (AVE) for fiscal year 1845 as reported in Robert Walker, “1845 Report on the Finances” in *Reports of the Secretary of the Treasury of the United States* (7 vols., Washington, DC, 1851). Rates for the Tariff Act of March 2, 1861 (the Morrill Tariff) are presented as ad valorem (where there is an asterisk), where retained, and as AVEs where a specific duty was assessed. The Morrill Tariff’s AVEs are calculated from recorded imports between April 2, 1861 and June 30, 1861 as reported in Table No. 9 of Salmon Chase. *Report from the Register of the Treasury of the Commerce and Navigation of the United States for the fiscal year 1861* (Washington, DC, 1861), 368–535. To calculate an AVE, a category’s total revenue at the Morrill Tariff’s rate is divided by its total import value. For example, in the April–June 1861 collection period the United States imported 4753.8 tons of pig iron valued at \$63,929. The average import price was \$13.45/ton, and tariff revenues from pig iron totaled \$28,522.80. This results in an AVE rate of 44.62%. See *Commerce and Navigation*, 418–19.

northern agricultural states, by contrast, wanted protection against cheaper Canadian imports. The 1857 Tariff reduced rates on woolen goods, thereby reducing the protection afforded to their manufacturers. Many woolen manufacturers nonetheless supported this tariff because it also removed most duties on raw wool. According to Hofstadter, woolen manufacturers “had the alternative of working for greater protection or lowering costs through reduced duties on their raw materials.” They opted “to do parliamentary battle with the Western wool growers” by aligning with Southern planters to pass the “free trade” Tariff of 1857.<sup>35</sup>

Hofstadter argued that woolen manufacturers’ “satisfaction with the effect of the Tariff of 1857 left them indifferent, or actually hostile, to any further changes in 1860,” a position supported by Luthin who described woolen manufacturers as “apathetic toward the Republican creed of a higher tariff” by the time of Morrill’s bill. Hofstadter’s claim, however, understates the wool issue’s complexity and the significance of Morrill’s firsthand familiarity with the industry.<sup>36</sup>

Before his entry into politics Morrill earned a living as a Vermont sheep farmer. Representing this constituency, he led the opposition to the 1857 tariff’s reduction of wool rates and particularly its complete exemption of wool valued below 20 cents per pound. Morrill derided this provision as a favor to “large manufacturers and importers” who were “bleating like lambs . . . in favor of free wool.” When the tariff issue emerged again in 1860 Morrill found himself in the precarious position of having to balance his own inclination toward protecting raw wool with the political clout of woolen manufacturers.<sup>37</sup>

Morrill’s draft bill offered sheep farmers a specific duty of 8 cents per pound of wool in place of the 24 percent ad valorem rate from 1857. The cutoff for duty free wool imports was reduced from 20 to 16 cents in value per pound, affording greater protection to lower end grades of wool. He then proposed a system of higher specific and ad valorem duties on woolen goods to offset the increase in raw wool prices, believing that the political conflict between sheep farmers and woolen manufacturers could be resolved by simultaneously protecting both.<sup>38</sup>

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35. Taussig, *Tariff History*, 149; Hofstadter, “Tariff Issue,” 55.

36. *Ibid.*, Luthin, “Lincoln and the Tariff,” 620.

37. Parker, *Life of Morrill*, 48–49, 86–87.

38. See H.R. 338 as introduced, 36<sup>th</sup> Congress, 1<sup>st</sup> sess., Sections 12 and 13.

Woolen manufacturers predictably objected to the loss of their 20-cent exemption and mounted a campaign to amend the bill. A characteristic letter to Morrill from the Washington Mills of Boston implored him to return the new 16-cent cutoff to 20 cents. This objection aside, many woolens producers responded favorably to higher tariffs on their own manufactured products. The Washington Mills' petitioner continues,

On the contrary, the manufacture needs all the help and protection it can get—If the staple (wool) can be furnished cheaply without injury or check to the growth of American fleeces and a specific duty put upon goods so as to check importations, this important industry can be sustained and enlarged. That some change is needed is clear, and if only present rates of duty could be honestly collected, it would be a great help to the manufacturing & financial interests of the country. We need specific duties and the abolition of the warehouse system, and to bring this about if compromise and concession are needed, they should be made.

Letters to James Simmons, himself the owner of a large yarn factory, reveal similar positions in the textile manufacturing community. Connecticut industrialist George Kellogg wrote, "I think it very important that all wool under 20 cts should come in duty free. . . . But if this cannot be done the square yard duty should be increased." Kellogg also noted "that the fine and light fabrics of woolen need a protection at least equal to heavy goods." Josiah Seagrave of Uxbridge Woolen Manufacturing Co. went further, acquiescing to a reduced raw wool exemption in exchange for woolens protection:

I think it is a better tariff than we have ever had. I speak more particularly of the Woolen interests as I have already said & I think I have said it to you. In the first place protect the grower of wool fairly, and I think this bill does, *then protect the manufactures by 20 percent above the duty on wool on the average, is what we want.* Under such a tariff we can use all the wool grown here at present & some 30 to 40 million pounds & perhaps more per year, under such a tariff we can make (illegible) cloth here again.

Though supportive of protection for their own products, woolen manufacturers concentrated their lobbying on the raw-wool exemption cutoff. Maine Representative Israel Washburn informed Morrill of this objection on April 26, 1860, in a letter announcing preparations for the tariff's vote. "There are some Mass. people here looking after wool," he wrote.



“They plead vehemently against a change of the 20 cent limit.” Similar concerns were expressed to Morrill by J. Wiley Edmands of the Pacific Mills Worsted Woolens factory shortly after the tariff passed in the House. “I presume,” he wrote, “that you have seen the necessity of immediate attention to the proviso in the wool section of your bill” regarding the 16-cent cutoff.<sup>39</sup>

Morrill was reluctant to expand the exemption in which he, along with many of his Vermont constituents, had a stake, but the tariff took precedence. On May 8, he offered a compromise amendment to the bill. For raw wool, “the scale to which the friends of this bill are committed, in the substitute I have offered, is, that upon all grades under eighteen cents in value per pound, it shall come in duty free.” Furthermore, the 8-cent duty itself was reduced to 3 cents for grades between 18 and 24 cents, with a 9-cent duty being applied on all higher grades. Morrill made this concession with reservation, noting “I would never consent that an article like wool . . . shall be placed upon the free list.” He then cited Henry Carey’s vicinage theory, which held that high tariffs on raw materials actually saved manufacturers from the transit costs of importation. Deferring to the necessity of compromise though, Morrill was “willing that, on fair terms, the manufacturer shall have it.”<sup>40</sup>

Morrill’s handling of the raw-wool/woolens division, at least as illustrated in surviving manuscripts, contradicts Hofstadter’s assertion of apathy among the manufacturers. A far more complex picture emerges than the free-trade/protection dichotomy that acknowledges the wool farmers’ tariff interests but anchors the manufacturers to their 1857 position. By 1860 the political situation had clearly changed, prompting many woolen producers to once again seek higher protection. Their only notable objection concerned the raw wool cutoff, where Morrill was representing the sheep farmers’ interests.

With the wool situation defused, the Morrill Tariff easily passed the House with support from both manufacturing and sheep-farming states

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39. Joseph Fay to Morrill, May 8, 1860; Israel Washburn to Morrill, Apr. 26, 1860; J. Wiley Edmands to Morrill, May 15, 1860, Morrill Papers. George Kellogg to Simmons, Mar. 23, 1860; Josiah Seagrave to Simmons, May 11, 1860, Simmons Papers (emphasis original). See also Seagrave to Simmons, Mar. 20, 1860, in which he states that additional protection to woolens “about neutralizes” the increase in raw wool duties.

40. *Congressional Globe*, 36<sup>th</sup> Congress, 1<sup>st</sup> sess., 1975.

on May 10, but came to a grinding halt in early June when Senator Robert M. T. Hunter of Virginia, Chairman of the Finance Committee, successfully postponed Senate consideration until December. Though heralded as a victory for “free trade” at the time, Hunter’s motion only ensured the tariff’s placement as an issue in the approaching presidential campaign. Nationally, Morrill’s bill was dangerous political terrain, yet regionally it took center stage. Protectionism had a strong following in the pivotal states of Pennsylvania and New Jersey, and the Republicans set out to court it. In July, Abraham Lincoln dispatched several representatives to Pennsylvania, seeking to shore up his protectionist credentials with the help of Senator Simon Cameron and Representative Thaddeus Stephens. Carey and Harvey rallied the Philadelphia press behind Lincoln, whom they characterized as the “old Henry Clay tariff Whig.” In September, the Republican National Committee dispatched Morrill and Sherman on a Pennsylvania campaign tour, noting that their “tariff record will help us.”<sup>41</sup>

Historians have long debated the Morrill tariff’s exact role in the 1860 election, but this much is certain: Abraham Lincoln received a total of 31 electoral votes from Pennsylvania and a divided New Jersey, and with them his margin of victory. This lends credence to Parker’s observation that “had the Democrats realized what perilous use would be made of the Morrill Tariff in the campaign” they would never have chosen Hunter’s strategy in the Senate.<sup>42</sup>

When the 36<sup>th</sup> Congress returned in December, Hunter attempted once again to delay the tariff debate until the session’s final day and force it into the 37<sup>th</sup> Congress. Alan Nevins thought that the tariff would face an uphill battle in the coming Congress and describes Lincoln as “little interested” in its success, yet some evidence suggests the Morrill Tariff’s prospects were strong. In December 1860, President-elect Lincoln privately intimated to his friend Hawkins Taylor that “to the Tariff Whig

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41. See William M. Reynolds to Abraham Lincoln, July 25, 1860; David Davis to Lincoln, Aug. 5, 1860; Thomas H. Dudley to Davis, Sept. 17, 1860; and “Tariff scraps” in Abraham Lincoln Papers (Library of Congress, Washington, DC). J. Wilson to Morrill, Sept. 15, 1860, Morrill Papers; Cross, *Justin Morrill*, 49.

42. Parker, *Life of Morrill*, 110. Also see Pitkin, “Western Republicans”; Boritt, “Old Wine”; and Luthin, “Lincoln and the Tariff.”

element of Penn[sylvania] was he most indebted (*and he will not betray it*). Towards Penn he feels *most* grateful and particularly &c towards *Cameron*." Barring the Civil War, Lincoln's support might well have provided the necessary impetus to break the Senate's deadlock. The secession crisis, however, threw the Senate into chaos, ending Hunter's lock on the Finance Committee. The reorganized committee included Republicans Cameron and William Fessenden, and when Democrat William Bigler of Pennsylvania broke ranks with his party and backed his state's protectionist interests, the tariff supporters secured the requisite majority for floor consideration.<sup>43</sup>

With Senate consideration now underway, interest group lobbying resumed with fervor. Merchant and importer interests wanted desperately to delay the bill, which one Boston group denounced as "exceedingly onerous to the consumer." A spool cotton manufacturer sought a duty exemption, as did a soda ash producer and an East Indies tea trader. Producers of goods including iron ware, horseshoe nails, morphine, quicksilver, and saddlery requested protection against European competitors. Angell of the American Screw Co. closely tracked the bill's progress to ensure that it retained his carefully negotiated rate. A Boston firm sent product samples to Charles Sumner and Henry Wilson of Massachusetts to illustrate the superior quality of American sugar, while a Pennsylvania refiner wrote to remind Benjamin Wade of Ohio about Republican election promises.<sup>44</sup>

Morrill watched closely as the Senate proceeded, receiving various petitions forwarded from Simmons, Sumner, Fessenden and others. At one point Davis urged him to hold firm as free traders "hack away at our bill" and suggested that he "[g]ive people some accurate idea of the

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43. Cross, *Justin Morrill*, 50; Nevins, *Emergence of Lincoln*, 465; Hawkins Taylor to John Allison, Dec. 21, 1860, Lincoln Papers.

44. Smith, "Rising Industry," 107. See also Edward Pierce to Simmons, Dec. 17, 1860; Earl P. Mason to Simmons, Jan. 25, 1861; Alex Barclay to Simmons, Jan. 24, 1861; George A. Clark to Simmons, Jan. 29, 1861; Scranton to Simmons, Jan. 31, 1861; Powell and Weightman to Simmons, Feb. 6, 1861; and M. C. Rosengarten to Simmons, Feb. 17, 1861, Simmons Papers. See also J. Jewitt to William Fessenden, Feb. 2, 1861 and Israel Lombard to Charles Sumner, Feb. 21, 1861, Morrill Papers; and Thomas P. Stotesbury to Benjamin Wade, Feb. 18, 1861, Benjamin Wade Papers (Library of Congress, Washington, DC).

percentage of duties on the main articles, the policy of the discriminations, and point out the few really bad points in the bill, so that the people may discriminate.”<sup>45</sup>

Given the chaotic Winter Congress of 1860–1861, the bill emerged surprisingly intact; only two noteworthy changes were made. On February 19, the remaining Democrats joined with a handful of senators from wool-growing states to institute a small 5 percent tariff on raw wool under 18 cents per pound. Democrats evidently believed this amendment would weaken woolen manufacturer support, though it came too late to stall the bill’s progress.<sup>46</sup>

A second amendment stripped the bill of provisions repealing the Warehousing Act of 1846. The warehousing system benefited merchants by freeing capital previously allocated to tariff collection procedures. Merchants placed their goods in bonded storage until they were sold, thereby allowing the sale itself to finance the tariff payment. The system’s repeal would have affected a form of administrative protectionism by stripping the merchant of this ability, thus increasing his overhead costs. Amidst protest from the New York warehousing industry and merchant groups, William Seward allied with Hunter to excise the provision.<sup>47</sup>

The tariff easily passed the Senate in late February, its opponents weakened by the absence of six southern delegations. James Buchanan’s March 2 signature marked a notable instance of Democratic support for the tariff, and forms the basis of Flaherty’s characterization of the bill as a “bipartisan effort.” Yet Stanwood describes Buchanan as a “Pennsylvanian, and a protectionist at heart” who previously “subordinated his opinions to the demands of party exigency” until the Morrill Tariff provided an opportunity for a tariff revision. His support was a Democratic anomaly. Of the remaining Senate Democrats, only William Bigler, also a Pennsylvanian, cast a vote in favor. Almost a year before, House Democrats provided just 8 of the tariff’s 105 “yes” votes. The North–South sectional divide weighed heavily on the issue. Only seven southern rep-

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45. Morrill, “Letters,” 141.

46. *Ibid.*, *Congressional Globe*, 36<sup>th</sup> Congress, 2<sup>nd</sup> sess., 1027.

47. See Table 1 for evidence of manufacturer support for the Warehousing Act’s repeal. Stanwood, *Tariff Controversies*, 2: 124. *Congressional Globe*, 36<sup>th</sup> Congress, 2<sup>nd</sup> sess., 931–32. Also see Adam Smith, *The Wealth of Nations* (London, 1776), Book V, ch. 2, 182–84 for the economic theory of bonded warehousing.

representatives (all border-state congressmen, one from Tennessee and six from Kentucky) and no southern senators supported the bill.<sup>48</sup>

After the bill's adoption an ecstatic Carey wrote Morrill to congratulate him "upon the happy termination of your tariff labours." In subsequent months Carey lobbied the incoming president to appoint protectionists in the "Tariff Region" of the customs bureaucracy, resulting in the nomination of his friend William Elder to the Treasury Department. But unforeseen back in 1858 when Morrill received the first solicitations for a tariff, the Civil War stood on the immediate horizon. On April 1, the day the tariff became law, Morrill conveyed his final thoughts to Sherman:

Our tariff bill is unfortunate in being launched at this time, as it will be made the scape-goat of all difficulties. In fact the southern Confederacy would have made a lower tariff had we left the old law in force and precisely the same troubles would have been presented.

Morrill offered his tariff in a time of peace, yet also of intense political division. The emerging conflict had not only hastened its adoption, but also preempted its intended peacetime effects, which lasted barely four months as law before a wartime revenue act supplanted the new tariff. In this short space of time the tariff's interest group origins can nevertheless be discerned.<sup>49</sup>

Curiously, the precise economic character of the Morrill Tariff has never been clearly articulated or agreed upon—a circumstance owing largely to the prevalence of the "Missing Industry" thesis. Later protectionists including William McKinley and James G. Blaine laid direct claim to the Morrill Tariff's legacy, though others downplayed its supposed severity. As Stanwood notes, "the bill was regarded by its friends as little more than a recurrence to the system of specific duties and the tariff rates of 1846. . . . The assertion was made repeatedly that the effort

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48. The seventh Confederate state, Texas, adopted its secession ordinance weeks prior, but its Senators John Hemphill and Louis Wigfall remained in Congress until Texas ratified its secession referendum on Mar. 2; Flaherty, "Incidental Protection," 115; Stanwood, *Tariff Controversies*, 2: 116; McGuire and Van Cott, "Confederate Constitution," 435.

49. Morrill, "Letters," 146; Luthin, "Lincoln and the Tariff," 627; Sherman, *Forty Years*, 233.

had been to find the equivalent specific duty for the ad valorem rate of 1846.” This 1846 Walker Tariff has generally been characterized as a “free trade” measure, although Taussig called it “a moderation in the application of protection.”<sup>50</sup>

After more than a century, a consensus on the Morrill Tariff has yet to emerge. Since William Stanley Jevons, the noted British economist, described it in 1866 as “the most retrograde piece of legislation that this country has witnessed,” most free traders have considered it overtly protectionist. Following Nevins, some historians emphasized instead the tariff’s revenue functions, portraying it as only a “moderate” increase. According to Flaherty, “the Morrill Tariff did not introduce much higher incidence upon consumers. . . . Nor did the Morrill Tariff introduce protective tariff rates.” Instead, “[a]s Morrill claimed, duties imposed reflect those of the Tariff of 1846, with the incidental protection of iron and wool.”<sup>51</sup>

Different provisions of the Morrill Tariff actually satisfied the purposes of both raising revenue and affording protection. Prior to 1913 tariffs were the primary constitutionally permissible means of taxation, prompting even the most ardent protectionists and free traders to recognize the need for moderate “revenue tariffs” on some imports. Revenue demands inevitably prompted policy change in times of budgetary surplus or deficit, though it was not uncommon for other interest groups to seek simultaneous rate modifications for nonrevenue purposes.<sup>52</sup>

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50. McKinley, *The Tariff*, 29; and James G. Blaine, *Twenty Years of Congress* (Norwich, CT, 1884). Stanwood, *Tariff Controversies*, 2: 121; Morrill, *Congressional Globe*, 36<sup>th</sup> Congress, 1<sup>st</sup> sess., 2053. Taussig, *Tariff History*, 113.

51. William S. Jevons, *The Coal Question: An Inquiry Concerning the Progress of the Nation, and Probable Exhaustion of Our Coalmines* (London, 1866), 326; Flaherty, “Incidental Protection,” 113–14; Nevins, *Emergence of Lincoln*, 193, 448. To support her conclusions, Flaherty calculates relatively low “ad valorem” estimates of the Morrill Tariff schedule for pig iron (28.5 percent), bar iron (30 percent), sugar (26 percent) and a handful of other categories using “street prices” from mercantile periodicals. These prices differ substantially from the Treasury Department’s recorded import prices under the Morrill Tariff covering Apr. 2–June 30, 1861, which are used to calculate Ad Valorem Equivalent rates in Table 3.

52. Edwin R.A. Seligman, *The Income Tax: A Study of the History, Theory and Practice of Income Taxation at Home and Abroad* (New York, 1911), 634. Henry George, *Protection or Free Trade: An Examination of the Tariff Question with Especial Regards to the Interests of Labor* (New York, 1886), ch. 8–9.

The interests of revenue and protection are a central feature of the Laffer Curve illustrated in Figure 1. For a given dutiable import, revenues will initially rise as the rate increases toward a maximum revenue point ( $t^*$ ). For any rate beyond this point, the deterrent effects of the duty will tend to diminish importation and cause revenue to decline. By contrast, the duty's protective effects rise continuously with the rate until reaching complete prohibition ( $P_{\max}$ ). The character of a duty on a given good is accordingly determined by its relationship to point  $t^*$ . To its left, a rate increase produces revenue with only "incidental" protective effects (indicated by the lower curve). To its right, a rate increase diminishes revenue obtainable at a lower rate, becoming primarily protective. Examples of both undoubtedly exist in the Morrill Tariff's schedule, though assessing them requires a closer look at the tariff in operation.<sup>53</sup>

Treasury Department receipts between April 2 and June 30, 1861, show the collection of \$5.5 million on imports assessed at \$20 million for an average tariff of about 27 percent, up from about 19 percent under the 1857 Tariff. Unfortunately the average tariff measurement tends to skew statistically towards revenue categories, thus limiting its usefulness as a true measure of a tariff's height. The tariff schedule's rates on individual categories provide a more comprehensive picture of its intent.<sup>54</sup>

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53. Though the Laffer Curve is associated with the modern "supply side" school of economics, its underlying principles were known to antebellum politicians. For example, see John C. Calhoun, in *The Essential Calhoun: Selections from Writings, Speeches and Letters*, ed. Clyde Wilson (New Brunswick, NJ, 1992), 194. The location of rate  $t^*$  for a given good is contingent upon its price elasticity of demand, or the responsiveness of consumers to an increase in its price. The revenue maximizing rate will accordingly differ from good to good. Unfortunately rate  $t^*$  proves impractical to estimate for the Morrill Tariff's categories due to the unavailability of reliable price elasticity data for this period. See also Alan Blinder, "Thoughts on the Laffer Curve," in *The Supply-Side Effects of Economic Policy*, ed. L. H. Meyer (St. Louis, MO, 1981), 84–87; Douglas Irwin, "Higher Tariffs, Lower Revenues? Analyzing the Fiscal Aspects of 'The Great Tariff Debate of 1888,'" *Journal of Economic History* 58, no. 1 (1998), 64–65.

54. The Morrill Tariff's revenues appear in the *Congressional Globe*, 37<sup>th</sup> Congress, 1<sup>st</sup> sess., Appendix, 5. Dutiable import values appear in Salmon Chase, *Commerce and Navigation of the United States for the Fiscal Year 1861* (Washington, DC, 1861). For the calculation of Average Tariff Rates, see "Value of U.S. Imports for Consumption, Duties Collected, and Ratio of Duties to Values," Statistical Services Division, United States International Trade Commission (Washington, DC, 2006), 7.

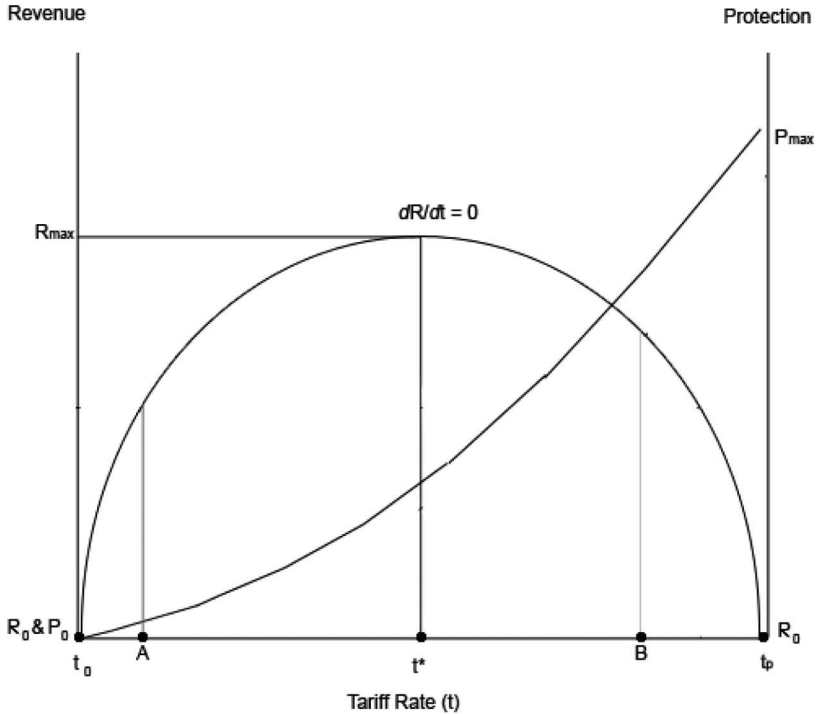


Figure 1: The Laffer Curve. Figure 1 illustrates the response of revenue to a tariff hike. Revenue is depicted on the upper Laffer Curve diagram, where both complete free trade and a completely prohibitive tariff result in no revenue being collected ( $R_0$ ). Revenue at points in between depends upon the rate. The tariff's protective effects are exhibited in the lower curve ( $P_0$  to  $P_{max}$ ). Revenue expands as the tariff increases from  $t_0$  to  $t^*$ , its maximum. Note that tariffs in this range also provides incidental protection, as is the case at point A. Beyond  $t^*$ , the tariff's deterrent effects on importation overtake its revenue generating capacity, causing revenue to diminish. Tariffs in this range, such as point B, are directly protective. It should be noted that the Laffer Relationship also illustrates the possibility of a nonprohibitive protective tariff that simultaneously augments revenue, even while operating on the curve's upper decline. A rate increase on a single good from point A to point B would augment revenue, all else constant, even though it moves the tariff into the curve's upper protective region. For a further discussion of the Laffer Curve, see Victor Canto, Douglas Joines, and Arthur Laffer, *Foundations of Supply-Side Economics: Theory and Evidence* (New York, 1983).



Table 3 contains the Morrill Tariff's calculated ad valorem equivalent rates (AVE) on selected goods for the same three-month period. For purposes of comparison, this table also includes the ad valorem rates of the 1846 and 1857 tariff schedules, as well as the AVE rates for the 1842 Whig Tariff. The calculated rates include a broad sample of items, selected for their appearance in Table 1 or their traditional acknowledgment as protection-seeking industries.<sup>55</sup>

The rates in Table 3 are presented for open interpretation and comparison, though a number of observations may be made. The Morrill Tariff's AVE rates reveal a general upward trend in most categories, typically placing them between the 1846 Tariff and the overtly protectionist 1842 Tariff. The most pronounced increases affected well known import-competing categories such as raw iron. The Morrill Tariff taxed pig iron (44.6 percent) just short of its 1842 level (48.9 percent). The tariffs on scrap iron (52 percent) and polished sheet iron (65 percent) exceeded 1842 rates by 3 and 5 percentage points, respectively. Morrill's rates for yarn were closer to the 1842 rate of 30 percent in two out of three categories. The tariff on Brussels carpets matched its 1842 level, and that on Venetian carpets greatly exceeded all earlier rates. The Morrill Tariff also accommodated several manufacturer requests in Table 2, raising rates substantially on rough window glass, refined sugar, gauge sheet iron, and many cloth products. Specific duties on two wood-screw categories translated into 55 percent and 37 percent AVE rates, far exceeding the 25 percent equivalent rate that Simmons promised the Senate only weeks earlier.<sup>56</sup>

These characteristics suggest that the Morrill Tariff was neither only mildly protectionist, nor simply an attempt to restore the 1846 schedule. As both Taussig and Ratner contended, Morrill's abandonment of the ad valorem schedule in favor of specific duties provided a pretext for raising the tariff on several items well above their 1846 levels.<sup>57</sup>

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55. Ad valorem equivalent rates are calculated such that  $AVE = (T^s/V)$ , where  $T^s$  is the dollar amount of specific duty collected on the item and  $V$  is the assessed customs house value of the item. See Table 3 for a detailed description of the data used in these calculations. Taussig, *Tariff History*, ch. 3-5; Ratner, *Tariff*, 113.

56. *Congressional Globe*, 36<sup>th</sup> Congress, 2<sup>nd</sup> sess., 888. Venetian carpets were taxed at a seemingly exorbitant 326 percent AVE. Letters on the carpet protection provide little explanation for this large rate. It is most likely a testament to the imprecision entailed in anticipating the effects of a tariff combined with import market fluctuations.

57. Taussig, *Tariff History*, 158; Ratner, *Tariff*, 29.

These findings are, however, not inconsistent with the tariff's revenue purposes, which undeniably influenced the Buchanan administration's support. The Morrill Tariff restored the 1846 rates of several "revenue" categories such as alcohol and cigars. Certain manufactured goods such as wool shawls and rolled bar iron were also brought in line with the 1846 schedule. A handful of products including some finished iron goods, polished glass, molasses, and unrefined sugars were even taxed below their 1846 levels, possibly to augment their treasury returns. Customs data lend support to this revenue function. At \$35,124, the lightly taxed rolled bar iron category generated more revenue than all other raw iron categories combined, the latter being taxed at substantially higher, and more protective, AVE rates.<sup>58</sup>

The unique characteristic of dual policy goals—protection and revenue—appears to have influenced the final character of the Morrill Tariff. The need for revenue provided both a constitutional rationale for the Morrill Tariff and a political impetus that helped make it legislatively viable. The tariff schedule that emerged from Congress, however, was undeniably the product of interest-group lobbying and manufacturer collusion.

Contrary to Morrill's "Missing Industry" thesis, manufacturers from dozens of industries across many states took a strong interest in obtaining favorable and protective treatment for their products. Evidence of collusion remains partial since surviving manuscripts account for a small number of products on a tariff schedule that contained several hundred categories. Of course, while entertaining interest-group requests, Morrill and his colleagues no doubt drew on their respective areas of expertise and carefully studied the mercantile markets to compile the tariff schedule. Extant records nonetheless display numerous instances of protectionist tariff rates sought by manufacturers that Morrill willingly accommodated.<sup>59</sup>

The proliferation of producer solicitations to Morrill reveals the asymmetry of the political process out of which his tariff emerged, one that privileges information supplied by cohesive stakeholder interests. Scholars since E. E. Schattschneider have explicitly recognized the inflated

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58. Chase, *Commerce and Navigation*.

59. For examples, see "Maker's Prices Current," Oct. 5, 1860, and Document 104-C (undated scrap), Morrill Papers.

sway of interest groups on tariff rate formation, simply by virtue of their unambiguous stake in the outcome. There is no reason to suppose that this tendency, well known in the modern era, was any less evident in Morrill's time and may even have been more pronounced given that manufacturer letters and trade publications were among the only readily available information sources that guided legislators through on the complicated intricacies of import markets.<sup>60</sup>

The emerging picture of the Morrill Tariff exhibits greater complexity than historians have previously acknowledged. While the tariff's protectionist reputation is confirmed in its rates and legislative history, the lobbying arrangements did not divide simply between industries and free traders. Nor were revenue interests absent; several categories were clearly intended to augment the treasury. Sherman was close to the mark many years later when he described the tariff as "nearer than any other [tariff] to meeting the double requirement of providing ample revenue . . . and of rendering the proper protection to home industries." To this end, it enjoyed the support of legislators seeking either or both goals. Nonetheless, the Morrill Tariff was primarily a manufacturer-backed Republican measure, drafted with the immediate input of those holding direct economic stakes in its adoption. The "Missing Industry" thesis, although long a part of the Morrill Tariff's orthodoxy, was a political argument by the bill's authors to advance a policy goal rather than an impartial recounting of its legislative origins.<sup>61</sup>

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60. E. E. Schattschneider, *Politics, Pressures, and the Tariff* (New York, 1935).

61. Sherman, *Forty Years*, 183.