

ARTICLE 2

ASA PACKER

A Glimpse of the Man Who Founded Lehigh University

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BIOGRAPHICAL OVERVIEW

Although Asa Packer enjoyed much success in his life, both in terms of being an entrepreneur as well as a politician, not much is readily known about his politics and his views about government in general. By examining his life and various aspects of his career, this research effort is an attempt to highlight key events in his life to better understand the somewhat mysterious founder of Lehigh University in Bethlehem, Pennsylvania. Packer was born in Mystic, Connecticut on December 29, 1805 (Kopelman 2017, 19-29). As the late historian, W. Ross Yates, indicated, there were two forces that converged in the nineteenth century to form Lehigh University. One was the wave of scientific and engineering education that was prominent in the nineteenth century; the other was the energy of Packer (Yates 1992, 17). At the age of seventeen, Packer left Mystic by foot and traveled more than 200 miles west to the town of Hop Bottom, Pennsylvania on the Susquehanna River. He became a carpenter and soon moved to nearby Springville.

It was in Springville where he met a young woman from Vermont, Sarah Blakslee, who later became his wife. Packer joined his wife's church, the Protestant Episcopal, and religion would be of fundamental importance to him the rest of his life (Yates 1992, 17; *Puck* 1879, 195).

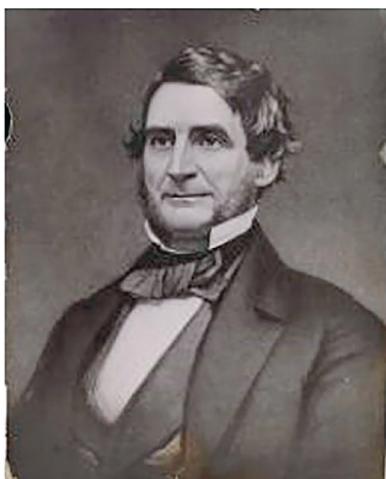


Figure 1. Asa Packer (Circa 1840)

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Packer worked for eleven years clearing trees, planting and harvesting crops, along with carpentry. In 1833, he left the farm and traveled south to Mauch Chunk (now Jim Thorpe), which was the hub of the recently completed Lehigh Coal and Navigation Company canal. This canal was instrumental in shipping the coal that was being mined in nearby mountains (Yates 1983, 9). Packer operated a canal boat in Mauch Chunk which hauled coal to Philadelphia. He also engaged in other entrepreneurial activities including construction and merchandising. He formed partnerships with his younger brother, Robert, as well as his brother-in-law, James Blakslee. In terms of their family life, Asa and Sarah Packer had seven children, four of whom lived to maturity—Lucy, Mary, Robert, and Harry while Catherine, Malvina, and Gertrude had very brief lives (Yates 1983, 10). Both Asa and Sarah outlived four of their children.

While living in Mauch Chunk, Packer began to amass his personal fortune. He became a “leading citizen” in the community and was one of the founders of St. Mark’s Episcopal Church (Yates 1983, 10). Packer had the church built so that his wife would have a short distance to travel to partake in the life and vitality of the church. Helping to fund the original building would not be the end of the financial benevolence to the church

from Asa and Sarah Packer (Pauff 2000). The Packer family endowed St. Mark's and gave generously over the years for the upkeep of the Gothic Revival structure. Today, the church is on both the National Register of Historic Places and considered to be a National Historic Landmark (U.S. National Park Service, 2022).

As it was an essential commodity in the mid-nineteenth century and beyond, coal transport by boat was profitable, however, the canal system had its drawbacks. The Lehigh Coal and Navigation Company's Lehigh Canal, which was the main artery for commerce in the Lehigh Valley at the time, was typically closed for several months during the winter due to ice. To Packer, there had to be a more feasible manner to transport coal. He envisioned that the most optimum way to do so would be to build a railroad. While others agreed with him, many investors were unwilling to do so because they believed that railroads would never replace canals as a mode of transporting goods in an effective manner (Whelan 1994; Lehigh University 2021a; Asa Packer Mansion 2021). This financial risk taken by Lehigh's founder would render a significant return on investment for Packer in particular.

During Packer's lifetime a fundamental change in America occurred; the country transitioned from its agrarian roots to a more industrialized economy. This changed the nation forever as well as its landscape. It was during the nineteenth century that citizens experienced the growth of steamboats, canals, locomotives, and railroads. Large companies evolved that dealt with the production of coal, oil, and steel. Accordingly, Packer was one of the first leading industrialists in the United States (Lehigh University 2021b). While Great Britain started its industrialization process about a century earlier, America lagged behind in terms of technology and manufacturing. Most Americans were subsistence farmers in the eighteenth century. By the time Packer was born in the early nineteenth century, Americans slowly became influenced by the technological advancements of that era (Lehigh University 2021b).

Some of the early railroads in both Great Britain and the United States were made of wooden tracks. The cost of building and operating a railroad exceeded that of a canal, which is why there were many opponents to the idea of expanding the railroad in this country. The reality in the United States is that the early railroads became transformed by the development of steam-powered locomotives and steel rails. Packer's vision, luck, or a combination of both, made him one of the earliest Americans to understand the potential of railroads on the domestic economy (Lehigh University 2021b).

Anthracite coal had been discovered in the Mauch Chunk area in 1791, forty-two years before Packer moved there. Philip Gunter made the discovery at Sharp Mountain, just west of Mauch Chunk. Yet most entrepreneurs

in the 1830s and 1840s viewed railroads as “feeders” that would ship coal from the mines only a short distance to the canals and believed that an intricate system of canals was required to transport coal to various venues across the country. Packer had a difficult time in the 1840s getting the leaders at the Lehigh Coal and Navigation Company to understand the plausibility of using railroads to transport coal rather than utilizing canals. His request was rejected by the company executives (Lehigh University 2021b).

In 1846, a few capitalists joined and forged an alliance and incorporated the Delaware, Lehigh, Schuylkill, and Susquehanna Railroad Company. This business endeavor provided Packer with an opportunity to get involved in railroads as in 1851, he bought nearly all the stock in the company. No railroad existed during the first five years of incorporation. To operationalize his railroad vision, Packer determined that he needed help. In 1852, he asked an engineer, Robert Sayre, to become the chief engineer for the Delaware, Lehigh, Schuylkill, and Susquehanna Railroad Company. Sayre agreed and Packer announced his intention to build a railroad that would extend from Mauch Chunk to Easton. Now the two collaborators needed to physically construct the railroad. In early 1853, the name of the company was changed to the Lehigh Valley Railroad Company (Lehigh University 2021b).

During this era where Packer was focused on his vision of building a railroad in the Lehigh Valley, he was also ensconced in other noteworthy activities. His political career was launched in 1841 when he was first elected to the Pennsylvania House of Representatives. He was subsequently reelected in 1842. His district included Northampton and Monroe Counties (Wilkes University 2022). At this time in history, members of the Pennsylvania House served one-year terms (Akagi 1924). Terms of office for state legislators were later changed with a new revised Constitution in 1874. Terms for representatives were extended to two years and senators to four years (Duquesne University School of Law 2021).

One of the reasons why it is difficult to research Asa Packer the legislator is because he did not say much on the floor of the chambers in which he served, and he did not sponsor much by way of legislation (Lehigh University 2021c). During his two years in the Pennsylvania House of Representatives, he sponsored only one bill. On January 25, 1843, he proposed a bill for the creation of a new county, which would have been parts of Monroe and Northampton counties. The people of that area had been trying to form a new county for 30 years. Between 1837 and 1843, people who advocated for the creation of a new county had petitioned the legislature and each petition had been denied until Packer submitted his proposal. On March 13, 1843, Carbon County, with its seat in Mauch Chunk, became a new county. Having accomplished his goal of creating Carbon County, he

did not seek reelection in the fall of 1843. His approach to being a legislator was not to engage in open and public debates; rather, he preferred to stay in the background and work with colleagues on a more personal basis (Lehigh University 2021c).

The year 1843 turned out to be a very consequential one for Packer, at least in terms of how it affected the rest of his life. In that year, he received a nickname and took a famous swim simultaneously. During the summer of 1843, several hundred angry boatmen who worked for Packer's company blocked the transportation of coal down river to Easton. The men demanded an increase of either 30 cents in company scrip which is money used in stores owned by the Lehigh Coal and Navigation Company, or 23 cents per ton of coal that they transported down the river. The demand for better wages was rejected by company leaders. About 250 company workers paraded through Easton and tied up several hundred boats to block the coal from making it to market. In late July, the sheriff of Northampton County, several magistrates and constables, as well as Packer attempted to either break the blockade or negotiate with the strikers. While Packer and some of his companions were attempting to untie the rope that connected the boat blockade, angry boatmen pushed Packer into the water and hurled stones and other objects at him. There is no documentation as to why Packer intervened in the strike in this manner. A few weeks after this incident, the interested parties settled the strike (Condit 1889, 210-211; Lehigh University 2021c).

Packer received the nickname "Judge" in 1843 which remained with him for the rest of his life. As he did not seek reelection to the Pennsylvania House, he was nominated to fill one of the associate judgeships for the newly created Carbon County. In the mid-nineteenth century, many American counties set up a court system with a president judge and two associates. At this time, the president judge typically had some formal training in law; locally prominent men with little or no formal legal training were typically chosen to become associate judges. After his appointment for a five-year term by Democratic Governor David Porter, Packer served as an associate judge from December of 1843 to November of 1848 (Kopelman 2017, 251; *Pennsylvania Archives* November 18, 1843). Most of his rulings were fairly inconsequential, though he did sit on the first murder trial in Carbon County in 1844 (Lehigh University 2021c; Fishman 2001).

Packer chose to run for office again during the antebellum era which was an interesting time both in his own career and in America. He was both intent on building a railroad to transport coal, which started in the spring of 1852, and running for a seat in the U.S. House of Representatives simultaneously. Packer won the 1852 election easily to represent the thirteenth district of Pennsylvania (Matthews and Hungerford 1884, 704-705; Brenckman 1913, 537). He received 74.6 percent of the votes tallied to his

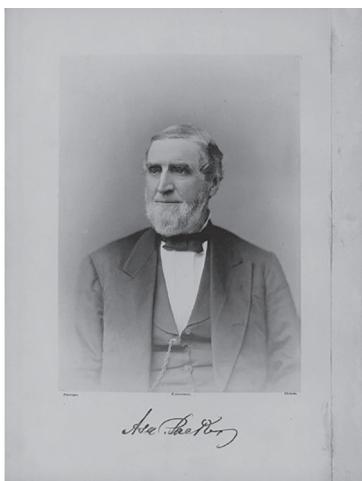


Figure 2. Asa Packer (Circa 1850)

Courtesy of Special Collections, Lehigh University Libraries.

Whig opponent, Asa Foster, who tallied only 25.4 percent of the total. Two years later in 1854, Packer received 58.7 percent of the votes cast. His Whig opponent, Edward Stewart, garnered 41.3 percent. In Pennsylvania, 1852 was a good year for the Democratic Party. Of the 25 districts contested in the Commonwealth, the Democrats won 17 seats to only 8 for the Whigs. Conversely, 1854 was successful for the Whigs as they won 16 seats to 7 for the Democrats (Dubin 1998).

From December of 1853 to March of 1857, Packer missed 697 of 1,336 roll call votes which comes out to 52.2 percent of all votes. Among the lifetime records of representatives serving in March of 1857, the median for missed roll call votes was 25.3 percent, meaning that Packer missed an extraordinarily high number of votes on the floor of the House (Govtrack.us 2021a). One researcher contended that Packer got involved in politics to advance his own economic interests in coal and the railroad more so than a sense of serving the greater public good (Kopelman 2017, 245–255). During his service, however, he undoubtedly learned a great deal about education, which was an important issue at the time given the rich debates concerning the common school movement as well as the role of higher education in a more industrialized society (Fife 2013).

Packer did not seek a third term in the House in 1856. His success in business is well documented. He was able to amass a fortune of over \$50 million through the railroad and his other holdings (ExplorePAhistory.com 2021a). One of his new ventures evolved after a depression in Bethlehem in

the 1840s. The new steel industry meant that the town would never be the same (Kopelman 2017, 377–378). This new industry resulted in more jobs in the area; the consequence of this new entrepreneurial endeavor is that it also brought a great deal of pollution as well. When the railroad came to Bethlehem, the town changed dramatically.

For about a century before this new occurrence, Bethlehem was a closed church village largely run by the Moravians. The leaders at the Lehigh Coal and Navigation Company pressured the Moravians to sell their land. The leaders were entirely successful in their pursuit of more land (Kopelman 2017, 373–378). Bethlehem was founded by the Moravians in 1741 when members of that religious group purchased land where the Monocacy Creek flows into the Lehigh River. Bethlehem was christened on Christmas Eve that year in a stable while a small group of Moravians were singing a hymn with the stanza “Not Jerusalem, Lowly Bethlehem” (Bethlehem, Pennsylvania 2021). Several Moravian buildings are still in existence today. While the first Moravian house no longer exists, the second structure still stands and is a National Historic Landmark. There are several other structures from the 1700s that remain and are examples of eighteenth-century colonial Germanic architecture in America (Bethlehem, Pennsylvania 2021).

Running the railroad was Packer’s primary focus from 1856 until 1868 (Gipson and Cole 1968, 16). His only two major diversions during this time were a trip to Europe and the founding of Lehigh University, both in 1865 (Gipson and Cole 1968). Despite a long break from elective politics as he left Congress in 1857, he sought the Democratic nomination for president in 1868. At the Democratic National Convention in Tammany Hall in New York City, 12 candidates garnered votes on the first ballot. Two Pennsylvanians, former Union General Winfield Scott Hancock and Packer placed fourth and fifth in the voting, respectively. In attendance at this convention included William “Boss” Tweed and former General Nathan Bedford Forrest, a founder of the Ku Klux Klan. After 23 ballots, Horatio Seymour of New York won the presidential nomination and Francis Blair was selected for the vice-presidential nomination (Library of Congress 2021a; American Presidency Project 2021a). The ticket subsequently lost to the Republican tandem of Ulysses Grant and Schuyler Colfax (Dave Leip’s Atlas of U.S. Elections 2021).

A year later, the Democratic Party leaders in Pennsylvania nominated Packer for governor. Packer emerged as the candidate on the second ballot (*The New York Times* July 15, 1869). About two weeks later, as he was not present at the convention, Packer provided an “acceptance speech” in Philadelphia that was classic Packer. After thanking his supporters and the Democratic Party, his speech simply stated that:



Figure 3. Packer Family Mansion in Mauch Chunk (now Jim Thorpe), Pennsylvania.

Photo taken by the author.

Having earned my bread by the labor of my hands during many, and, I may add, the happiest years of my life, and owing whatever I possess, under the providence of God, to patient and honest toll, I can never be unmindful of those with whom my entire life has been associated. Inasmuch as my pursuits and training have not qualified me for speechmaking or for solicitation of votes, it will not be expected that I shall undertake the performance of active duties in the canvass about to begin, but my life, conduct and character are before my fellow-citizens for their examination, and they will afford them better means of judging my fitness as a candidate for popular support than anything I can now say. (*The New York Times* July 31, 1869)

Packer's opponent was the incumbent Republican, John Geary. 1869 marked the first time that suffragists held a meeting in the commonwealth of Pennsylvania (Roessing 1914). Two very different accounts were provided in newspapers located in Lancaster, Pennsylvania. A critique of his candidacy was presented in the *Lancaster Examiner and Herald*:

It is contemptible and disgraceful for a man like Mr. Packer, boasting of his twenty millions of dollars, to be running from one place to another in order to escape the payment of his just taxes. A good citizen and honest man is always willing to bear his share of the responsibilities of government, and will not try to shirk that responsibility and throw it upon others. (*Lancaster Examiner and Herald* October 6, 1869)

A highly positive endorsement appeared in the *Lancaster Daily Intelligencer*: “Hon. Asa Packer is one of the most remarkable men in this country, and his career, even when told in prosaic diction, reads almost like a romance. Starting in life a poor boy he has acquired a princely fortune, out of which he has endowed great charities most munificently” (*Lancaster Daily Intelligencer* July 21, 1869). Both character depictions reflect a newspaper with a Democratic slant and a rival with a Republican slant in the same town.

Geary had an extensive record as an executive, mayor of San Francisco, governor of the Kansas territory, and as governor of Pennsylvania (Pennsylvania Historical and Museum Commission 2021). He was also a Brigadier General during the Civil War for the Union (ExplorePAhistory.com 2021b; Kansas Historical Society 2021). At this time in Pennsylvania, governors were elected to three-year terms. Gubernatorial terms were increased to 4 years due to changes made in the 1874 Constitution (Duquesne University School of Law 2021). At the time, some of the issues involved in the campaign included Packer’s wealth, his alleged lack of knowledge of state government, allegations that he did not pay sufficient local taxes and sympathy for the South during the Civil War. While Packer struggled to address the contentions levied against him in a clear and articulate manner, he did prove to be a worthy candidate in that he only lost the election by a slim margin in one of the closest gubernatorial races in Pennsylvania history (Whelan 2002).

The campaign was tough and Republican criticism of Packer was strident. Among other things, he was accused of purchasing the Democratic nomination for governor for \$100,000 and being overly focused on the goal of making money for himself (*The Lehigh Register* 1869). After his electoral defeat, Packer never ran for public office again.

Packer was elected president of the Lehigh Valley Railroad in 1862, resigned in 1864, but was reelected in 1868 and served as the company’s president until his death in 1879. When he was not serving as president, he was still on the board of directors. In addition to the founding of Lehigh, he was also instrumental in funding St. Luke’s Hospital in Bethlehem. Part of the reason was practical, in that his workers could seek medical assistance if they were injured on the job. Packer paid the medical expenses for company workers (Lehigh University 2021b). In spite of this practice, tension between the anthracite workers and managerial leaders including Packer could be quite contentious. At times, workers went on strike in order to force owners to pay higher wages. When feeling particularly empowered, owners would stop work in the mines so that the laborers could not feed themselves or their families and would consent to lower wages. Negotiations between the two sides oftentimes resulted in failure (Lehigh University 2021b; Aurand 1991). Some years later, President Theodore Roosevelt would take a more interventionist approach in dealing with coal

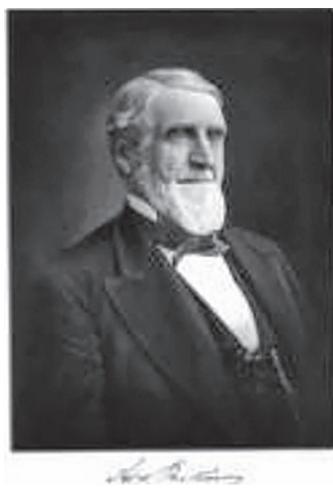


Figure 4. Asa Packer (Circa 1875).

Courtesy of Special Collections, Lehigh University Libraries.

strikes in the anthracite region of Pennsylvania (U.S. Department of Labor 2021). While earlier U.S. presidents tended to side with management in labor disputes, Roosevelt acted more as a mediator and facilitator when confronted with a coal famine, much to the chagrin of mine owners in particular (U.S. Department of Labor 2021; Ohio History Central 2021a; Bassett 1997).

It is clear that the Lehigh Valley Railroad was very important to Packer. Yates, an education historian, referred to the officials in the company as Packer's "railroad family" (Yates 1983, 16). This railroad family had the effect of shielding Packer from public view. People at the time were not sure if the decisions that were made were done by Packer or his subordinates in the company. His "railroad family" basically consisted of four people, three of whom were in his immediate family: Robert Heysham Sayre, vice president and chief engineer; Elisha Packer Wilbur, nephew; and sons Harry Eldred and Robert Asa (Lehigh University 2021b).

When it comes to the leading industrialists of the nineteenth and early twentieth centuries, most Americans today do not know about Asa Packer. Citizens are much more likely to be familiar with the names of John D. Rockefeller, Andrew Carnegie, and Cornelius Vanderbilt (Chernow 1998; Nasaw 2006; Stiles 2010). Yet at the time of his death in 1879, he was the richest man in Pennsylvania and third richest in the nation with an estate valued at \$54.5 million dollars (Lehigh University 2021b; Henry 1860). He was clearly a private person and did not share many of his political

and policy views in public, whether serving in his capacity as an elected or appointed official or as a private entrepreneur. In spite of the lack of historical evidence on him, an examination of Packer's political and philosophical ideas, at least in terms of his actions, is illuminating.

THE POLITICAL IDEAS OF ASA PACKER

Given the nuances of political campaigns in the nineteenth century, there is scant direct information about Packer's beliefs as he did not put much into writing. He was not predisposed to giving public speeches or engaging in great legislative debates. He did not say much on the floor of the U.S. House during his two terms, and he frankly missed a lot of vote opportunities when he did serve. Accordingly, I suspect there will continue to be mystery and intrigue when it comes to Lehigh's founder. Nevertheless, some of his views and his votes are well known and can be analyzed during the context of the times and politics of Packer's era.

Political party affiliation was particularly important during the nineteenth century as while third parties did exist, many were minor in scope and those who were allowed to vote typically supported one of the two major parties. Asa Packer was a Democrat from Pennsylvania before, during and after the Civil War, which is itself an important clue about his vision

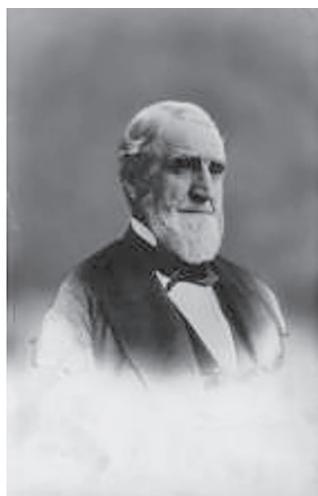


Figure 5. Asa Packer (Circa 1870).

Courtesy of Special Collections, Lehigh University Libraries.

about the proper role of government in society and the economy. At this time in history, the Democratic Party was the more conservative of the two major parties and an ideology of states' rights was fairly pervasive. Democratic adherents generally supported a laissez-faire capitalist ideology and resisted federal intervention in the marketplace and the business of the states. As historian Forrest McDonald explained,

[o]f all the problems that beset the United States of America during the century from the Declaration of Independence to the end of Reconstruction, the most pervasive concerned disagreements about the nature of the Union and the line to be drawn between the authority of the general government and that of the several states. At times the issue bubbled silently and unseen beneath the surface of public consciousness; at times it exploded; now and again the balance between general and local authority seemed to be settled in one direction or another, only to be upset anew and to move back toward the opposite position, but the contention never went away. Even though the country was passing through profound material and demographic changes, those changes were conditioned throughout the period by preoccupation with the tensions inherent in the concept of states' rights. (McDonald 2000, vii)

The steadfast prioritization of the doctrine of states' rights by the Democratic Party of the 1850s and 1860s would be very costly in human terms.

Packer was labelled as an “ardent Democrat” shortly after he died (Mathews and Hungerford 1884, 704-705). His Democratic Party nominated successive candidates in 1852, Franklin Pierce, and 1856, James Buchanan, who both won their elections but would be deemed by presidential historians as two of the worst presidents in U.S. history (C-SPAN 2021). The ethos of the Democratic Party during this era is embodied in its party platforms. In 1852, a key component of the Democratic platform declared

That Congress has no power under the constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of everything appertaining to their own affairs not prohibited by the constitution; that all efforts of the abolitionists or others made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions. (American Presidency Project 2021b)

This interpretation of the Constitution has its historical roots in the Virginia and Kentucky Resolutions of 1798, written by James Madison and

Thomas Jefferson, respectively (Bill of Rights Institute 2021). The doctrine of states' rights would be a justification for southern secession following Abraham Lincoln's victory in the 1860 presidential election.

The 1856 Democratic Party platform in many literal ways reiterated the 1852 platform, with some additional nuances. In addition to praising the Pierce administration, the Democrats declared

That claiming fellowship with, and desiring the co-operation of all who regard the preservation of the Union under the Constitution as the paramount issue—and repudiating all sectional parties and platforms concerning domestic slavery, which seek to embroil the States and incite to treason and armed resistance to law in the Territories; and whose avowed purposes, if consummated, must end in civil war and disunion, the American democracy recognize and adopt the principles contained in the organic laws establishing the territories of Kansas and Nebraska as embodying the only sound and safe solution to the "slavery question" upon which the great national idea of the people of the whole country can repose in its determined conservatism of the Union—NON-INTERFERENCE BY CONGRESS WITH SLAVERY IN STATE AND TERRITORY, OR IN THE DISTRICT OF COLUMBIA. (American Presidency Project 2021c)

Indeed, a very important issue in 1854 provided a juxtaposition between the Democrats and the Whigs, and then later the Democrats and the Republicans. This matter was addressed directly by Packer as he was a member of the U.S. House of Representatives at the time.

The Kansas-Nebraska Act was debated in the U.S. House and Senate for almost the first half of 1854 (Library of Congress 2021b). Ultimately, the House passed the Kansas-Nebraska Act by a 113-100 margin, and it passed in the Senate, 35-13. Pierce signed the bill into law on May 30, 1854 (Library of Congress 2021b). Contemporaries called the bill that was promoted by Senator Stephen Douglas "the Nebraska bill" (U.S. Senate 2021a). The bill included an area that covered the present-day states of Kansas, Nebraska, Montana, North Dakota, and South Dakota. It was during this era that a transcontinental railroad was being considered. Douglas was an advocate of the railroad, and he wanted a northern route via Chicago. The plausibility of the railroad was linked to the slavery debate, and Douglas touted his notion of popular sovereignty, which allowed slavery in the territory north of the 36° 30' latitude. This act had the effect of repealing the Missouri Compromise of 1820 and permitted the slavery issue to be addressed by the residents of each territory. Douglas' vision of popular sovereignty is delineated in the Act:

That the Constitution, and all Laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Ter-

ritory of Nebraska as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union approved March sixth, eighteen hundred and twenty, which, being inconsistent with the principle of non-intervention by Congress with slaves in the States and Territories, as recognized by the legislation of eighteen hundred and fifty, commonly called the Compromise Measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States: Provided, That nothing herein contained shall be construed to revive or put in force any law or regulation which may have existed prior to the act of sixth March, eighteen hundred and twenty, either protecting, establishing, prohibiting, or abolishing slavery. (Avalon Project 2021)

The Compromise of 1850, which is referenced, was a collection of five bills orchestrated by the Whig senator, Henry Clay, and Stephen Douglas. California was admitted as a free state, and the people of Utah and New Mexico would decide for themselves whether to be a free or slave state. A new Texas-New Mexico boundary was established in the wake of the Mexican-American War, and the Fugitive Slave Act of 1850 made it easier for slaveowners to recover runaway slaves (U.S. National Archives and Records Administration 2022).

Packer was one of the representatives that supported the Kansas-Nebraska Act (*The Congressional Globe* 1854, 1254). According to Yates, Packer did not believe that slavery was the most important issue in connection with the bill. It was the possibility of a railroad westward from Chicago all the way to the Pacific Ocean that intrigued him. Later when disputes between the northern and southern states resulted in the Civil War, Packer supported the Union and encouraged his workers to enlist by continuing their salaries if they did so (Yates 1983, 3-4). Nevertheless, when confronted with an opportunity to take a moral stance on slavery, Packer relied on his conservative ethos and that of his party in the mid-nineteenth century. To him, the slavery question should be determined by the people of the states and the territories, and not by Congress, a federal entity. Packer's vote seemingly comported with his conservative and laissez-faire economic philosophy (Berthoff 1960; Berthoff 1965).

If one aim of the Kansas-Nebraska Act was to provide social order and stability, it did not work. Violence and bloodshed ensued in Kansas and Missouri in particular (Etcheson 2004; Earle and Burke 2013; Sutton 2017). After the act was passed, thousands of people from the north and south went to Kansas. Some simply sought the new land open to settlement; others went to Kansas to vote for or against slavery. Some strategists desired to curtail the North's advantage in the U.S. Senate by making Kansas a

slave state. To many northerners, the idea of the expansion of slavery into Kansas was wholly unacceptable. This dual migration led to a great deal of violence and a mini civil war between 1856 and 1865. Bleeding Kansas did not cease until the Civil War concluded (Ohio History Central 2021b). Packer's strong advocacy of the expansion of a transcontinental railroad was costly in the context of his vote on the Kansas-Nebraska Act. The notion of popular sovereignty was antithetical to the eventual adoption of the equal protection clause of the Fourteenth Amendment (1868): "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The idea that a white majority could determine the humanity and freedom of African Americans was presented as democratic by adherents of the Democratic Party. The notion that popular majorities (white) should have the freedom to determine their own policy agenda, free of federal intervention so long as the action in question did not seemingly violate the federal Constitution, was anything but democratic. The Democratic Party of the 1850s, including Packer, was on the wrong side of history. The argument used then is still being used today, albeit in a different context. Opponents of same-sex marriage contend, *inter alia*, that states should have the freedom to decide whether same-sex marriage is allowed in their states, and not allow federal judges to make that determination (*Obergefell v. Hodges* 2015).

Asa Packer voted on another matter emanating from the Kansas-Nebraska Act: the caning of Senator Charles Sumner by Representative Preston Brooks (Lehigh University 2021c). On May 19, 1856, Sumner rose to present a speech he called "the crime against Kansas." He spoke for over 5 hours covering 2 days. He memorized his speech, which in print was 112 pages long. He singled out two Democratic culprits in the crimes that slavery supporters had perpetrated against the state of Kansas and its democratic institutions: Stephen Douglas and Andrew Butler. In his speech, he accused Butler of having a mistress (U.S. Senate 2021b). Two days later, a U.S. House member who was related to Butler, Preston Brooks, went to the Senate floor after it adjourned and nearly beat Sumner to death with a cane (U.S. Senate 2021b). On July 14, 1856, the U.S. House conducted an expulsion vote for Brooks. The motion carried by a 121-95 vote, and Packer voted to expel his colleague (Govtrack.us 2021b). However, a two-thirds vote was required for expulsion, so Brooks was not immediately removed. Later that same day, nevertheless, he resigned from office. He was subsequently returned to office by South Carolinians in his district later that month in a special election (U.S. House of Representatives 2021). Ultimately, Packer's service in the federal government was limited to a brief period of time where he missed many votes. Clearly his railroad business

was of paramount importance to him. Why he opted to run for Congress during this era of his business operation remains unknown (Lehigh University 2021c).

THE LEGACY OF ASA PACKER



Figure 6. Asa Packer (Circa 1873).

Courtesy of Special Collections, Lehigh University Libraries.

Asa Packer was reared in poverty, but by the time of his death on May 17, 1879, he was the richest man in Pennsylvania. His vision for the transporting of coal by rail had a profound effect, not only on his personal finances, but for much of Lehigh Valley in terms of economic development. His contributions as a state legislator, state judge, and U.S. House member were limited. His desire to be a chief executive (president or governor) never became a reality.

This mysterious figure amassed a great fortune. During his lifetime and continuing after his death Packer gave a great deal of it away for philanthropic causes. One could contend that future tycoons such as John D. Rockefeller and Andrew Carnegie would later replicate Packer's behavior, only with even higher dollar figures. Perhaps Packer should have paid his workers more money during the course of his lifetime, as there was a great deal of income inequality during his era, though the gap between rich and poor is even worse today than in the late nineteenth century (Lindert and Williamson 2012; Weissmann 2012). It is clear from many accounts that he was a strong family man and a person whose faith was very important to



Figure 7. Asa Packer grave at the Mauch Chunk Cemetery in Jim Thorpe, PA.



Figure 8. Mauch Chunk Cemetery in Jim Thorpe, PA.

Both photos are taken by the author.

him. The final iteration of his last will and testament, dated May 14, 1875, highlight the things that were most important to Packer (Lehigh University 2021d).

The first several sections of his will addressed issues related to the Lehigh Valley Railroad Company. His life work was obviously of significant importance, and he desired that it be a robust entity into the future. Nevertheless, it was his wife that received the following bequest:

I hereby give, devise and bequeath to my wife Sarah M. Packer, such part and portion of my estate real and personal, principal and income as she may at any time during her life desire wish or select—that is to be hers absolutely and the trustees are hereby authorized, empowered and directed at any time or times when she shall request them so to do, to pay, hand over and transfer to her any property or money whether principal or income according to her wishes and directions. Should she choose to indicate at any time what she wishes set apart for herself out of the principal or as an annual income, the trustees may do so in accordance with her wishes and may then administer the remainder of the estate and trust property, as herein directed. My purpose is that she shall have whatever she wishes out of my estate and all other provisions hereof, are subordinate to this one. (Lehigh University 2021d)

In a state where women were gaining property rights in the second half of the nineteenth century, it is clear that taking care of his wife after his passing was a critical issue for Packer (O'Brien 1901; Brown 1965).

He gave his mansion in Mauch Chunk to his daughter, Mary, and his son, Harry. In addition, he gave significant amounts of money to extended family members and friends. Donations to philanthropic causes in his will included the Divinity School of the Protestant Episcopal Church in Philadelphia; Jefferson Medical College of Philadelphia; Muhlenberg College; St. Mark's Church in Mauch Chunk; Washington College in Lexington, Virginia; and St. Luke's Episcopal Hospital (Lehigh University 2021d). Yet undoubtedly the most important legacy of Asa Packer to this day was his gift to start Lehigh University in South Bethlehem.

In 1865, Packer donated 57 acres of land on South Mountain along with \$500,000, the largest gift to any educational facility at that time in history to establish Lehigh University (Lehigh University 2021e). In his will, he made two more fundamental gifts to the University: he bequeathed \$1.5 million in additional funds to the University, and he also gave another \$500,000 to erect a library which would be named after his late daughter (Lucy Packer Linderman). The library opened in 1877 and has been renovated several times in over 140 years (Lehigh University 2021f). It is a beautiful Venetian building with a rotunda that was named one of the 12 most stunning university libraries in the world by *Architectural Digest*

(Lehigh Valley Live.com 2021). In recent years, Lehigh has been ranked by a prominent compendium in the top 50 in the national universities category and has an endowment of about \$1.5 billion (*U.S. News and World Report* 2021). This legacy, initiated by a quiet businessman at the end of the Civil War, is quite compelling and likely well beyond what Packer could have imagined during his lifetime. A celebration in his honor is held every October. Launched on October 9, 1879, Founder's Day is a celebration of the vision that Packer had over 155 years ago to establish a new educational institution that would transform the lives of matriculants and consequently society in general (Hayes 2018).

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