

# THOMAS DAWES ELIOT

## BILL'S BIG BROTHER

Brilliant and renowned attorney, passionate and progressive politician, dedicated and capable church leader, Thomas Dawes Eliot was a national public figure in the years leading up to and following the Civil War. Born in New Bedford, Massachusetts on March 20, 1808, he was descended from a distinguished family whose names included Dawes and Greenleaf, as well as Eliot. He was named for a grandfather, Justice Thomas Dawes of the state's Supreme Judicial Court. A great grandfather was the Revolutionary patriot, Colonel Thomas Dawes.

At the beginning of the Nineteenth century, his father had moved from Boston to New Bedford in hopes of making his fortune in the rapidly expanding whaling industry. A younger brother, who was destined to become a distinguished Unitarian clergyman, William Greenleaf Eliot, Jr. was born there in 1811. Soon thereafter, the war of 1812 crippled maritime commerce, and the family moved first to Baltimore, and then, in 1818, to Washington, D. C., where, probably through family connections, the senior Eliot obtained a position as a chief examiner in the Post Office Department.

Washington at that time was a rough community, and the two boys were sent back to New Bedford to receive their secondary education at Friends Academy, an excellent school established by the large Quaker community, but now open to all. T. D. Eliot returned to Washington to attend the new Columbian College where he studied the classics, calculus, astronomy, and contemporary philosophy and political thought. He graduated with honors in 1825, and was chosen to speak at the college's first Commencement in the presence of President Monroe, General Lafayette, and other major public officials. In 1829 he was awarded the degree of Master of Arts. During this period he had begun reading the law with an uncle, Chief Justice William Cranch of the U.S. Circuit court of Appeals for the District of Columbia.

Moving back to New Bedford in 1830, he continued his studies with Charles H. Warren, and soon they entered into a partnership. When Warren was elevated to the bench, Eliot inherited a lively practice that extended over three counties. However, New Bedford, as the center of the booming whaling industry, was home to more than 400 vessels, and much of the practice involved insurance claims related to the industry. Not only was he deeply learned in the law, he was a regular attendant at court sessions even when he was not involved in a case. As a result, he became known for the depth of his knowledge, his understanding of precedent, and his ability to present a case skillfully and eloquently. The case that established his public reputation involved a dispute between two sects of Quakers over who owned the Friends Meeting properties in Massachusetts and Rhode Island. But the case which made him nationally famous involved the estate of Sylvia Ann Howland. A maiden woman, she left her estate of several million dollars to several charities, with a modest bequest to her niece, Hetty Howland Robinson. Hetty produced another will which essentially left the entire fortune to her. The attorneys for the estate, including Eliot, insisted that Howland's signature was a forgery (probably by Hetty). The case was

national news. The estate prevailed. Hetty later married and became Mrs. Edward Green. When she died at the beginning of the 20<sup>th</sup> Century, she was the world's richest woman.

Perhaps his most unusual victory related to the estate of another significant local woman. Mary Rotch was one of the great New Light Quakers. As the local meeting became increasingly rigid in the early 1820's, she withdrew and moved to the Unitarian congregation. Ralph Waldo Emerson was a frequent preacher there during the 1830's, the two became firm friends, and he credited her with having great influence on the development of his thought. Eliot was her attorney. Never married, when she died in 1848, she ignored her relatives and divided her very substantial estate between her companion, Mary Gifford and her attorney – Eliot.

In that period, participation in public life was expected for an ambitious lawyer, and he served in both the Massachusetts House of Representatives and Senate. He twice declined offers of appointments to the bench. However, as an important public figure, he was actively involved in political issues. When a seat in the U. S. House of Representatives became vacant in mid-term in 1854, he accepted the Whig's nomination and was elected. New Bedford was a center of the Abolitionist movement, and he had become committed to that cause. Shortly after arriving in Washington, on May 10, 1854, he delivered an impassioned speech denouncing the Kansas Nebraska Act which would allow the residents of these territories to vote on allowing slavery. The speech was widely circulated, and the Massachusetts Whig party tried to use it to show its sympathy with the anti-slavery movement. During this year, he became the first member to introduce a bill to repeal the Fugitive Slave Act.

Eliot was skeptical of the Whig's intentions, and declined their invitation to run again. Instead, he became a leader in organizing the Free Soil party, and in the next years was a major force in moving it into the new Republican party. He organized the Republicans first meeting in Bristol County. Despite a unanimous vote, he declined the state party's invitation to be nominated for the office of state attorney general, but consented to preside over the next year's state convention.

Perhaps because of his awareness of the impending war and his strong commitment to the Union cause, he accepted the Republican nomination to the House of Representatives in 1858, and was easily elected. He quickly became a leader of the anti-slavery forces in the Congress. In this work, he was closely allied with his brother William. Minister of the Unitarian congregation in St. Louis, William was a major public figure in that contentious Border state. It is probable that Thomas's anti-slavery efforts were developed and expressed in close collaboration with William. For example, the anti-slavery group in St. Louis would have been acutely aware of the potential consequences of the Kansas – Nebraska Act.

As the Civil War began, the loyalty of Missouri to the Union was in serious doubt. On December 2, 1862, Eliot introduced perhaps the first bill in Congress that moved towards emancipation. It authorized the President to "emancipate all persons held as slaves in any military district in a state of insurrection against the national government." The military district most likely to be affected by the passage of the resolution was Missouri. It seems likely that the resolution was actually drafted by William as a means

of encouraging Missouri's loyalty, and introduced by Thomas at his request. It was referred to the Committee on the Judiciary where it died. (Eliot, Charlotte C.: William Greenleaf Eliot: Minister, Educator, Philanthropist; Houghton; Mifflin and Company; 1904; p. 183). William continued his political efforts to ensure Missouri's loyalty. Another bill was introduced in 1862 calling for funds for compensated emancipation in Missouri, and William, noting the strategic importance of the state, urged Thomas, Chairman of the Select Committee on Confiscation, to do everything possible to secure its passage. He even went to Washington to lobby for the bill. While that effort failed, a bill that T. D. Eliot had introduced calling for the confiscation of rebel property was enacted.

By 1864, he had become the Chairman of the House Committee on Emancipation. In that role, he introduced the pioneering bill to establish a Bureau of Freedmen's Affairs. Its purpose was to determine all questions relating to persons of African descent and to make regulations for their employment and proper treatment on abandoned plantations. The bill passed March 3, 1865 by a majority of only two votes, and the Bureau was opened on following December 6. Throughout his Congressional career he maintained a strong interest in the work of the Bureau, and worked to give it the greatest support possible in its mission of feeding, clothing, and offer shelter and education. Originally authorized for only one year, and plagued by a shortage of funds and corruption, it managed to survive for several years of service.

His concern for the oppressed extended to the plight of the American Indians and the Chinese coolies. The coolies had been imported into the West for such arduous tasks as building the railroads. Their contracts were so degrading that they were held as virtual slaves. He authored a bill, introduced in December 1861, passed by the Thirty-seventh Congress, and signed by President Lincoln in February 1862, which prohibited American vessels from engaging in the trade that brought them to the United States. This effectively ended the importation of Chinese laborers. Many considered this as important a step as the abolition of Negro slavery.

At the end of the Civil War he expressed an eagerness to retire from the Congress, but in spite of his failing health he was prevailed upon to remain until he refused to run again in 1869.

His extended family was deeply religious. William Greenleaf Eliot, Sr. was one of the founding members of the Unitarian congregation in Washington, and an active leader throughout his life. W. G. Eliot, Jr. was one of the most important clergy leaders in the entire Unitarian movement, especially among the conservatives. T. D. Eliot was an active lay leader in the New Bedford congregation from his early years back in the city, and, later, an important figure in the larger denomination. When his congregation decided in 1833 to build a new church building, the young lawyer was one of the subscribers. For many years he served as Superintendent of the Sunday School, relinquishing the post only when he was elected to his first full term in Congress.

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When Rev. Henry Whitney Bellows initiated a denominational gathering to establish a more formal denominational structure to complement the older American Unitarian Association which consisted only of individual members, Eliot was one of the delegates to the April, 1865, gathering in New York. While his own minister, Rev. William J. Potter, also a delegate, had already revealed his theologically radical convictions, Eliot aligned himself with his brother, a leader of the Christian wing of the movement. His strong parliamentary skills assisted the conservatives in creating a Christian preamble to the plan of organization in spite of the urgings of the radicals to adopt a more inclusive formulation. A year later, he presided over the first annual meeting of the new National Conference of Unitarian Churches. Perhaps uniquely, at various times he served as President of both the Conference and the American Unitarian Association. And in spite of his differing views from those of Potter, he always remained a loyal member of the New Bedford congregation.

In 1834, he married Frances L. Brock of Nantucket. They produced eight children. Frances married the distinguished artist R. Swain Gifford. Eliot died on June 14, 1870, and is buried in Oak Grove Cemetery in New Bedford. His widow survived until 1900.