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TREASON IN INDIANA

A Review Essay (Cont.)

so different that some picture Copperheads as traitors on the brink of pulling the rug from under the Union, others as harmless lunatics on the fringe, and others as misunderstood victims of Republican oppression and propaganda. Instead of clarifying, Curry participates in the confusion which has dogged historians of the Copperheads from the start. The problem is one of definition. Are Copperheads Democrats, peace Democrats, or traitors?

Even Curry is not sure. On the very first page of his article he posits Copperheads and Republican Radicals as polar opposites, blaming the Radicals for interpreting the Copperheads' political dislike of emancipation, infringements of civil liberties, and the draft as "disloyal" and "treasonable." Here "Copperheads" clearly connotes "most Democrats" — only seen unfairly by the anti-slavery faction of the Republican party. Yet most Republicans and not just radicals were capable of seeing Copperheads in large numbers. The case of Richard W. Thompson provides an excellent example. Thompson was a conservative Whig turned Constitutional Union man in 1860. During the secession crisis, he himself envisioned a Northwest Confederacy, or rather a middle nation stretching from Virginia to California but excluding the South and New England. In the Thompson Manuscripts in the collections of the Lincoln Library and Museum is a letter written from Thompson to Governor John Letcher of Virginia on December 22, 1860, which begins this way:

Such is the fearful posture of our public affairs that we are all trying to look into the future, to see in what way the in-



From the Indiana Division, Indiana State Library, Indianapolis

Oliver P. Morton

The villain of Henry Adams's novel *Democracy* (1880) is Silas P. Ratcliffe, "the Prairie Giant of Peonia, the Favorite Son of Illinois." The novel's plot centers on the gradual discovery of the corrupt practices Ratcliffe uses to gain his politically powerful position as a strong contender for the presidential nomination. Like all the characters in the book, Ratcliffe is a blend of traits taken from the Washington life Adams had viewed at first hand. One of the models for Ratcliffe was certainly James G. Blaine, but another one may well have been Oliver P. Morton, a United States Senator by the time Adams was observing the Washington scene. One of the first ambiguous clues to Ratcliffe's character is the revelation that as wartime governor of Illinois, he had falsified election returns in order to save his state and ultimately the nation from being won "by the peace party." The event may well have been drawn from Morton's reputedly high-handed methods of saving Indiana from the Democrats. In actual fact, Tredway's book reveals that Morton frequently acted the part of a moderate, refusing to send troops to quash insurrections imagined by hysterical provost marshals and local Republican politicians. Only in the case of the election year of 1864 does Morton appear as the prime mover in attempts to exacerbate the Copperhead problem.

terest of the several sections is to be preserved and advanced. It will not do to let the material prosperity of the Country be all sacrificed and destroyed by political or sectional broils, — and whether the Union shall remain intact or be finally & entirely dissolved, every reflecting man must see that the central belt of States, from the Atlantic to the Pacific, must always share a common destiny. In the event of dissolution they would have no difficulty in forming a satisfactory union, — leaving the extreme north to indulge its vagaries alone, and the extreme South to develop its capacity and resources in its own way.

When the Emancipation Proclamation was issued, Thompson remained true to his lifelong acquiescence in the existence of slavery and drafted a long protest saying that it was constitutionally unjust and racially dangerous. This petition is also among the Thompson manuscripts at the Lincoln Library and Museum; the following passages are representative of Thompson's sentiments expressed in the petition of January 26, 1863:

We have still a nation to be preserved, — the constitution yet survives the shock of battle, — and we should prove recreant to the obligations which rest upon us as citizens of a government, hitherto the happiest in the world, were we to omit to do, whatever we may rightfully do, to perpetuate it for our children. . . . The gallant and noble-hearted soldiers who compose this army, have obeyed your call with unparalleled alacrity, and have willingly exchanged the comforts of home for the

hardships of the camp and the hazards of the battlefield, that they may fight for the Constitution. . . . Such an army may be trusted . . . so long as this great object is kept steadily before it. What it would become, if another object were substituted for this, infinite wisdom can alone foresee. . . . You have, however, . . . thought it to be your duty to take a still further step — beyond the law — and to issue a proclamation giving freedom to the slave property of every loyal man, woman, child and lunatic, who is so unfortunate as to reside within the limits you have defined. By this act, . . . you propose that loyal citizens shall be punished by the forfeiture of their property, when, by the law, they are held guiltless of any offence against the Government. . . . the question whether slavery advances or retards the prosperity of a State, or whether the slave of a loyal man shall still remain in bondage, or be made free, must be left where the Constitution leaves them, — to the States themselves . . .

Here was constitutional delicacy worthy of a Copperhead. In the petition Thompson also answered abolitionists' criticism with the Copperheads' stock argument based in racial fear:

[Mr. Seward] furnished . . . a complete answer to all their [the abolitionists'] clamorous denunciation of your avowed policy, and to all their vaporing about an emancipation crusade. He said . . . "Does France or Great Britain want to see a social revolution, with all its horrors, like the slave revolution in St Domingo? Are these powers sure that the country or the world is ripe for such a revolution, so that it may be certainly successful? What, if inaugurating such a revolution, slavery, protesting against its ferocity and inhumanity, should prove the victor?"

Yet Richard Thompson became a Republican, possibly as early as 1860. When the war came, he served first as commandant of Camp Vigo (later named Camp Dick Thompson) in Vigo County, recruiting and organizing Indiana soldiers to put down the rebellion and, eventually, to free the slaves. In 1863, Lincoln appointed him provost marshal of the Seventh Congressional District in Indiana. His recruiting and organizing activities continued, but he also began to engage in what might be called matters of internal security. He reported disturbances like the murder of a draft enrollment officer, blaming it on a group of some 1,200-1,500 potentially rebellious citizens. He reported rumors that arms were being shipped into the district at an alarming rate, and he urged inspections of packages to detect such shipments. He even employed a spy who signed his letters "H." to report to him regularly on the activities of potentially disloyal local groups. In short, Thompson believed in and reported to state officials a sizeable Cop-

perhead menace. His suspicions may have been paranoid, but they were not, at least, the products of a Radical imagination. Nor would private warnings and the clandestine employment of spies seem to be necessary simply to fabricate a Copperhead menace for political ends; that could be accomplished without any knowledge, and the noisier the accomplishment the better.

Most often, Curry seems to mean by "Copperhead" not most Democrats but the conservative Democratic faction. Indeed, the upshot of most revisionist writing about the Copperheads is to show that very few, if any, Democrats were Copperheads, if by that term one means treasonous opponents of the war. Curry refers to revisionist writings about "the aims and objectives of conservative northern Democrats" which dispute "the Copperhead stereotype." Three pages further on, he refers to the "Peace Democrats, a label attached to those Copperheads unrealistic enough to believe the Union could be restored if only North and South could be persuaded to come together at the conference table." Yet Curry quotes without comment Robert Rutland's remark that "the hard core of the Copperhead movement was located . . . in the areas voting Democratic in pre-war Iowa" as though it said the same thing of Iowa that Eugene Roseboom did of Ohio when he said that "the Peace Democrats of Ohio were the old-line, hard-shell Democrats." Is a Copperhead by definition a Peace Democrat or are the Peace Democrats only the "unrealistic" faction of the Copperheads? It is hard to tell from Curry's article. The confusion is serious. When Curry says, "Kenneth Stampp goes one step further by arguing that Hoosiers living in the southern part of the state, because of their dependence upon the river trade, had more to fear economically from a successful rebellion than people in any other section," what does it imply? Does it mean there were no Copperheads in southern Indiana because everyone supported the war from fear of disruption of the river trade? Or does it mean the Copperheads in southern Indiana supported the war? If the latter, how does one tell a Copperhead from a War Democrat?

It is hard to compare studies of Copperheads because it so often boils down to comparing apples and oranges. Some are studying peace Democrats, some are studying Democrats in general, and some seem to be studying conservative Democrats who like the war but are not War Democrats, whatever that is. Among those studying peace Democrats, some are studying people who wanted reunion but thought an armistice would bring it about, and some are studying people who wanted peace on any terms. The result in historiography is that we know little of the Democratic party in general — even of its 1864 presidential candidate's political views — because historians so often focus on treason trials when they start out to find out what exactly Democrats be-



From the Lincoln National Life Foundation

Richard Wigginton Thompson (1809-1900) is famed for his nationalism. Like his exact contemporary Abraham Lincoln, Thompson was a Whig until he perceived that the party was dead. Thompson's perception of the party's demise came in 1852 (much earlier than Lincoln's), and thereafter their ways parted for a while. Thompson became active in Indiana's Know Nothing movement, remained in that movement after most Know Nothings deserted to the Republicans, and became a member of the Constitutional Union party. Thompson thus avoided joining the Republican party (which he thought was a sectional party) until the secession crisis; even after joining the Republicans, he remained critical of their policies on race and worked mainly to restore the Union. Despite the conservative love of the Union seemingly exemplified in this superficial capsule of Thompson's political career, the actual limits of his nationalism are discussed in this *Lincoln Lore* and reveal further the complexities of evaluating his enemies in the Civil War, the Copperheads.

lieved and did from 1861 till 1865.

Curry's article and most of the works attempting to exonerate the Copperheads mesh perfectly with the work of revisionists of the history of pre-Civil War America (like Beveridge, Milton, and even Robert Johannsen). William Dusinger describes this school of thought accurately in a little-known book entitled *Civil War Issues in Philadelphia, 1856-1865* (Philadelphia: University of Pennsylvania Press, 1965):

A revisionist interpretation stresses the ill consequences of the abolitionist and radical Republican agitation against slavery. According to this view, Northern radicals (together with their counterparts, the Southern "fire-eaters") provoked an unnecessary war by arousing popular emotions about issues which, rationally considered, were of little importance. In the wartime North the most noteworthy political disputes took place, not between Democrats and Republicans, but between disruptive radicals and sober conservatives within the Republican Party. Conservative Republicans, it is implied, had much in common with the great bulk of the Democratic Party, which loyally supported the war; "Peace Democrats" were of comparatively little significance.

Thus Dusinger explains the spirit of much of the revisionist work on Copperheads and, in particular, Curry's suggestion that Copperheads were the constructs (real or imagined) of Republican Radicals. Dusinger himself holds that there seem to be very sharp contrasts between Republicans and Democrats, and the difference between the factions within the two parties may not be as sharp.

Analysis of Curry's confusion is a round-about way of pointing up the most misleading and glaringly inaccurate part of Tredway's book, the title. Calling what he studies the "Democratic" opposition to the Lincoln administration caused severe disappointment for this reader. I expected a study of the speeches of Daniel Voorhees and Thomas Hendricks or of the voting records of Democrats in the Indiana legislature or of the voting records of Indiana's Democratic representatives in Washington. Such a study was needed before Tredway's book, and it still is. The Democratic party during the Civil War remains the dark continent of American history, shrouded in mystery, misconception, and sensational rumor. Tredway began his book in a way that would have been a valuable corrective to Curry's error, documenting profound differences between Republicans and Democrats. But he ended the book as a captive of the old-fashioned view, minimizing the seriousness of the Indiana Copperheads' intentions and strength.

The title is doubly disappointing because of its reference to the "Lincoln Administration." Abraham Lincoln's relationship to the events in the book is sketchy, but he gets the blame for everything Tredway hates. It is an avowedly anti-Lincoln book. Tredway announces in the "Introduction" his intention to "pursue what may be described as a critical approach to the administration of Abraham Lincoln and its policies." Yet it is a study of resistance to Oliver Morton, to various Union military commanders in Indiana, and even to draft enrollment officers. Some were Lincoln appointees, and some were not. Morton, certainly, was no appointee; he was the governor elected by the people of Indiana. Besides, is every last mail-carrier, even in the days before civil service reform, a member of the "administration"? Nonetheless, by the end of the book, Tredway comments on the "distinct streak of ruthlessness in the Civil War President" and says "the true Lincoln nobody knows" was "the man of blood and iron."

Tredway's documentation of these charges depends on two critical events, one of which did not even occur in Indiana, federal interference with elections in Kentucky, and Lincoln's aid in Morton's scheme to arrest the alleged traitors. If the first event is so important for Tredway's book, his reference to "Indiana" in the title misleads once again, though he does make a good point that awareness of events in neighboring Kentucky alarmed Democrats in Indiana. It should be added that Tredway relies heavily for his account of Kentucky events on the work of E. Merton Coulter, a notoriously pro-Southern source.

Lincoln's help to Morton seems the most important, if for no other reason than that it links Lincoln directly to the events in Indiana, the avowed subject of the book. Moreover, Lincoln's aid seems to have escaped comment by previous writers. During the summer of 1864, Governor Oliver P. Morton and federal authorities represented primarily by General Henry B. Carrington in Indianapolis were contemplating the arrests of some of the alleged leaders of the Northwest Conspiracy. The major Republican newspaper in Indiana urged hanging the men, but it urged they get that sentence by regular process in civil courts. General Carrington, a former abolitionist and associate of Salmon P. Chase noted today primarily for his ruthless suppression of domestic foes, also wanted them tried in ordinary civil courts and wanted only a few select leaders to be arrested. Governor Morton, on the other hand, was an elected official. Feeling the pressure of the coming autumn elections, he wanted the alleged traitors arrested in August; it was "essential to the national cause in the coming elections." Moreover, Morton wanted them to be tried by military commission. Tredway relates what ensued (the chronology is a bit loose):

General Heintzelman, commander of the Northern Department, shared Carrington's view that the exposures and arrests of August and September had achieved the necessary political effect and refused to sanction Morton's proposal. The governor then went to the President, who had no inhibitions. Lincoln organized the District of Indiana separately from the Northern Department so as to by-pass Heintzelman and replaced Carrington with General Alvin P. Hovey, who had no compunctions about military arrests and trials. Hovey assumed command on August 25, [Bowles and Dodd were arrested in September] and for good measure Heintzelman was superseded by General Joseph Hooker on October 1. A new wave of arrests began on October 5 and added the names of Bingham, Heffren, Humphreys, and Milligan to the list of prominent prisoners.

Tredway's account of the incident is an improvement upon Stamp's in that Tredway makes explicit who accomplished the shake-up in Indiana's federal high command. Stamp implies that it was Morton but does not say what authorities Morton had to convince:

... Morton feared delay and frankly asserted that an immediate trial was "essential to the success of the National cause in the autumn elections." Hence he quickly obtained an order for Carrington's removal. On August 25 the Governor secured the appointment of Gen. Alvin P. Hovey, a political general from Indiana who was thoroughly in sympathy with his course.

But from whom, one wonders. Tredway says it was from Lincoln, but his source is apparently the same as Stamp's, the Carrington Papers. Stamp had no apparent motive to keep Lincoln's connection silent; his book, after all, was written to exonerate Indiana Democrats from charges of Copperheadism or disloyalty. Tredway cites no source in any Lincoln collection nor any evidence at all that Lincoln changed officers to satisfy Morton. Hovey's instructions, which authorized him, according to Tredway, "to make military arrests, to organize military courts and employ them to try citizens, and to carry their sentences into effect," came from the Assistant Adjutant General. To a man uninformed about the situation, Hovey might have looked more lenient than Carrington, for Hovey was an Indiana native and a former Democrat. To carry the great weight of justifying the title of the book and the book's persistent animus against Lincoln, the event needs more direct evidence and more specific documentation.

In the last analysis, Tredway's conclusions are unconvincing as well as mutually contradictory. His use of evidence is clumsy. However, the evidence itself is interesting. The social history from county newspapers, the examination of the testimony from the treason trials, and the sketches of the defendants in those trials make interesting reading. The book offers little or nothing in the way of quantitative evidence, but it is the product of much research in manuscript collections and newspapers. Tredway's book will interest the reader, but I doubt that it will convince him.

The Impeachment of Andrew Johnson: Recent Articles

Michael Les Benedict, the author of the book on the impeachment and trial of Andrew Johnson reviewed in the *Lincoln Lore* for November, 1973, published "A New Look at the Impeachment of Andrew Johnson" in the *Political Science Quarterly* for September, 1973. The article discusses only the impeachment (not the trial) and is written more for the student of law or government interested in the event as a precedent than for the student of Reconstruction history.

Stanley I. Kutler, himself the author of a book on *Judicial Power and Reconstruction Politics* (Chicago: University of Chicago Press, 1968), reviews Benedict's book in the issue of *Reviews in American History* for December, 1973. Kutler uses Benedict's book to counter the argument of Raoul Berger's *Impeachment: The Constitutional Problems* (Cambridge: Harvard University Press, 1973). It is Berger's contention that impeachment should be subject to judicial review. Berger, the lawyer, has more faith in judges than Benedict and Kutler, the historians. Berger's distrust of legislators is based on the old-fashioned view of Andrew Johnson's impeachment as the result of political vindictiveness. Yet Berger's own book argues that impeachment need not be confined to cases of indictable criminal action. He fails to make the logical leap that Benedict did. Reasoning that the legislators did not ignore constitutional re-

straint, Benedict could reevaluate the whole story of Johnson's impeachment.

The Congressional elections of 1866 and 1867 figure prominently in any estimate of Reconstruction politics and Andrew Johnson's presidency. Benedict stressed the election of 1867 in his book. Lawrence N. Powell gives a refreshing look at the "Rejected Republican Incumbents in the 1866 Congressional Nominating Conventions" in the September, 1973 issue of *Civil War History*. Powell shows that traditional election practices such as the rotation of candidates in accordance with their residence in two- or three-county Congressional districts caused many elections to turn on issues other than ones involving national Reconstruction. He thus challenges the assumption that the 1866 election was a radical sweep, even suggesting that in many cases candidates were rejected regardless of their stance on Reconstruction.

Since Richard E. Neustadt's work was mentioned in the historiographical introduction to the *Lincoln Lore* article on Johnson's impeachment, perhaps his most recent work deserves notice. In *The New York Times Magazine* of October 14, 1973, Neustadt reconsiders presidential power in an article entitled "The Constraining of the President."



From the Lincoln National Life Foundation

The Declaration of Independence rejected the rule of a monarch, and Americans ever since have pictured Presidents who seem to exceed their official powers as kings. Thomas Nast drew Andrew Johnson as King Richard III for the *Harper's Weekly* of July 25, 1868. Johnson was made to appear as Shakespeare's despot searching for any horse to ride to power, whether it be a Republican, Democratic, or Conservative horse. The cartoon appeared after the Democratic Convention of 1868 nominated Horatio Seymour to run for the presidency.