



# Lincoln Lore

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## ONE DAY'S RUN: THE PRESIDENT AT WORK

On Tuesday, February 9, 1864, President Abraham Lincoln began a long day by entering the White House study with portrait painter Francis B. Carpenter, in the initial stages of work on his gigantic canvas commemorating the Emancipation Proclamation. The painter observed Lincoln at work — on this morning, dealing with some sixty-three court martial cases brought to the president by Joseph Holt, the Judge Advocate General. Carpenter left a vivid recollection of this morning in his book, *Six Months at the White House with Abraham Lincoln*:

Never had I realized what it was to have power, as on this occasion. As case after case was presented to Mr. Lincoln, one stroke of his pen confirmed or commuted the sentence of death. In several instances Judge Holt referred to extenuating circumstances, — extreme youth, previous good conduct, or recommendations to mercy. Every excuse of this kind, having a foundation in fact, was instantly seized upon by the President, who, taking the document containing the sentence, would write upon the back of it the lightest penalty consistent with any degree of justice. As he added the date to one of these papers, he remarked casually, varying the subject of conversation, "Does your mind, Judge Holt, associate events with dates? Every time this morning that I have had occasion to write the day of the month, the thought has come up, "This was General Harrison's birthday." One of the cases brought forward at this time I recollect distinctly. The man's name was Burroughs; he had been a notorious spy; convicted and sentenced to death, a strong effort had been made in his behalf by powerful friends. It was an aggravated case, but an impression had evidently been made upon the President by the strength and pertinacity of the appeal. As Judge Holt opened the record, he stated that a short time previous Burroughs had attempted to escape from confinement, and was shot dead in the act by the sentinel guard. With an expression of relief, Mr. Lincoln rejoined, "I ought to be obliged to him for taking his fate into his own hands; he has saved me a deal of trouble."

During a brief absence of

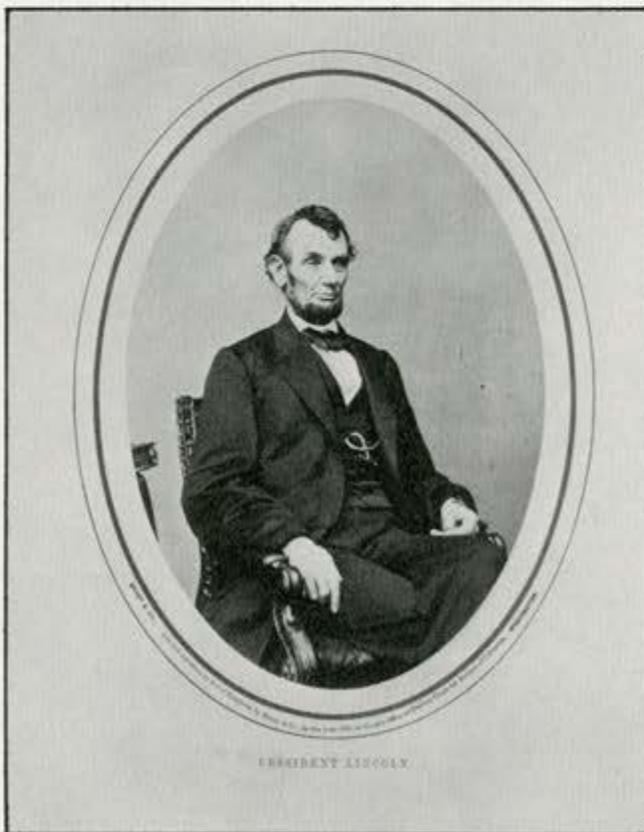
the President, Judge Holt told me that the atrocities of some of the criminals condemned, surpassed belief. "A guerilla leader in Missouri," said he, "by the name of Nichols, was in the habit of filling the ears of wounded Unionists who fell into his hands with gunpowder, setting fire to it, and blowing their heads to pieces. When captured a number of human ears were found upon his person." Referring to Mr. Lincoln's disposition to pardon or commute the majority of the death sentences, he remarked, "The President is without exception the most tender-hearted man I ever knew."

... When the clock struck twelve, Mr. Lincoln drew back from the table, and with a stretch of his long arms, remarked, "I guess we will go no farther with these cases to-day; I am a little tired, and the Cabinet will be coming in soon." "I believe, by the by," he added, "that I have not yet had my breakfast, — this business has been so absorbing that it has crowded everything else out of my mind."

And so ended the work of one morning; simple in its detail, but pregnant with hope and joy, darkness and death, to many human beings.

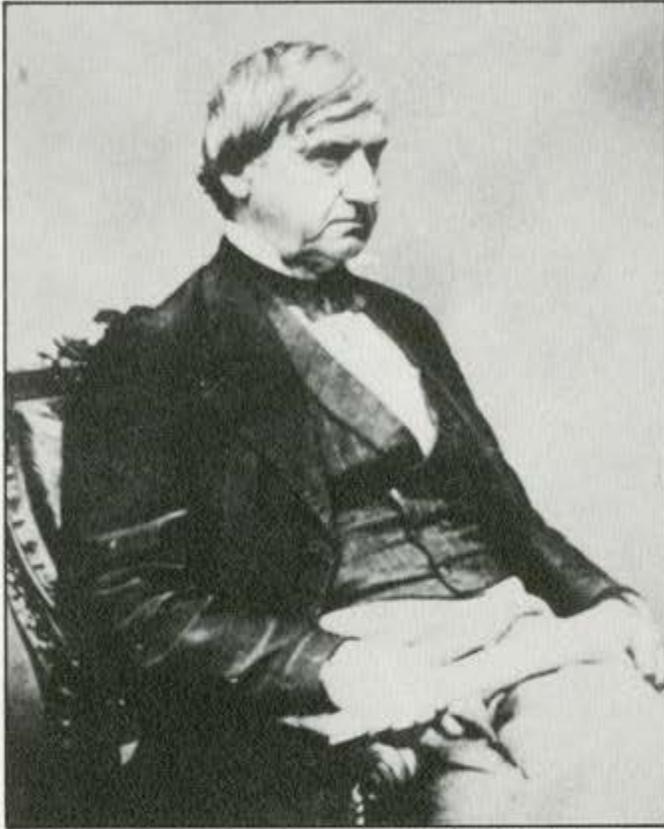
The editors of *The Collected Works of Abraham Lincoln*, regarding the documents produced by such labors as routine, reproduced the president's pen strokes from only one of the sixty-three cases reviewed on February 9. Still another case the editors were unaware of altogether, as the record of the case remained in a collection the editors did not examine. This was the case of William E. Meade, a prisoner in the Old Capitol Prison in Washington. Meade was twenty years old and a veteran of three Civil War Battles. He had enlisted in the Confederate service in June 1861 and served until January 1864, when he deserted near Richmond. He had attempted to desert once previously but failed.

The fugitive made his way to his sister's house at Louisa Court House, Virginia. From there he went to the Rapidan River, where he crossed and gave himself up to the Union pickets. They took him prisoner, of course, and sent him to Washington, D.C. When interrogated, Meade said that he wanted to take the oath of allegiance to the United States



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FIGURE 1. This is what Abraham Lincoln looked like on the day he gave the order to free William Meade.



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**FIGURE 2. Joseph Holt.**

and stay in Alexandria, Virginia, where another sister lived. In a letter to Lincoln, he maintained that he "came over under the proclamation which was issued on the 8th day of December 1863." Meade referred to the proclamation embodying the famous ten percent plan for reconstruction and an amnesty oath for Southerners willing to declare their loyalty to the Union. Meade had expected to be investigated and then set free. Naturally, he was surprised and worried to be languishing in prison as February wore on. If this were to be his fate, then he definitely preferred to be treated as a prisoner of war (with a chance for exchange).

On Lincoln's busy February 9, he wrote the following endorsement on the Meade case: "If this statement shall appear, to a reasonable certainty, to be true, let the man take the oath of Dec. 8, and be discharged." The prisoner was released on the eleventh.

Was Lincoln once again being tender-hearted? Not really. General Orders Number 100, the laws governing the U.S. armed forces in the field by this date during the Civil War, did not spell out the status of enemy deserters. But the principles governing such prisoners were well understood throughout the army. For example, William Hoffman, the Commissary-General of Prisoners in Washington, told Colonel Henry Dent, the Provost Marshal General in Louisville, on February 10, 1863, that "Deserters from the rebel army who are really such cannot be held as prisoners of war and they should be released; but to insure their future loyalty they should be required to take the oath of allegiance with the penalty of death for its violation." He wrote a similar letter to Captain S. E. Jones in Louisville near the end of the year, adding, "If professed deserters come within our lines they may be spies and every commander should judge of each case after careful inquiries according to the circumstances."

It must have gone against the unwritten military code of honor of the nineteenth century to treat enemy deserters in such lenient fashion, while captured soldiers who had fought bravely and performed their duty were held as prisoners in notoriously ill-equipped p.o.w. camps. Yet military officers understood well the proper disposition of such cases and the

reasoning behind it. General Horatio G. Wright, serving as commander of the Department of the Ohio early in 1863, explained to a subordinate:

Deserters from the rebel ranks, recognized as being such, are to be treated according to the laws of war with all the leniency compatible with our own safety, it being an established principle to weaken the enemy as much as possible by encouraging desertion from his ranks. Under this rule the practice has been to permit the deserter to remain at home on his taking the oath of allegiance and giving proper bonds for its observance. . . . Should any doubt exist, however, of the reliability of the individual then such other steps should be taken, such as sending him to Camp Chase as a political prisoner, as will give reasonable security against his doing harm.

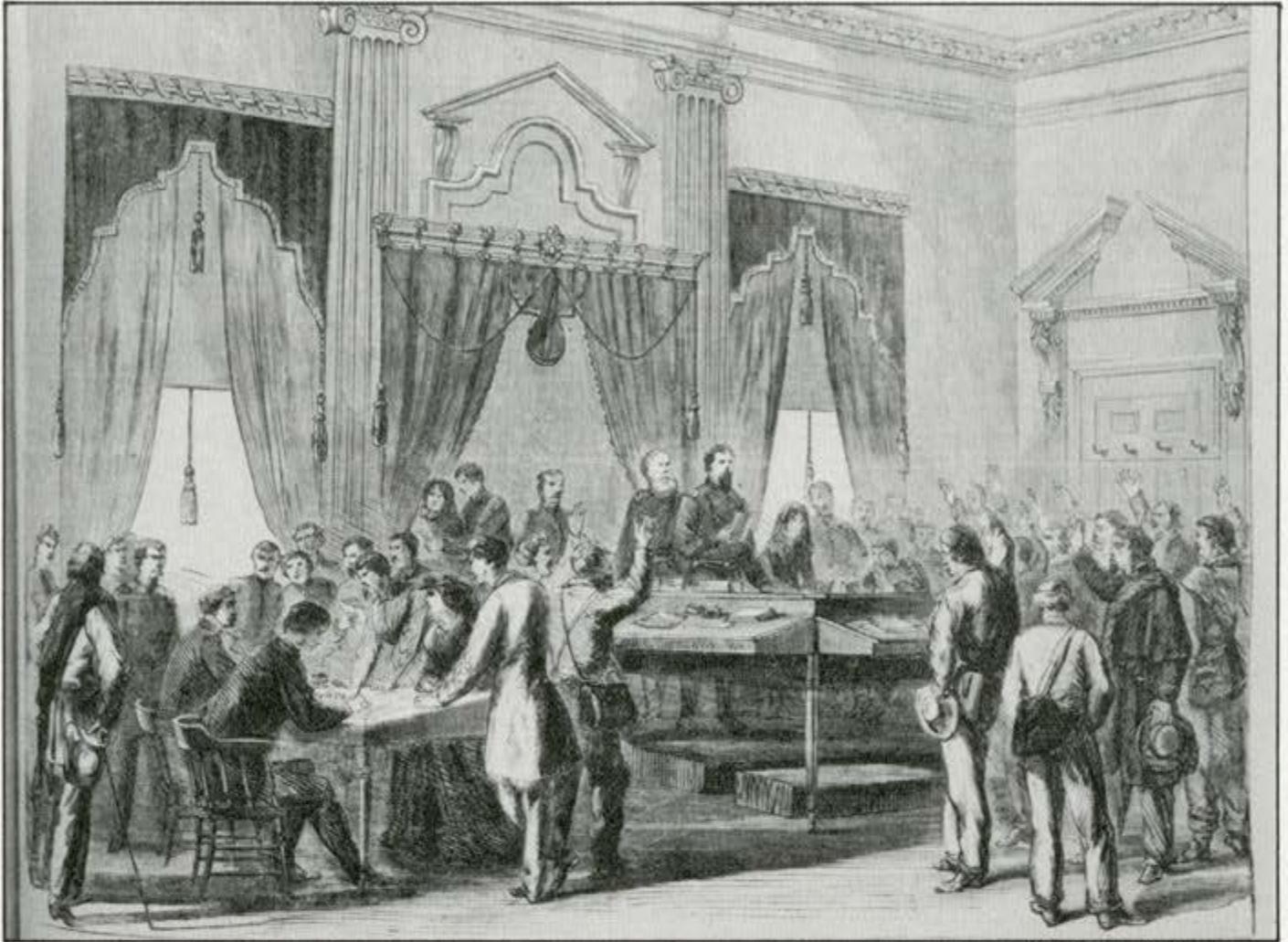
In acting as he did in the Meade case, President Lincoln was essentially obeying the law, not written or codified law but law as rigorously observed as written codes. And if Lincoln did not actually know the law, the man in the room advising him at the time did: Judge Holt's job in the government was to handle precisely the sort of cases represented by Meade's.

It might be interesting to know how the rest of Lincoln's day went. After the morning session with Holt, the cabinet members filed in. Lincoln introduced Carpenter and explained the reason for the painter's observing them all at work together. After the cabinet meeting, at which nothing of great importance was discussed, Lincoln went to his driveway, to climb aboard his carriage, ordered for three o'clock to take him, Mrs. Lincoln, and Carpenter to Mathew Brady's photographic gallery on Pennsylvania Avenue. Carpenter had arranged the



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**FIGURE 3. General Horatio G. Wright.**



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**FIGURE 4.** This woodcut shows Confederate soldiers taking the oath of allegiance in Richmond in June 1865. Before the Civil War ended, many Confederates deserted to come north and take the oath. Matters were complicated by Confederate prisoners of war who tried to pass themselves off as deserters in order to gain more lenient treatment from Union authorities.

session to obtain photographic models of the president for his canvas.

The carriage failed to show up at the appointed hour, and Lincoln decided to walk to the gallery with Carpenter — a distance of a mile or more. At the studio, several different portraits were taken by Anthony Berger, a couple of them destined to become extremely famous likenesses of Lincoln.

That night, Lincoln had to stand in the reception line at his weekly levee. The president rarely complained, but these entertainments were trying for him, physically at least. When Carpenter came through the receiving line, Lincoln grasped his hand and said, "Well, Carpenter, you have seen one day's run; — what is your opinion of it?"

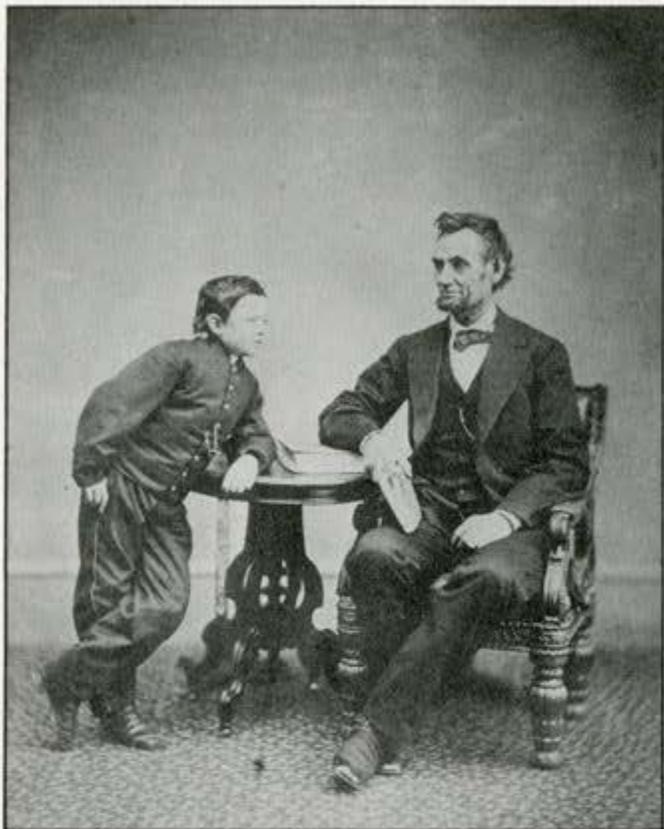
## IMPERIAL LINCOLNS

On March 7, 1865, James P. Root, one of the organizers of the Sanitary Fair to be held in Chicago in May, wrote Mary Todd Lincoln. He had been deputized to ask for imperial-size photographs of President and Mrs. Lincoln. The committee would have them painted to be displayed and sold at the fund-raising affair. Root included in his letter a note from the famous photographer Mathew Brady, who explained that he had no imperial prints or negatives of either of the Lincolns in his collection and that he would happily arrange a sitting at one of his studios to have negatives of that sort made.

If Mary Todd Lincoln replied, the letter has never been found. It seems clear, whatever her response, that the president's assassination intervened to prevent his sitting for the photographs.

And if Mathew Brady had no imperial negatives of Lincoln in his collection of portraits of famous Americans, then few such portraits exist. Brady had introduced the imperial photograph in America in 1856, when he employed a Scotchman named Alexander Gardner for such work. Gardner could make paper photographs about 13" by 17", and not many people knew how to do it. The product sold for high prices, and very few were made, when compared with the abundant 2 1/2" x 4" carte-de-visite photographs which began to take the country by storm in 1860.

Since Brady had no imperial photographs of Lincoln, the most likely source for them was Alexander Gardner himself, after he had left Brady's employ and established his own photographic gallery in Washington. Imperial photographs of at least three Gardner photographs are known to exist: Lincoln with his private secretaries John Nicolay and John Hay; Lincoln with Tad leaning on a small table; and Lincoln seated on a cane-bottomed chair and holding a folded newspaper in his left hand. Only one imperial print of the last-named survives, and three or less of each of the others. Two imperial negatives of Lincoln portraits attributed to Brady's gallery now rest in the National Archives. Brady told Mrs. Lincoln he had "no pictures, or negatives of Imperial Size such as [James P. Root] wishes for exhibition at the Fair, in our Collection."



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FIGURE 5. Lincoln and Tad by Alexander Gardner.

It is possible that the meaning of the dependent clause is restrictive, that is, that Brady possessed imperial negatives but not precisely the sort Mr. Root desired for the fair. It is also entirely possible that the disorderly and unsystematic Brady had lost, broken, or forgotten the negatives.

The Gardner photograph of Lincoln and Tad proved to be popular. Of course, Gardner gained broad circulation of the image only in photographs of smaller size than the imperial. Two versions of carte-de-visites exist with a Gardner backstamp, published by Philip & Solomons of Washington, D.C. They differ in the style of card on which the little paper photographs were mounted (one plain and one with gold striped borders). They also differ slightly in how much of the original image is shown to left and right.

Gardner also published a version with a 6 3/4" x 8 7/8" image which he copyrighted in 1865 and gave the title: "President Lincoln and His Son Thaddeus. The Last Photograph the President Sat For." The title is revealing. It shows that there was no intimacy between photographer and subject: Gardner did not know "Tad" Lincoln's name. The photographer's caption also suggests the importance of capitalizing on the assassination to sell his Lincoln wares.

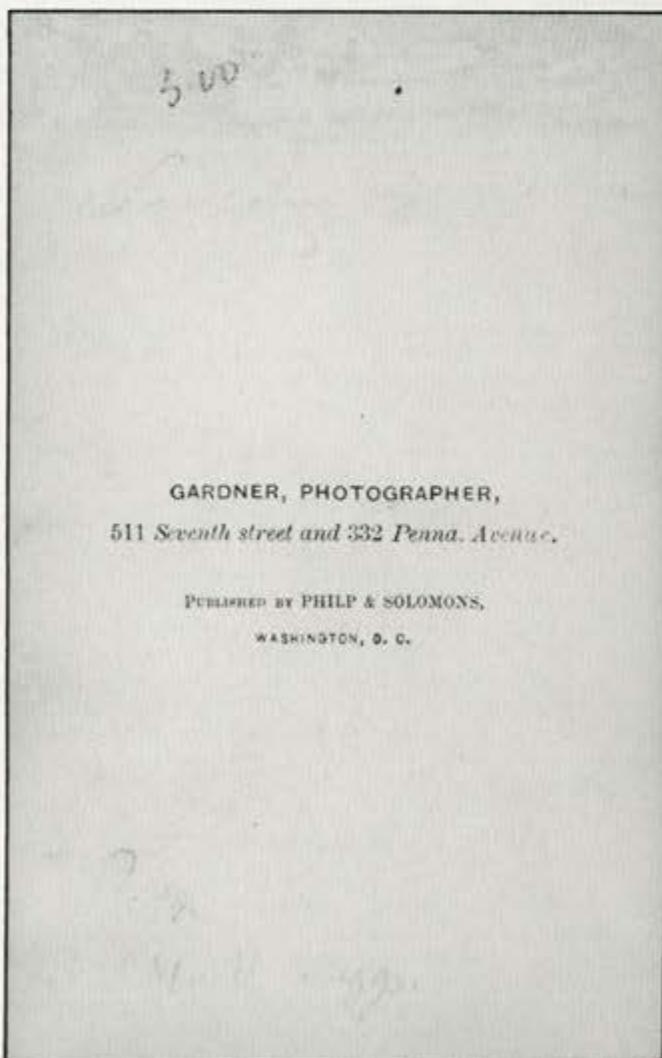
Gardner's was not, of course, the last photograph of Lincoln. Henry F. Warren, of Waltham, Massachusetts, had a sitting the next month, two days after Lincoln's second inauguration. It could have been an honest mistake on Gardner's part, but soon after April 15, 1865, two different "last" photographs of Lincoln were circulating.

The popularly circulated versions of Gardner's photograph are revealing of popular taste in Lincoln's era, too. The photographer did not push his own work in its pure form. He marketed a bastardized image, so altered as to be barely recognizable as a real photograph. The most obvious difference from photographs made from the original negative is the backdrop in the popular versions. Described previously as a "sylvan background" or a "baroque setting," it is actually meant to be a view from a White House window with the unfinished Washington monument and the Potomac River in view.

Other alterations of the photograph suggest strongly that Gardner had an imperial print painted over and then rephotographed it in its altered state for production of the smaller pictures. Original prints, for example, show a clumsy attempt to obliterate the "immobilizer," an iron stand with a head clamp used to hold standing subjects steady (one was used here to hold Tad's head). In the elaborately ornamented versions with Potomac backdrop, all evidence of the stand is gone. Other heavy-handed retouching altered Lincoln's face, the decorative details of the Victorian table, and the wrinkles and folds of the subjects' clothing.

The boundless demand for domestic images of the president after Lincoln's assassination — a phenomenon pointed out by *The Lincoln Image: Abraham Lincoln and the Popular Print* — stimulated reproduction of Gardner's portrait. In Boston, G. F. Bouvé & Co., published a 6 3/16" x 8 3/8" copy of Gardner's photograph with an identical title: "President Lincoln and His Son Thaddeus. The Last Photograph the President Sat For." Bouvé also published a carte-de-visite entitled "The Last Photograph the President Sat For." Gardner's photographs carried copyright statements on them, but this did not prevent Bouvé from publishing identical pictures without attribution. Such imitation may have been flattering but it must have hurt Gardner's profits.

(To be continued)



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FIGURE 6. Reverse of a carte-de-visite.