



Lincoln Lore

March, 1983

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Ruth E. Cook, Editorial Assistant. Published each month by the
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Number 1741

The Embarrassing Case of Dr. Blanchard: A Newly Discovered Lincoln Document

In the midst of a toughly worded defense of his administration's use of arbitrary arrests to quell disloyalty in the North in 1863, President Abraham Lincoln was forced to admit that "instances of arresting innocent persons might occur." In fact, he said, they "are always likely to occur in such cases." Many more arrests fulfilled that prophecy than defenders of the administration liked to admit, but one of the most embarrassing cases has only recently come to light. In the summer of 1862 federal authorities arrested the brother-in-law of John A. Logan on the strength of completely erroneous testimony.

It would be difficult to think of a single person who, after the death of Stephen A. Douglas, played a more important role in rallying Illinois Democrats to enthusiastic support of the Northern war effort. As a lifelong resident of southern Illinois, "Egypt" as it was called, Logan symbolized the loyalty of the North's most southerly-located and -affiliated population. By the summer of 1862 he had been twice wounded in battle and carried the rank of brigadier general. He was among the best of the "political generals," militarily speaking, and he was among the most important, politically speaking. In the Lincoln administration's dark days of 1862, Logan was not a man the Republicans wanted to alienate.

Republicans ran the risk of alienating Logan as a result of a War Department order issued on August 8, 1862.

ORDERED — First. That all United States marshals, and superintendents and chiefs of police of any town, city, or district, be, and they are hereby, authorized and directed to arrest and imprison any person or persons who may be engaged, by any act of speech or writing, in discouraging volunteer enlistments, or in any way giving aid and comfort to the enemy, or any disloyal practice against the United States.

Second. That immediate report be made to Major L.C. Turner, judge advocate, in order that such persons may be tried before a military commission.

Third. That the expenses of such arrest and imprisonment will be certified to the chief clerk of the War Department

for settlement and payment.

EDWIN M. STANTON,
Secretary of War

Stanton said that he issued the order "by verbal direction of the President."

The effect of the order was to unleash hordes of local policemen and marshals who were made judges of precisely what sort of language, whether expressed in a barroom argument or a political stump speech, served to discourage enlistments. They made the arrests first and then sent the evidence to Judge Advocate Levi C. Turner, who then commented on the merits of the case. A hurrah for Jefferson Davis or a grumble about the administration's "abolition war" could and did send many a man to federal prison. Most of the persons arrested were never tried by military commission.

On August 24, 1862, David L. Phillips, the United States Marshal for the Southern District of Illinois, wrote Stanton from Springfield to inform him that he had arrested Dr. Israel Blanchard, of Murphysboro in Jackson County, Illinois, along with ten other Illinoisans and had forwarded them to Washington, D.C. There they wound up in the notorious Old Capital Prison, one of the places where the Lincoln administration incarcerated persons very frankly described as "prisoners of State" or "political prisoners."

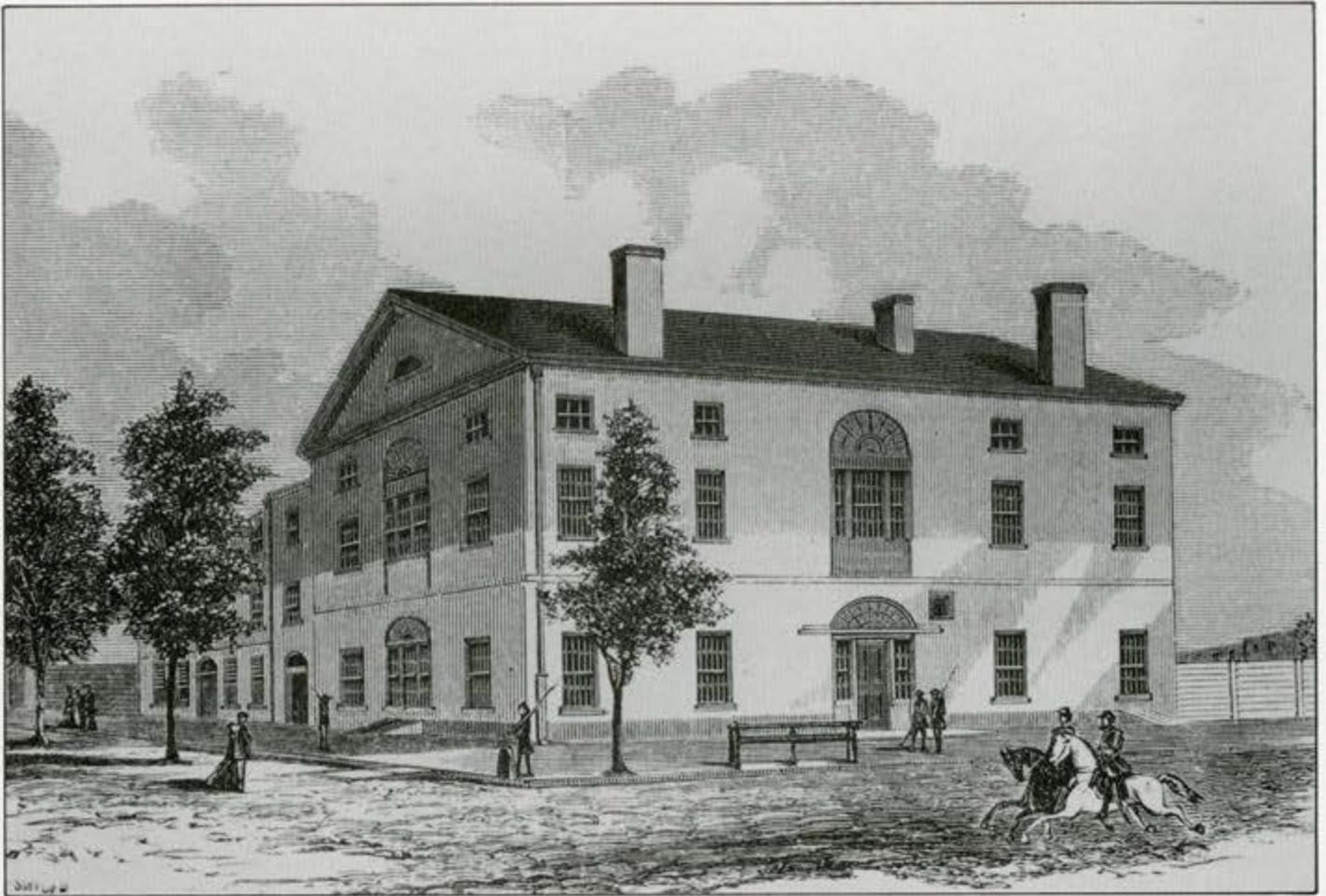
Dr. Blanchard, born June 4, 1825, in Livingston County, New York, first practiced medicine in Erie County, New York, after graduating from the Botanic Medical College of Cincinnati, Ohio, in 1847. He left for California in 1850 but fell ill in Texas and remained there until 1852 when he moved to Jackson County, Illinois, settling in Carbondale. He practiced medicine there until 1860, when he moved to Murphysboro, 57 miles north of Cairo and 90 south-southwest of St. Louis, to study law. He was admitted to the bar in 1861.

The following summer Blanchard was arrested on the affidavit of a man who claimed that the doctor had attended a meeting of the Knights of the Golden Circle in Pinckneysville, Perry County, Illinois, on August 10, 1862, and there made



From the Louis A. Warren
Lincoln Library and Museum

FIGURE 1. John A. Logan.



From the Louis A. Warren
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FIGURE 2. Old Capitol Prison.

disloyal remarks. He was taken to Cairo and from there to Springfield and Marshal Phillips. The marshal sent him to Washington with ten other political prisoners from Illinois.

Phillips was proud of his work. He thought that the affidavits in the various cases proved "that the Knights of the Golden Circle are a most dangerous and numerous class of people, in many parts of Illinois, and that eight of the eleven persons arrested and delivered as aforesaid, are shown to be leading members." The marshal commended administration policy, saying that the "arrests already made in Illinois have had the effect of stimulating enlistments in every disaffected portion of Illinois, and it is confidently believed that the firm and vigorous policy now fairly inaugurated, of arresting and transporting beyond the limits of the state, all disloyal and troublesome persons, will destroy an organization, which by its secret plottings, and open menaces, has prevented thousands from entering the army, and spread alarm amongst good and loyal men, and will give peace and security everywhere in Illinois."

Dr. Blanchard had been committed to Old Capitol Prison the day before Phillips wrote his letter, the authorities duly noting his age, place of birth and residence, occupation, denial of guilt, and expression of willingness to take the oath of allegiance to the United States.

On August 30 John A. Logan, temporarily at home in Murphysboro between military campaigns, wrote President Lincoln to give him a markedly different view of Blanchard's case. The doctor, Logan said in the first sentence of his letter, was Logan's brother-in-law. General Logan knew of the charges against Blanchard only what he had read in the *Chicago Tribune* and other newspapers, but he could prove that what was therein stated was false.

Logan wrote a devastatingly effective letter. He established Dr. Blanchard's loyalty to the Union by noting that he had "frequently made applications to me to assist him in obtaining a position in the army, and at one time he tried to get up part of a company that he might enter the army as a Lieutenant." Moving from proof of general loyalty to specific refutation of the

charges against the doctor, Logan noted that "many of the most respectable citizens of Murphysboro and vicinity irrespective of party are ready and willing to testify that on the day mentioned in said charges (Aug. 10th. 1862) [he] was during the entire day at home, and was that day and several days before it and at that time attending on a sick child." On the next day Blanchard was present at the meeting of Captain Ward's Company of the 81st Regiment of Illinois Volunteers in the vicinity of town.

"From my own knowledge of the country," Logan added, "I know that the place designated as the place of the meeting of the K.G.C.s twenty-eight or thirty miles from Murphysboro and is not connected by rail-road or steamboat communication. In other words he could not have been here the evening of one day and the morning of the next and yet attend a meeting of any kind in that or any part of Perry County." Logan did not know whether his brother-in-law was a member of the Knights of the Golden Circle, but he was "satisfied the published charges are utterly false and have no foundation." Dr. Blanchard could not have been at any meeting of any kind in Pinckneysville, Perry County, Illinois, on August 10, 1862.

An impressive array of affidavits supported Logan's assertions. Cyrus Thomas, Blanchard's neighbor, said that the doctor was attending one William H. Logan's sick child from August 8 to August 14 or 15. Thomas had eaten dinner with Blanchard on the evening of the 10th. William Logan stated that Blanchard called to see the child in both the forenoon and afternoon of August 10.

President Lincoln received General Logan's letter and forwarded it on October 9, 1862, with this endorsement: "Submitted to the Secretary of War, with the remark that I strongly incline to discharge Dr. Blanchard." This endorsement does not appear in *The Collected Works of Abraham Lincoln* or its *Supplement*. The Turner-Baker Papers in the National Archives, in which the Lincoln document appears, were not opened to scholars until 1953, apparently too late to be searched by the original editorial team for the Lincoln collected works project. The Turner-Baker collec-

tion is quite a large one and perhaps too great in size to be searched thereafter for the one-volume *Supplement*.

Blanchard was discharged and returned to southern Illinois, where in 1863 he was elected state senator, on the Democratic ticket, of course.

The Blanchard episode is useful for more than showing that arbitrary arrests sometimes caused innocent men to suffer. The way the case has been treated in subsequent historical literature also serves to show some of the limitations of the works which have been critical of the Lincoln administration's policies.

Perhaps the most critical work and the one with perhaps the greatest influence is John A. Marshall's *American Bastille*, first published in Philadelphia in 1869 and republished numerous times thereafter. Many used book shops today offer testimony to the wide dissemination of this work, for Marshall's book is one of those most commonly found in the Civil War sections of such stores.

Marshall claimed to have been chosen Historian of the Association of State Prisoners at a convention of former prisoners of state in New York City. From all appearances, the book was based in part on testimony given Marshall by former prisoners.

There are details in Dr. Blanchard's account — about routes taken from one place of incarceration to another, for example — as it appears in *American Bastille* that would seem to indicate that Blanchard wrote or conversed with Marshall. But when checked against the original documents in the Turner-Baker Papers, the account of the case in Marshall's book is clearly riddled with errors.

Marshall stated that Blanchard, after his arrest in August 1862, was sent from Cairo to Marshal Phillips in Springfield, but

The marshal refused to receive him, and returned him under guard to General Prentiss at Cairo. He was then immediately liberated by the General and sent home, where he remained, continuing the practice of law until his second arrest.

In fact, the marshal sent Blanchard to the Old Capitol Prison and complimented the War Department on its wise policy.

There follows in Marshall's book an account of a second arrest of Blanchard in 1863 — an account which squares in some ways with the 1862 arrest documented in the Turner-Baker Papers. There is no mention of John A. Logan or of President Lincoln's recommendation to discharge Blanchard. By 1869, of course, Logan was a Republican, and a Radical Republican at that, and it may be that neither Blanchard nor Marshall wanted any mention of Logan's role in freeing his brother-in-law.

The most influential modern work on the subject has been done by Professor Frank Klement, whose *Copperheads in the Middle West, Limits of Dissent*, and numerous articles in scholarly journals are responsible for the modern view that the Knights of the Golden Circle were a sort of Republican chimera, at most a few shady characters and stumblebums who posed no threat to the republic. Professor Klement is surely correct about the Knights, but his account of the Blanchard case, though based in part on research in the Turner-Baker Papers, is not very satisfactory either. *The Copperheads of the Middle West* states that the "net of an overly zealous federal marshal in southern Illinois produced nearly forty political prisoners" in a wave of arrests in August and September of 1862. In truth, there is evidence of 35 such arrests in the Turner-Baker Papers. In an earlier article on "Copperhead Secret Societies in Illinois during the Civil War," Klement said that the affidavits in the Illinois cases "failed to prove Phillips' contention that all whom he had arrested were 'leading and influential members of the Knights of the Golden Circle'." Actually, Phillips never made such a claim. In the letter quoted earlier in this *Lincoln Lore*, for example, Phillips stated that eight of the eleven prisoners in the Blanchard group were K.G.C. members.

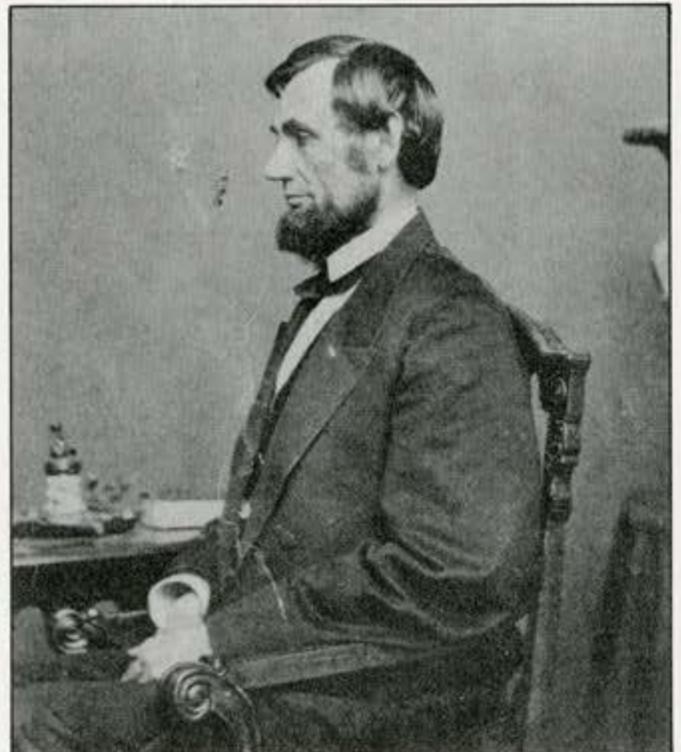
These are minor errors, of course, and ones which do not by any means undermine Klement's assertion that the Knights of the Golden Circle were a political will-o-the-wisp. But such things do have meaning. Excluding mention of Logan's role and Lincoln's, as Klement's account does, is perhaps a sign that Klement relied more heavily on Marshall's *American Bastille* than on the Turner-Baker Papers, and that, of course, would give a strong and unwarranted Democratic bias to his interpretation.

When Marshall failed to mention President Lincoln's role in

releasing Dr. Blanchard, it may have been because the doctor himself did not tell him about it. When Professor Klement followed suit, he had surely had the opportunity to see Logan's letter and Lincoln's endorsement himself. Klement's failure to mention it was a failure to introduce a piece of evidence useful to the other side, for one of the standard modern defenses of the Lincoln administration's record on civil liberties consists of pointing to those instances in which the president mitigated injustices caused by arbitrary arrests. Professor Kenneth Bernard, for example, writing on "Lincoln and Civil Liberties" in the *Abraham Lincoln Quarterly* in 1951, said: "... while many arrests occurred which were in violation of this attitude of restraint [on Lincoln's part in using his war powers], such mistakes, especially if they came to Lincoln's attention, were usually quickly rectified. Indeed, it is amazing to note the rapidity with which most cases which reached Lincoln were considered and orders for release issued, even though Lincoln was constantly burdened with important problems of the war."

If a case like that of Dr. Israel Blanchard did not come to Lincoln's attention, then it is hard to imagine what kind of case did. Here was a grossly unjust arrest made on the strength of the flimsiest of affidavits. Affidavits and letters which directly refuted the allegation against the doctor poured into Washington. And the man arrested proved not only to be well connected but also to be related to a wounded general of great political importance to the Lincoln administration. Since John A. Logan intervened on Dr. Blanchard's behalf, there should be little wonder that Lincoln took notice.

The question of civil liberties in wartime occasionally raised tempers to the boiling point during the Civil War, and scholars ever since have found it difficult to avoid treating the subject with considerable passion. The vast Civil War literature has yet to produce an entirely believable account of the Lincoln administration's internal security measures, one which would in dispassionate manner, make clear the clash of passions and interests among the likes of Dr. Blanchard, Marshal Phillips, General Logan, and President Lincoln.



From the Louis A. Warren
Lincoln Library and Museum

FIGURE 3. Lincoln in 1862.

CIVIL WAR INSTITUTE AT GETTYSBURG COLLEGE

For information write to G. S. Boritt, Director, Civil War Institute, Box 442, Gettysburg College, Gettysburg, Pennsylvania 17325. Telephone: 717-334-3131, ext. 384 or 717-334-6416.

PROGRAM

Sunday, June 24

Evening Registration
Reception: Lyceum, Pennsylvania Hall

Monday, June 25

Morning Steven B. Oates, "Lincoln at Gettysburg"
Afternoon William C. Davis, "Lee at Gettysburg"
Evening Ed Bearss, "Meade at Gettysburg"

Tuesday, June 26

Morning William A. Frassanito, "Gettysburg:
A Journey in Time"
Afternoon Battlefield tour led by Col. Jacob Sheads or
Battlefield tour with the aid of photographs
led by William A. Frassanito
Evening "The Blue and the Grey" Part I, film and
critical discussion or workshops

Wednesday, June 27

Morning A guided tour of "The Lincoln Image"
exhibit with Harold Holzer, Gabor S. Boritt,
and Mark E. Neely, Jr.
Afternoon Open
Evening "The Blue and the Grey" Part II, film and
critical discussion or workshops

Thursday, June 28

Morning Michael C. C. Adams, "Our Masters the
Rebels"
Afternoon Battlefield tour led by Col. Jacob Sheads
or Battlefield tour with the aid of
photographs led by William A. Frassanito
Evening "The Blue and the Grey" Part III, film and
critical discussion or workshops

Friday, June 29

Morning Richard N. Current, "Reconstruction after
the War: Scholarship in Our Times"
Afternoon John K. Lattimer, "The Lincoln and Kennedy
Assassinations: Medical and Ballistic
Comparisons"
Evening Closing banquet with William A. Frassanito
speaking on his current research

Saturday, June 30

Morning Students depart

LECTURERS

MICHAEL C. C. ADAMS, Chairman of the Department of History at Northern Kentucky University, is the author of *Our Masters the Rebels* (1978).

EDWIN C. BEARSS, Chief Historian of the National Park Service, is the author of *Forrest at Brice's Cross Roads* (1979).

RICHARD N. CURRENT, University Distinguished Professor of History, Emeritus, University of North Carolina, Greensboro, is one of the leading historians of the United States and former president of the Southern Historical Association.

WILLIAM C. DAVIS, formerly senior editor of *Civil War Times Illustrated*, is the prize-winning author of many books on the Civil War and the editor of *The Image of War* (6 volumes, 1981-1984).

WILLIAM A. FRASSANITO, a graduate of Gettysburg College, and the leading expert on Civil War photography. His most recent book is *Grant and Lee: The Virginia Campaigns, 1864-1865* (1983).

HAROLD HOLZER, Director of Public Information for WNET/THIRTEEN, the Public Television Station of New York, is co-author of *The Lincoln Image: Abraham Lincoln and the Popular Print* (1984).

JOHN K. LATTIMER, M.D., Sc.D., Columbia University, teaches at The College of Physicians and Surgeons, Columbia University. He is the author of more than 300 scholarly articles and of the book *Kennedy and Lincoln, Medical and Ballistic Comparisons of Their Assassinations* (1980).

MARK E. NEELY, JR., the Director of the Louis A. Warren Lincoln Library and Museum, is the editor of *Lincoln Lore*, and the author of *The Lincoln Encyclopedia* (1982).

STEPHEN B. OATES, Professor of History and Adjunct Professor of English, University of Massachusetts, Amherst, is Lincoln's biographer. His most recent book is *Let the Trumpet Sound: The Life of Martin Luther King* (1983).

COL. JACOB SHEADS, M.A., Gettysburg College, is a renowned battlefield guide who has been affiliated with the Gettysburg National Military Park for 46 years.

GABOR S. BORITT, the Director of the Civil War Institute, teaches at Gettysburg College. His writings include *Lincoln and the Economics of the American Dream* (1978) and the forthcoming history of the Civil War in *World Book Encyclopedia*.