THE NORTHERN MILITARY MIND IN REGARD TO
RECONSTRUCTION, 1865-1872: THE ATTITUDES
OF TEN LEADING UNION GENERALS

DISSERTATION
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W.J.U.
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CHAPTER I
INTRODUCTION

It is the intention of the author to portray historically a cross section of the Northern military mind in its relations to the Southern question, 1865-1872. Ten leading Union generals have been studied to obtain this attitude. It was found necessary at times to consider subjects before and after the period mentioned in order to clarify or complete more fully a topic. Excluding these departures, I have confined myself to the period of reconstruction commencing with the end of the conflict and ending with the year 1872. The attitudes of these individuals in regard to the Southern problem clearly crystallized during this span of eight years. An attempt has been made to deal with the Negro problem, civil rights, labor relations, military governments and other questions related to reconstruction in the South.

Since some significant military leaders were not included in this study--such, for instance, as Meade, Pope and Sickles--one might ask what criteria were established for selecting the generals considered. The large amount of material, published and unpublished, suggests these ten officers as the leading and most representative ones in the field. The availability of the material also had to be considered as well as the fact that every writer of history has
limitations of time and space. Banks, Butler and Logan were not West Point men while the other seven were graduates of that institution, and, in varying degrees, all analyzed the Southern situation.

In a work of this scope, the author was tempted at times to pursue a subject beyond the limits of the topic. When handling the chapter on General O. O. Howard, for example, an effort had to be made to refrain from delving too far into purely Freedman's Bureau affairs. The latter were considered only as they had a close relation to the general's opinions on reconstruction and the South. In discussing General Grant the writer has tried to deal only with issues that might show his attitude toward the problems of the South and its reunion with the North. A considerable amount of state history and politics had to be left out when handling General Sheridan. Much that was wholly political, though very interesting, had to be eliminated from the chapters on Generals Banks, Butler, and Logan.

One must remember that this is not a full account of the reconstruction of the South, but a narrative of what ten Union generals thought of the problems of that complicated era of United States history. Now that the fratricidal struggle was over, how would these military men behave and think? Would they be harsh and vindictive or mild and magnanimous?
CHAPTER II

GENERAL ULYSSES S. GRANT

In any discussion of General U. S. Grant's attitude toward the South during the period of reconstruction, it would be well to give a few background facts regarding his politics. The graduate of West Point appeared to have been little concerned about politics. The first vote which he cast was for James Buchanan in 1856. It has been stated that he voted in this fashion "because he had no confidence in the capacity of Colonel Fremont..." Even though he had decided to support the Democratic candidate, he could not be classified as a Democrat. He leaned to the views of moderate men as typified by Bell and Crittenden. "You may judge... that I am strongly identified with the Democratic party," Ulysses wrote to his father, "such is not the case. I never voted an out-and-out Democratic ticket in my life. I voted for Buchanan... to defeat Frémont but not because he was my first choice." The candidates were selected by him on the basis of their fitness for office.

1James Grant Wilson, General Grant, 79.

2Charles A. Dana and James H. Wilson, The Life of Ulysses S. Grant, General of the Armies of the United States, 11. Hereafter, this work will be cited as Dana and Wilson, Grant, General of the Armies.

Even though Jesse Grant, his father, spoke at the Ohio Republican Convention in 1865, Ulysses was still not an official Republican. A member of Grant's staff related that the general "had no strong political bias, and, . . . no political ambition," but the "Democrats claimed him; the Republicans distrusted him."

Grant was a strong unionist when the war between the States commenced. Writing from Corinth, Mississippi on August 3, 1862, to his father the general said, "I am sure that I have but one desire in this war, and that is to put down the rebellion. I have no 'hobby' of my own with regard to the Negro." Grant was kept under wraps in regard to political and other views during the conflict and for some time after by his influential advisor, John A. Rawlins. It has been set forth by a public figure, with long political experience, that "General Grant was not a trained statesman. His methods of action were direct and clear. His conduct was free from duplicity, and artifice of every sort was foreign to his nature."

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5. George S. Boutwell, Reminiscences of Sixty Years in Public Affairs, II, 235. Hereafter, this work will be cited as Boutwell, Reminiscences.
An attitude of moderation toward South Carolinians was detected in Grant when he wrote to his sister, Mary, on April 29, 1861. In part, he informed her that

Great allowance should be made for South Carolinians, for the last generation have been educated, from their infancy, to look upon their Government as oppressive and tyrannical and only to be endured till such time as they might have sufficient strength to strike it down.

Toward the Old Dominion, however, he felt quite differently. "Virginia, and the other border states, have no such excuse and are therefore traitors at heart as well as in act." 9

The disposition of General Grant toward the late rebels and their States can be seen in his correspondence with Lee before the final capitulation at Appomattox. Grant in one of those letters called for the ending of hostilities, for a conclusion to the pouring of blood. He refused to accept the responsibility for any further action. The terms of surrender were written by him with sincere sympathy for his proud antagonist. The officers were to give their promises not to have recourse to military action against the North until properly exchanged. The arms were to be turned over to the officers appointed by Grant, but this was not to include the officers' side arms or their baggage and horses. He further promised that officers and men of every rank would "be allowed to return to their homes, not to be disturbed by the United States authority so

9 Jesse Grant Cramer, Letters of Ulysses S. Grant to his Father and his Youngest Sister, 1857-78, 29.
long as they observe their parole and the laws in force where they may reside." The Confederate historian, Pollard, pointed out that the conduct of Grant "exhibited some extraordinary traits of magnanimity." The affair had been conducted "with as much simplicity as possible... and spared everything that might wound the feelings or imply the humiliation of a vanquished foe." Since most of the men in the Confederate ranks were probably small farmers, who certainly needed animals, Grant told Lee that he would instruct his officers to permit "every man of the Confederate army who claimed to own a horse or mule" to take them home. This pleased the Southern leader very much. Thus did Grant display deep compassion for his defeated opponents.

Grant continued to show magnanimity toward his chief adversary even after the Appomattox agreement was signed. The question of indictment for treason against Lee was prevalent and he asked Grant for assistance. On June 16, 1865, the Northern general made known his viewpoint to the Secretary of War. "The officers and men paroled at Appomattox... cannot be tried for treason so long as they observe the terms of their parole." If they were subjected to trial


for treason now, it "would produce a feeling of insecurity in the minds" of all paroled soldiers. "Good faith" required that the terms be kept. Grant crossed swords with President Johnson and even threatened resignation over this issue. The general refused to retreat one step from his position. Nothing further was done to bring Lee to trial for treason.

On June 20, Grant informed Lee that he had forwarded his application for amnesty and pardon to the President. Lee's former military opponent was in favor of granting this request. On May 6, 1865, the Lieutenant General wrote to Major General Halleck:

Although it would meet with opposition in the North to allow Lee the benefit of amnesty, I think it would have the best possible effect towards restoring good feeling and peace in the South to have him come in. All the people except a few political leaders in the South will accept whatever he does as right, and will be guided to a great extent by his example. But Johnson remained firm at this time and refused to grant amnesty to Lee.

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Along with Lincoln, Grant found himself free from "bitter animosity" toward the South which one might have expected to exist after the grueling conflict. Even though he looked with distain upon the efforts of the Confederacy, he could not keep himself immersed in "the foul atmosphere of revenge and hate." Certainly if the North and South were to be united again in a real union, "bygones must be by-gones, so far as the common safety and justice would permit." In regard to the terms of Appomattox, Badeau recalled that Grant was aware of the "magnanimity of the President's views and his disposition toward clemency." After Lincoln was assassinated and Johnson followed him into the White House, Grant remarked, "I felt that reconstruction had been set back, no telling how far." The general had not been an abolitionist before the fratricidal conflict started. In fact he thought the rebellion could be concluded without putting an end to the peculiar institution. As the war proceeded, however, he came to the conclusion that "slavery was doomed and must go." On August 50, 1863, he wrote to E. B. Washburne:

"I never was an abolitionist, not even what could be called anti-slavery; but I try to judge fairly. . ."
it became patent to my mind early in the rebellion that the North and South could never live at peace with each other except as one nation, and that without slavery.21

Grant did not object to Lincoln's emancipation proclamation when it came, but he did object privately at first to the Negroes' "enfranchisement before they were able to read and write." It was only after Congress had put through its reconstruction plans, and after "Ku Kluxism" became prevalent that he determined "that the ballot was the only real means the freedmen had for defending their lives, property, and rights." It has been revealed that the general approved of the Congressional reconstruction policy and the Freedmen's Bureau when they were opposed by President Johnson. These views, however, were mentioned only to friends in private conversations. He was convinced that army officers should not openly discuss legislation. "We are here to execute, not to criticise..." he stated simply.22

The victor at Appomattox was quite aware of the suffering in the South at the close of hostilities. In the spring of 1865, while he was at Sherman's headquarters waiting for General Johnston to accept the revised terms of surrender, he wrote his wife as follows:

the people are anxious to see peace restored, to that further devastation need not take place in the country. The suffering that must exist in the South the next year, even with the war ending now, will be beyond

conception. People who talk of further retaliation and punishment, except of the political leaders, either do not conceive of the suffering endured already or they are heartless and unfeeling and wish to stay at home out of danger while the punishment is being inflicted.23

Grant was one of several individuals sent by Johnson in the fall of 1865, to gather information on conditions in the prostrate South. He visited five cities within the States of Virginia, the two Carolinas, Tennessee and Georgia. His report was given to the Commander-in-Chief on December 18, 1865. Badeau reported that the general was everywhere received graciously and that the "man who had done most to subdue the South was universally recognized as its protector and savior from further suffering."24 This report was not convincing testimony to the wisdom of the Congressional reconstruction policy which was to follow. The views expressed by the general were not to the liking of many in Congress. The restoration plans of the President received a boost by this report. During the journey, Grant was often inconspicuous while studying the different cities and the people. When it became known that he was nearby, soldiers and many others came to talk to him and he listened with the deepest interest.25

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23 Badeau, Grant in Peace, 31.

24 Ibid., 30.

25 Hamlin Garland, Ulysses S. Grant, His Life and Character, 341. Hereafter, this work will be cited as Garland, U. S. Grant.
The mass of the people in the South, Grant notified Johnson, accepted the situation at the time in good faith. The questions upon which the great war turned were regarded "as having been settled forever by the highest tribunal—arms—that men can resort to." The long period of conflict had conditioned the people against yielding "that ready obedience to civil authority the American people have generally been in the habit of yielding." Consequently it was felt necessary to have "the presence of small garrisons" throughout those States "until such time as labor returns to its proper channel, and civil authority is fully established." As a result of his interviews, he advised against withdrawing the military from the South at that time.

"The white and black mutually require the protection of the general government." Because of "universal acquiescence in the authority of the general government" in those areas visited by him, he decided, only "the mere presence of a military force, without regard to numbers, is sufficient to maintain order." To avoid unnecessary trouble, and for the good of the economy, he cautioned the government not to use Negro troops in those areas, in the interior, where there were many freedmen. The camps of such forces would become resorts for the freedmen located about the areas. "White troops," it was claimed, "generally excite no opposition... therefore a small number of them can maintain order in a given district." However, where colored troops were used, they should be kept in groups large enough to protect themselves.
Next his observations led him to conclude that the Southerners were "anxious to return to self-government, within the Union, as soon as possible." They did not mind; in fact, they encouraged protection from the government while they were reconstructing themselves. Grant thought they were anxious to do whatever was required by the government, as long as it was not mortifying to them as citizens. "It is to be regretted that there cannot be a greater commingling, at this time between the citizens of the two sections, and particularly of those intrusted with the law-making power."

Conversations on the subject of the Freedmen's Bureau resulted in some criticisms of it. However, Grant admitted that he needed more time to study this agency and its workings. The idea of division among the freedmen of the lands formerly owned by their masters was certainly the result of ideas implanted by some of the Bureau's agents. This opinion encouraged the Negroes to refrain from making contracts. Furthermore, he expressed the opinion that a number of agents had used poor judgment and no economy in their work. He was convinced that the Freedmen's Bureau was really necessary in some form or other, until civil law was once again "established and enforced, securing to the freedmen their rights and full protection." The general considered O. O. Howard an able head, and one who gave favorable and upright instructions. He was careful to state, "Many, perhaps the majority, of the agents of the Freedmen's Bureau advise the freedmen that by their own industry they must expect to live." Often the mind of the Negro seemed to be devoid of
any thought about his future. "It cannot be expected that the opinion held by men at the south for years can be changed in a day, and therefore the freedmen require, for a few years, not only laws to protect them, but the fostering care of those who will give them good counsel. . . ."

Grant stressed the need for unifying the Bureau with the Military, which would then result in less expense and overlapping of action. "It seems to me," said he, that this could be corrected by regarding every officer on duty in the southern States as an agent of the Freedmen's Bureau, and then have all orders from the head of the bureau sent through department commanders. This would create a responsibility that would secure uniformity of action..., and would relieve from duty and pay a large number of employes of the government.26

Gideon Welles, Secretary of the Navy, recalled that he gave Grant's views to Senator Sumner. The general had "found the people disposed to acquiesce and become good citizens—that he found those who had been most earnest and active in the rebellion were the most frank and thorough in their conversion." The senator wondered how he, Welles, would compare the views of Grant with those of Chase. The Secretary replied, "I valued them higher for they seemed to me practical common sense from a man of no political knowledge or

aspiration while Chase theorized, and had great political ambition." 27

In commenting upon Grant's report, Carl Schurz felt it "was . . . perfectly candid," even though it was the result of a hurried trip. The German-born statesman erroneously thought that the general's views were close to his own. The friends of Johnson "insisted upon representing him as favoring the immediate restoration of all 'the States lately in rebellion' to all their self-governing functions, and this became the general impression—probably much against his wish." 28

Even though Grant had been instrumental in their defeat, all the Southerners did not harbor spiteful thoughts toward him. The Mobile Register and Advertiser on December 18, 1865 remarked:

A man of General Grant's stamp is invaluable to a country in an epoch like this. Events may take a shape to open to him even a wider and grander field of patriotic effort than that in which he has already earned so distinguished a reputation. He may yet have to marshal parties and policies as he has heretofore done. . . armies. A Democrat in political faith and education, and a Conservative in sentiments and principles, who knows but that he is the coming man to rally the hosts of his political persuasion to the defense of the rights and liberties guaranteed by the Constitution of the Union. This high duty of a great leadership has to devolve on some strong patriot. 29

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27 Welles, MS. Diary (Library of Congress) box 6, Dec. 16, 1865. All future citations of the MS. Diary refer to the original copy in the Papers of Gideon Welles in the Library of Congress.

28 The Reminiscences of Carl Schurz, III, 208-209.

It would seem apparent from Grant's report in December, 1865, that he would not support the Radicals in regard to reconstruction. The rebuilding of the South should be done "on a just, liberal and safe basis." Obvious it was that he desired to construct a bridge over the deep, gloomy pit of four years of hostilities. For a time the general of the army held views similar to those of President Johnson. The former certainly was not a Radical of the Sumner or Stevens stripe. But for the murder of Lincoln, Grant felt that a majority of the soldiers and people of the North "would have been in favor of a speedy reconstruction on terms that would be the least humiliating to the people who had rebelled against their government. They believed... as I did," he continued, "that besides being the mildest, it was also the wisest, policy." The President recalled at a later date, August 3, 1868, to B. C. Truman that "I meant well for the first two years, and much that I did that was denounced was through his advice." The general certainly "did the best he could... in strengthening my hands against the adversaries of constitutional government." The Atlanta Intelligencer in the

30 Dana and Wilson, Grant, General of the Armies, 379.

31 William B. Hesseltine, Ulysses S. Grant, Politician, 61.

32 Ulysses S. Grant, Personal Memoirs, II, 511.

spring of 1866 remarked that even though the South fell at the hands of Grant, it was "also true that at the surrender of General Lee, and ever since, up to the present time, his conduct toward the South has been most generous and... just. The South owes much to General Grant..."\(^3\)

The general tried to remain aloof from the strife of the day, especially that between Johnson and the Radicals. However, as one writer put it, "he was caught in a maelstrom of ungenerous and malignant politics. He stuck to his professional work until he was forced to be a participator in a political war..."\(^3\) While Grant tried to calm the choppy waters, many of the combatants over the question of reconstruction wondered really where he stood. Senator Wade stated that he had often attempted to discover "whether Grant was for Congress or Johnson, or what the devil he was for, but never could get anything out of him, for as quick as he'd talk politics Grant would talk horse, and he could talk horse by the hour."\(^3\)

Grant accepted the President's offer to accompany him on a campaign tour which started in August and ended in September. This was done against the wishes of many of his friends and advisors.

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\(^3\) Quoted in Garland, U.S. Grant, 350.

\(^3\) Walter Allen, Ulysses S. Grant, 116, 118.

\(^3\) Harriet Beecher Stowe, Men of Our Times; Or Leading Patriots of the Day, 150.
The popularity of the general over his superior was obvious nearly everywhere they went. During the trip the President and his supporters tried to bring Grant openly over to their political views. They failed in their efforts, however. Gideon Welles remarked "that he is for reestablishing the Union at once, in all its primitive vigor--is for immediate representation by all the States...." The general "would forgive much to the rebels," but he was "unsparing towards... Copperheads."  

The Radicals were perturbed by Grant accompanying the President and publicly held to the view that he was constrained to do so. General John A. Logan attempted to quiet their fears in a speech at Galena, Illinois. "He knew Gen. Grant well and intimately... all his hopes and sympathies were with the great loyal masses of the nation" who supported the government during the conflict, "and who now propose to finish the work they had begun by establishing the Constitution on the true and lasting basis of justice and liberty to all men." But The New York Times was convinced that Grant was not to be found among the Radicals, for some of their "prints" which had been supporting him were now dropping him.

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37Welles, MS. Diary, box 7, Sept. 17, 1866.

38New York Tribune, Sept. 4, 1866.

39Sept. 5, 1866.
On November 21, 1866, Grant gave his report as Commander of the Army to Stanton, the Secretary of War. He said that it has been deemed necessary to keep a Military force in all the lately rebellious States to insure the execution of law, and to protect life and property against the acts of those who, as yet, will acknowledge no law but force. This class has proved to be much smaller than could have been expected after such a conflict. It has however been sufficiently formidable to justify the course which has been pursued. On the whole the condition of the States that were in rebellion against the Government may be regarded as good enough to warrant the hope that but a short time will intervene before the bulk of the troops now occupying them can be sent... where they are... needed.10

When writing his memoirs shortly before his death, he concluded that although at the time he felt the maintenance of troops necessary, he finally determined that "these garrisons were continued after they ceased to be absolutely required..."11

General Richard Taylor, a brother-in-law of Jefferson Davis, received a letter from Grant dated November 25, 1866. The writer related his conversation with several Radicals from Congress. They gave a glowing picture of what would happen "if the constitutional amendments proposed by Congress were adopted by the Southern States. What was done in the case of Tennessee was an earnest of what would be done in all cases. Even the disqualification to hold office," continued Grant, "imposed on certain classes by one article..."


11Ulysses S. Grant, Personal Memoirs, II, 527.
would, no doubt, be removed at once, except it might be in the cases of the very highest offenders. . . ." All or nearly all would be reinstated shortly, "and so far as security to property and liberty is concerned, all would be restored at once. I would like. . . to see one Southern State, excluded State," the general concluded, "ratify the amendments to enable us to see the exact course that would be pursued. I believe it would much modify the demands that may be made if there is delay." Here Grant foretold the vigorous Congressional reconstruction policy which was to come in 1867, if the present situation was not accepted by the Southerners.

Grant was not inclined to harsh measures, but believed in slowly releasing the military grip on the defeated States. Never did he hesitate, however, to recommend the use of force if it were necessary. An example of this can be found in a report from army headquarters to the Secretary of War dated January 29, 1867. In this communication the general recounted the perils existing in Texas, as originally stated in a letter by General Sheridan. Since many crimes there were unpunished or uninvestigated, a near stage of insurrection was reached. Thus Grant reported, "... believing it to be the province and duty of every good government to afford protection to the lives, liberty, and property of her citizens, I would recommend the declaration of martial law in Texas to secure these ends." He deplored the use of martial law, but at times he

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Badeau, Grant in Peace, 144-45.
reasoned that it was necessary for security "to all classes of citizens, without regard to race, color, or political opinions." Even threats of possible disorder resulted in Grant giving his subordinate generals instructions on how to meet them. General Terry notified headquarters on March 29, 1866, that the Negroes in Richmond were preparing to celebrate April 3 with processions. The general recommended for their own welfare that these plans be eliminated. He found them very adamant in their desire to continue as planned. The whites were excited and many Negroes came to the city from surrounding areas. Terry wanted to know if he could issue an order suppressing the celebration. The same day Grant replied, "Your advice to the colored people of Richmond in relation to abstaining from a celebration... is for their interest. If likely to cause disorder put a stop to it or take steps to suppress the disorder as you deem most advisable."

General Grant's impartiality toward all classes was clearly shown in his order for the protection of citizens, dated July 6, 1866. This directive instructed all Department, district, and post commanders in the States lately in rebellion "to make arrests for crimes committed against citizens and agents (military and civil) of the United States, "irrespective of color, in cases where the


civil authorities have failed, neglected, or are unable to arrest and bring such parties to trial...

Suffrage was granted to the Negroes in the District of Columbia by the 39th Congress in December 1866. On the 14th of the following month, Johnson read his veto message to the Cabinet. Grant was in attendance at this meeting and expressed his views on the issue. While Stanton approved of the bill, the general opposed it. The Secretary of the Navy recalled that

General Grant... was very emphatic against the bill, not because it disfranchised rebels, for he said he rather liked that, but he thought it very contemptible business for members of Congress whose states excluded the negroes, to give them suffrage in this district.

Even though Grant voiced his opinions in the Cabinet, he refrained publicly from airing them. One biographer remarked that Grant's name was at this time mentioned with regard to the Presidency "and both Republicans and Democrats were keen to learn into which camp he would go."

The New York Tribune doubted the report that Grant supported Johnson in his veto of the suffrage bill. It was then related how

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46 Welles, MS. Diary, box 7. See also Orville H. Browning, The Diary of Orville Hickman Browning, II (Vol. 22 of the Illinois State Historical Library Collections, ed. by J. G. Randall), 122. Hereafter, this work will be cited as The Diary of Orville Hickman Browning.

47 Franklin S. Edmonds, Ulysses S. Grant, 288.
the general had told a delegation from Arkansas, which was headed by a state senator, one who was United States Senator elect, "to go home and adopt the Constitutional Amendment immediately, and after they had done that to pass a bill giving suffrage to all persons without regard to color." This was a fairly strong statement on the Negro question when one remembers how secretive Grant was on the leading issues of the day. ¹⁸

Grant in the early period after Lincoln's death did not support the idea of complete Negro suffrage. He did not "believe that the majority of the Northern people at that time... were in favor of negro suffrage." It would probably come, however, after a probation period. It was stated by the general that as time passed by Johnson became more and more lenient toward the South, and Congress proceeded to move against him. This resulted in enfranchising "the negro in all his ignorance." Late in life, when writing his memoirs, he concluded:

As to myself, while strongly favoring the cause that would be the least humiliating to the people who had been in rebellion, I had gradually worked up to the point where, with the majority of the people, I favored immediate enfranchisement. ¹⁹

Thus far Grant could be considered a moderate in regard to the Reconstruction of the South. He was also at least not openly opposed to President Johnson. But as the months went by the general found himself gradually differing from the Chief Executive. One writer

¹⁸ Jan. 8, 1867.
¹⁹ Ulysses S. Grant, Personal Memoirs, II, 511-12.
suggested perhaps the politicians on Grant's staff, e.g., Rawlins and Babcock, produced the shift. These political figures could have had visions of Grant occupying the White House instead of Johnson.\textsuperscript{50} Cyrus B. Comstock, an aide and close friend of Grant, recollected that the general was "getting more & more radical."\textsuperscript{51} Another biographer was of the opinion that Rawlins decided "that Johnson could not be renominated, and that Grant's chances for the succession would be injured by further identification with Johnson or his policy."\textsuperscript{52} The President observed this shift in August, 1868, when he pointed out that "Grant was untrue." For two years he received his general's support. "But Grant saw the Radical handwriting on the wall, and heeded it. I did not see it, or, if seeing it, did not heed it. Grant did the proper thing to save Grant. . . ."\textsuperscript{53}

On March 1, 1867, Elihu Washburne was sent a letter from the general which stated that "Reconstruction measures have passed both houses of Congress over one of the most ridiculous veto messages that ever emanated from any President." The Congressman received another note on April 5. "Everything is getting on well here under

\textsuperscript{50} Garland, \textit{U. S. Grant}, 347.

\textsuperscript{51} Comstock MS. Diary (Library of Congress), March 1, 1867.

\textsuperscript{52} James H. Wilson, \textit{The Life of John A. Rawlins}, 330-31.

\textsuperscript{53} Truman, "Anecdotes of Andrew Johnson," 439.
the Congressional Reconstruction Bill," noted Grant, "and all will be well if administration and copperhead influence do not defeat the objects of that measure." There had already been dissatisfaction over Sheridan's removal of civil officials in New Orleans. Grant, always the true friend of his general, clearly displayed this friendship when he said, "Sheridan has given public satisfaction. . . . In his private capacity he shows himself the same fearless, true man that he did in the field. He makes no mistakes." Still on the whole the general attempted to steer as clear as possible of the clash that resulted between Congress and Johnson over the reconstruction issue.

Gideon Welles had an interesting discussion with Grant on reconstruction in August, 1867. At this time the latter looked upon the Southern States as Territories. . . . They had rebelled, been conquered and were to be reconstructed and admitted. . . . when he felt that we could trust them. It was for Congress to say who should vote, and who should not vote in the seceding States as well as in a territory, and to direct when and how these States should again be admitted.

The secretary wrote, "on the whole, I did not think as highly of Genl Grant after, as before this conversation." He had "become severely afflicted with the Presidential disease. . . ." In the closing days of his life, Grant returned to his earlier more moderate

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51 James Grant Wilson, *General Grant's Letters to a Friend*, 1861-1880, 52, 55.

55 Welles, MS. Diary, box 8, Aug. 22, 1867.
views. "Much of it [reconstruction legislation], no doubt, was un­
constitutional; but it was hoped that the laws enacted would serve
their purpose before the question of constitutionality could be
submitted to the judiciary. . . ." 56

The radical Senator Wade discovered the position of Grant in
the early spring of 1867 from a relative of the general. The confi­
dant of Wade revealed that "General Grant indorsed all congressional
measures; that he was a thorough Republican." The general's views
on reconstruction and the freedmen pleased the Senator. It was
obvious that Grant would represent the Republican party in 1868. 57
The son of Grant later mentioned that Congress sought the advice of
his father on reconstruction policy. 58

Several interesting points were brought out by Grant in his
testimony before the House Committee on the Judiciary on July 18,
1867. When questioned about his attitude on general amnesty he
replied, "I know that I never was in favor of general amnesty."
Furthermore, he "never recommended" it "until the time shall come
when it is safe." When asked whether he favored speedy restoration
of relations between the sections shortly after the war Grant
responded:

I know that immediately after the close of the rebel­
lion there was a very fine feeling manifested in the

56Ulysses S. Grant, Personal Memoirs, II, 523.
57Cramer, Grant, Conversations and Letters, 68-70.
58Jesse R. Grant, In the Days of My Father General Grant, 49.
South, and I thought we ought to take advantage of it as soon as possible; but since that there has been an evident change there. 59

According to this testimony it would appear that Grant changed his reconstruction views because of a change that occurred in the South.

There were a number of instances which helped to bring Johnson and Grant into opposite camps. Johnson had a desire to send his general on a diplomatic mission to Mexico. There was a disagreement between the two men over the removal of Sheridan. The dispute between the President and his general concerning the secretary of war portfolio also was significant. Grant withdrew from the position of ad interim secretary after the Senate refused to sustain the President's earlier removal of Stanton. According to Johnson, the general's action was not in accordance with their previous agreement. Grant was supposed to retain the office and thereby force Stanton into the courts in order to obtain a settlement. But the officer thought that he would be violating the Tenure of Office Act if he remained at the post after the Senate had acted. A heated dispute between the President and the general was thereby ignited. 60

The General of the Army did all within his power to carry out his part under the Reconstruction acts. He always attempted to defend the district commanders when he thought they were correct in


60 For a full discussion of this argument, see William B. Hesseltine, Ulysses S. Grant, Politician, 93-111.
their actions. Grant was exceedingly agitated when one of his most trusted friends, Phil Sheridan, was removed from his command. Before this removal took place, the President invited suggestions from his general. In a letter to Johnson, dated August 17, 1867, Grant defended his close friend. He pleaded in the name of a people who had sacrificed much, that the order removing Sheridan, "be not insisted on. It was the desire of the country," he continued, "that General Sheridan should not be removed from his present command."

Grant further implored, "... Sheridan has performed his civil duties faithfully and intelligently. His removal will only be regarded as an effort to defeat the laws of Congress." He maintained the position that the dismissal would encourage the "unreconstructed element in the south," to renewed opposition feeling that they had the support of the President with them. Johnson responded in a vigorous manner. He termed Sheridan's rule as one of "absolute tyranny" and the carrying out of the laws as "exceedingly obnoxious. . . ."

When Grant, as Secretary of War, Ad Interim, received the notice requesting the replacement of Sheridan by General Hancock, he reacted sharply. On the same day August 26, 1867, a curt note was sent to Johnson.

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61 See chapter on Gen. Sheridan for his actions as district commander.
63 Ibid., 5.
In the present changes the country sees but one object. . . . The object seen is the defeat of the laws of Congress for restoring peace, union, and representation to the ten States now not represented. This course affects the peace of the whole country. . . . unfavorably.\textsuperscript{64}

Later Grant asked that this letter be returned and the President complied.

One biographer of Grant stated that "His resistance to the removal. . . . was certainly bad enough, but to. . . add. . . his approval to the unwise and disorganizing conduct of that officer. . . not to mention his studied disrespect towards the President. . . were more than sufficient. . . to draw upon himself a merited rebuke."\textsuperscript{65}

Gideon Welles recorded that the general was thoroughly involved now with the Radicals against Johnson. He stated:

Grant until the fall of 1866 was a decided. . . supporter of the administration, and of the Lincoln-Johnson policy of re-establishing the Union, but flattered by attention, he began to have aspirations for political promotion, with very little political intelligence and no political experience.\textsuperscript{66}

On this point, however, it has been argued that "... it is well established that, up to the period of his ad interim Secretaryship, his sympathies were with the policy and aims of . . . Mr. Johnson."\textsuperscript{67}

\textsuperscript{64}Badeau, Grant in Peace, 568-69.

\textsuperscript{65}Nelson Cross, Life of General Grant. His Political Record, etc., 21.

\textsuperscript{66}Welles, MS. Diary, box 8, Aug. 22, 1867.

\textsuperscript{67}Nelson Cross, op. cit., 34.
From August 12, 1867, on until January 1868, Grant held the position of Secretary of War ad interim. During this period he was not too vocal and carried out his duties in a quiet manner. He carefully watched the running of the reconstruction machinery in the South.

Grant found himself in opposition to the policy being carried out in the Fifth Military District by General Hancock. The latter had removed a number of aldermen from their jobs in Louisiana. The General of the Army on February 21, 1868, ordered the revocation of Hancock's dismissal order of the 7th. The aldermen were now ordered to be returned to their posts. There had been "no contempt of military authority intended" by these men. Badeau explained this conflict between the two officers, who had been friendly at West Point and during the war. They took different stands during the period of reconstruction. Hancock supported Johnson and Grant seconded Congress. In Washington before he left for New Orleans, Hancock had a private conversation with his superior. The latter tried to brief the former on how wrong Johnson's policies were. This failed because "Hancock had already determined on his conduct. . . ." One writer concluded that Hancock gained the Democratic nomination for

68 See page 70.


70 Badeau, Grant in Peace, 370-71.
president but not the job while Grant "steadfast in his adherence to the will of Congress and the union-loving North" actually obtained the position.\textsuperscript{71}

It is not in accordance with the theme of this essay to enter into a detailed discussion of the election of 1868, or of the events of Grant's presidency. Only that which is relevant to the topic can be mentioned. For example, on June 21, 1868, the general informed his good friend Sherman of his exact position and why he accepted the nomination:

It is one I would not occupy for any personal consideration, but from the nature of the contest since the close of actual hostilities, I have been forced to it . . . . I could not back down without, as it seems to me leaving the contest for power for the next four years between mere trading politicians, the election of whom no matter which party won would lose to us largely the results of the costly war. . . . Now the Democrats will be forced to adopt a good platform, and put upon it a reliable man who if elected will disappoint the copperhead element of their party.\textsuperscript{72}

In accepting the nomination, Grant struck upon a catching phrase, "Let us have peace!" The author feels that he was really sincere in uttering this statement. Editorially, one newspaper confided that none of the politicians of the period have shown themselves "the superior or the equal of General Grant in the management . . . of this difficult business of Southern reconstruction."\textsuperscript{73}

\textsuperscript{71}Charles King, \textit{The True Ulysses S. Grant}, 342.

\textsuperscript{72}Papers of General William Tecumseh Sherman, XXIII (Library of Congress). Hereafter, these manuscripts will be cited as the Sherman Papers.

\textsuperscript{73}The \textit{New York Herald}, Oct. 16, 1867.
later date this New York paper stated, "with a conservative Congress and General Grant as President all will go well with us." Thomas Ewing, of Ohio, remarked to his son that the general would "hasten to restore the public peace. . . ." This venerable Ohio statesman was of the opinion that Grant was a moderate Republican.

Alex Rives, a Virginian who had opposed secession and then later became a Republican, wrote to General Schofield that Grant's "mission being 'Peace,' his great aim will be to correct some of the errors of Radical extravagance in the South." General Longstreet, former Confederate general, voiced his opinion of Grant to a relative on November 21, 1868. "I regard his past course and decided character as the surest guarantees of his future course." It was felt "that the influence of his administration will be applied to its complete and prosperous restoration." Grant had written a letter to Johnson on November 7, 1865, recommending clemency for Longstreet. It had said he would consider it a "personal favor to myself if this

76 Papers of John McAllister Schofield (Letters Received) (Library of Congress), Sept. 12, 1868. Hereafter, these papers will be cited as Schofield Papers.
pardon is granted." This request was rejected by the President only to be approved over a year later. The Southerner was selected by the general to be Surveyor of the Port of New Orleans, which post was retained by him until March, 1872.

There were Southerners who did not accept the views of Longstreet. A. H. Stephens was quoted as saying, "If Grant is elected next November I never expect to see another Presidential election. He is... just the man for a coup d'etat such as... Emperor Louis Napoleon performed when he placed himself on the throne of France." The Daily Enquirer of Columbus, Georgia, considered Grant to be the "chief director" of the governments set up in the South. He has supported all "the harsh measures of the District Commanders" and "sanctioned their course in oppressing the white race by every means known to tyrants."

Since he was "the supreme dictator of these military governments; their spirit is his spirit; their policy is his policy, and their administration his administration." As President of the United States Grant found himself involved in a position surrounded by sectional and political enmities. There

78 James Longstreet, From Manassas to Appomattox, Memoirs of the Civil War in America, 633-34.

79 Boston Morning Journal, Sept. 17, 1868. Likewise a Northern General McClellan respected Grant for his services to the nation, but the acts of the Republican party were "but continuations of strife..." The New York Times, Oct. 6, 1868.

was an effort on his part to enforce the legislation strictly.\textsuperscript{81} Grant of necessity had to deal with "conditions in the South" complicated to a high degree, "conditions which would never have prevailed had the South been left a little longer under military control before being plunged into the experimental bath of Reconstruction."\textsuperscript{82}

On March 4, 1869, in the first inaugural address, he pointed out that numerous questions would present themselves, and that they had to "be approached calmly, without prejudice, hate, or sectional pride, remembering that the greatest good to the greatest number is the object to be attained." He called for "security of person, property, and free religious and political opinion in every part of our country, without regard to local prejudice. The question of suffrage," it was warned, "is one which is likely to agitate the public so long as a portion of the citizens of the nation are excluded from its privileges in any State." This problem could not be postponed, and the pending Fifteenth Amendment should be ratified.\textsuperscript{83} In a special message to Congress on April 7, he thought that body would agree with him that "it is desirable to restore the States... to their proper relations to the government and the country, at as early a period as the people of those States shall be found willing to become peaceful

\textsuperscript{81}Church, Grant, Preservation and Reconstruction, 366, 413.

\textsuperscript{82}Louis A. Coolidge, Ulysses S. Grant, 362-63.

\textsuperscript{83}James D. Richardson, Messages and Papers of the Presidents, 1789-1897, VII, 6-8. Hereafter, this work will be cited as Richardson, Messages and Papers.
and orderly. . . ." They should have such laws and constitutions as
would "secure the civil and political rights of all persons within
their borders." 84

In this message of April 7, Grant gave evidence of a concilia-
tory attitude toward the South when he asked Congress to permit
Virginia and Mississippi to hold elections at which time their new
constitutions could be voted upon. The President was interested in
restoring these States to the Union, but severe disability and test
oath clauses endangered acceptance by the voters. Referring to these
clauses, Grant requested that the electorate be permitted to act
separately on them. 85 Congress agreed to this but the states would
be required to ratify the Fifteenth Amendment too. On May 11, 1869,
Grant issued a proclamation setting July 6, 1869 as the date for
submission of the constitution to the voters in Virginia. 86 This
State rejected the proscriptive clauses while it approved the con-
stitution. Mississippi acted in a similar manner. One writer has
concluded that Grant "adopted the policy of pushing" reconstruction
"to completion with the least possible additional humiliation of the
southern whites." 87

85 Richardson, Messages and Papers, VII, 11-12.
86 Ibid., 13-15.
87 William A. Dunning, Reconstruction, Political and Economic,
1865-1877 (Vol. XXII of The American Nation, ed. by A. B. Hart), 179.
Hereafter, this work will be cited as Dunning, Reconstruction, Poli-
tical and Economic. For Schofield's part in Virginia's action see
pages 154-55.
After having been appointed Lieutenant General of the Army by President Grant, Sheridan was informed that he was to return to New Orleans as commander of the Fifth Military District. This appeared to be a vindication move, but the great cavalry officer related that it "was not at all to my liking, so I begged off, and was assigned to take charge of the Division of the Missouri. . . ." This was a move which would have pleased the radicals of the country.

Grant also caused attention to come his way when he appointed colored men to office in a Southern State. He took this step to counterbalance the ejection of Negro members from the Georgia legislature after the election of 1868. This state had gone over to Seymour in that contest. A Washington paper remarked "Truly, acts speak louder than words. While no amount of superlative pretence can equal this demonstrative fact, by this one act the partition wall between the races is broken down. The colored man could not vote before," the editorial writer commented, "but now he holds office at home and abroad. . . . What more can be asked in the line of change, if not reform?" It was a clear answer to those who harbored doubts about Grant, that he would not be radical enough.

The Fifteenth Amendment which had been proposed by Congress in February, 1869, was still a bone of contention by the fall of the same
Grant had been eager to have it ratified. He wanted the thorny Southern question taken out of the realm of politics. David Butler, Governor of Nebraska, received a letter from the President dated November 23, 1869. Since that state legislature would not meet until 1871, and had not acted upon the amendment, Grant desired that he "consider the propriety of convening the legislature in extra session for this purpose..." The writer concluded:

I am induced to write to you upon this subject from the earnest desire, I have to see a question of such great national importance brought to an early settlement, in order that it may no longer remain an open issue, and a subject of agitation before the people.

Favorable action was taken by the Nebraska legislature on February 17, 1870.

The Fifteenth Amendment became a part of the Constitution on March 30. The President felt that it was the occasion to send a special message to Congress. It was unusual to do this but he deemed it justifiable. Four million people, not considered citizens before the Fourteenth Amendment, were made voters. This was a vastly important measure. Grant advised the Negroes:

I call the attention of the newly enfranchised race to the importance of their striving in every honorable manner to make themselves worthy of their new privilege. To the race more favored heretofore by our laws I would say, withhold no legal privilege of advancement to the new citizen.

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90William E. Hesseltine, Ulysses S. Grant, Politician, 186.
91U. S. Grant Letter Book (Mar. 5, 1869-Mar. 6, 1873) (Library of Congress), 10h. All future citations of this manuscript refer to the copy in the Library of Congress.
92Richardson, Messages and Papers, VII, 56.
After commenting again on the importance of the amendment, he concluded by asking Congress to "promote and encourage popular education throughout the country. . . ."

In January 1870, Grant asked the Senate to ratify the treaty of annexation of the Dominican Republic to the United States. He was thoroughly convinced that this was very important when considered in the light of the Southern conditions. On March 14, the President again urged the upper house of Congress to act. In a third message ratification was again sought. This time it was pointed out that the country could "give remunerative wages to tens of thousands of laborers not now on the island." Although there were about 120,000 people there, the land was "capable of supporting a population of 10,000,000 people in luxury." A recent writer was certain that this would have helped the Negroes "and also" would have taken "the pesky race issue forever off the North American continent."9 In later years when writing his memoirs Grant recalled:

It is possible that the question of a conflict between the races may come up in the future. . . . The condition of the colored man within our borders may become a source of anxiety, to say the least. But he was brought to our shores by compulsion, and he now should be considered as having as good a right to remain here as any other class of our citizens.

Referring to the treaty of annexation again, the former general and President reasoned, "I took it that the colored people would go there

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9 Richardon, Messages and Papers, VII, 46, 52, 61-63.

in great numbers, so as to have independent states governed by their own race. They would still be States of the Union... but the citizens would be almost wholly colored." This was indeed an interesting viewpoint and showed Grant's efforts to try and solve one aspect of the Southern question.

During Grant's first term as President reports of disorders came from the troubled South. Early in March 1871, the Chief Executive wrote a letter to the Speaker of the House, James G. Blaine, giving his views on the problem. "In the first place there is a deplorable state of affairs existing in some portions of the South demanding the immediate attention of Congress." It should, however, concentrate on "providing means for the protection of life and property" in those places where the civil authorities failed to do so.

The governor of South Carolina, observing that men were being killed because of their political beliefs, asked Grant for troops to suppress the disturbances. The Radical Attorney General of that state was informed by the President, "If two regiments will not do it, ten shall be sent there, and kept there, too, if necessary, as long as this Administration is in power." In the latter part of


96U. S. Grant Letter Book (Mar. 5, 1869-Mar. 6, 1873), 302.

March, Grant sent a special message to Congress demanding legislation to correct the situation. As a result of his message, Congress passed on April 20, 1871, the Ku-Klux Act which permitted the President to suspend the writ of Habeas Corpus.

Grant called attention to this law in a proclamation dated May 3, 1871. The "combinations of lawless...persons in certain localities lately the theater of insurrection..." which had been violating the rights of citizens of the United States, were to be suppressed by the people in those places through use of local laws. However, Grant warned that he would use the "extraordinary powers...conferred upon me" whenever the situation demanded it. Still he pleaded for "peace and cheerful obedience to law" so that all "strife may be speedily removed." He admonished the Southerners that if they did not act, the Federal government would step in to protect "citizens of every race and color..."98 A shade of moderation is still to be discerned in Grant's enforcement of the laws of Congress.

These unusual powers which the President received were used in regard to South Carolina. He suspended the writ of Habeas Corpus in several counties of that State on October 17, 1871, to maintain public safety.99 This action produced "a speedy effect. According to the report of the Ku-Klux Investigation Committee there was an 'apparent cessation' of Ku-Klux operations by February 19, 1872."100

99 Richardson, Messages and Papers, VII, 136-37.
100 Louis A. Coolidge, Ulysses S. Grant, 374-75.
Grant explained his action to Congress in his annual message in December, 1871. Reference to his "reluctance to exercise any of the extraordinary powers" was found in this communication. Many arrests had been made, however, "it is believed that no innocent person is now in custody." On December 2, 1872, when he gave his fourth annual message, Grant again stated that it was regretted by no one more than himself, "that a necessity has ever existed to execute the 'enforcement act.' No one can desire more than I that the necessity of applying it may never again be demanded."

Grant also approved of the two other "force bills" of May 31, 1870 and February 28, 1871. When combined with the Ku-Klux measure, these three "Enforcement Acts" became the highwater mark of reconstruction. The bills were passed to protect the Negro's rights, especially that of suffrage. To accomplish these aims the use of Federal troops was permitted. By accepting these acts, Grant gave the outward appearance of being pro-Radical, but the author feels that he was still basically conservative in his approach to the Southern question.

The topic of amnesty was stressed by the President in his third annual message to Congress. On December 4, 1871, he recalled for the nation's legislature that it should consider "whether it is not now time that the disabilities imposed by the fourteenth


102 Richardson, Messages and Papers, VII, 199-200. In referring to the force acts, Grant remarked that "I can not question the necessity and salutary effect of those enactments."
amendment should be removed." The ballot was not excluded by that section, only the "disability to hold offices" was imposed "upon certain classes." It was further stated by Grant that

when the purity of the ballot is secure, majorities are sure to elect officers reflecting the views of the majority. I do not see the advantage... of excluding men from office merely because they were... of standing and character sufficient to be elected to positions requiring them to take oaths to support the Constitution, and admitting to eligibility those entertaining precisely the same views, but of less standing in their communities. It may be said that the former violated an oath, while the latter did not; the latter did not have it in their power to do so. If they had taken this oath, it can not be doubted they would have broken it as did the former class. If there are any great criminals... they might, in the judgment of Congress, be excluded from such an amnesty.

Congress was informed that the situation in the South was "not such as all true patriotic citizens would like to see. It will be a happy condition of the country when the old citizens of these states will take an interest in public affairs," Grant predicted, and "... vote for men representing their views, and tolerate the same freedom of expression and ballot in those entertaining different political convictions."103

One biographer decided that this message was "certainly a very creditable sentiment for a 'military despot' and a gloomy tyrant to utter..." It would seem that the former rebels could still feel that they "had a friend in President Grant."104

References:
103 Richardson, Messages and Papers, VII, 153.
104 Garland, U. S. Grant, 423.
amnesty bill on May 22, 1872, which removed disabilities from all but 500 to 750 individuals.

In accepting the Republican nomination for President in 1872, Grant concluded that he had a "desire to see a speedy healing of all bitterness of feeling between sections, parties or races of citizens. . . ." He looked forward to "the time when the title of citizen carries with it all the protection and privileges to the humblest that it does to the most exalted. . . ."\textsuperscript{105}

On March 4, 1873, in his second inaugural address Grant expressed some important views on the race question. He remarked that the results of the "late civil strife" had freed the Negro and had made "him a citizen." Still they did not have "the civil rights which citizenship should carry with it. This is wrong, and should be corrected. To this correction I stand committed. . . ." On the subject of social equality the President voiced the following opinion:

Social equality is not a subject to be legislated upon, nor shall I ask that anything be done to advance the social status of the colored man, except to give him a fair chance to develop what there is good in him, give him access to the school, and when he travels let him feel assured that his conduct will regulate the treatment and fare he will receive.\textsuperscript{106}

Some very interesting, matured views were expressed by Grant while he was on his tour of the world. For example, he confided that

\textsuperscript{105} U. S. Grant Letter Book (Mar. 5, 1869-Mar. 6, 1873), 465.

\textsuperscript{106} Richardson, Messages and Papers, VII, 221.
There has never been a moment since Lee surrendered that I would not have gone more than halfway to meet the Southern people in a spirit of conciliation. But they have never responded to it." Some Southern leaders, such as Lamar, spoke of conciliation, but the former President felt it was only "for effect." He was disappointed in the way the South invited Northern masters of capital to come into its area. Southern editors were glad to have these individuals "provided they do not take part in politics." Grant had hoped that the poor white class would emerge as a result of the war and separate themselves from the former slave owners. This also failed to materialize, according to the general.

In reviewing the reconstruction policy, the general mused, "it seems to me that the wisest thing would have been to have continued for some time the military rule." Southerners of good sense would have had to see "that there was no government so frugal, so just, and fair as what they had under our generals." He believed that it "was our right as a conqueror" to withhold suffrage from them. Certainly a mistake was made concerning Negro suffrage. "It was unjust to the negro to throw upon him the responsibility of citizenship, and expect him to be on even terms with his white neighbor."

Grant also during a conversation expressed the opinion, "I am clear now that it would have been better for the North to have postponed suffrage, reconstruction, State governments for ten years, and held the South in a territorial condition." This would have eliminated the scandals which arose. "Suffrage once given can never
be taken away," concluded the former Chief Executive, "and all that remains for us now is to make good that gift by protecting those who have received it." One can discern both radical and conservative tones to these matured views on reconstruction.

While Grant was at Mount McGregor working on his memoirs, he was visited by the Confederate General Buckner, a former adversary. Badeau related that the former President said "I have witnessed since my sickness just what I wished to see ever since the war—harmony and good feeling between the sections." This utterance remains "legible in the handwriting of its... author."

General Sherman in a letter dated November 18, 1879, gave concisely what he considered to be Grant's philosophy of life:

A simple faith that our country must go on, and by keeping up with the events of the day he will always be right—for 'Whatever is, is right.' He don't lead in one sense, and don't attempt to change natural results. Thus the world accounts him the typical man, and therefore adores him.

Nearly six years earlier Lucius Q. C. Lamar had expressed his views of the former general and President. It represented a typical Southern picture of the former President. Grant was felt to be more ambitious than any previous American.

His schemes are startling with the machinery of the Civil Rights Bill transferring to the Federal Courts

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107 John R. Young, Around the World with General Grant, II, 360-63.


jurisdiction, civil and criminal, over the protection of persons, property, and liberty, in every State, against injuries committed on account of race...

In answering charges against the administration of Grant, his close friend replied that the general took over the country right after a horrible shock, one of the worst of the nation's history. The whole picture had been complicated by a titanic struggle between the President and Congress, resulting in the impeachment of the former. When Grant stepped out of the White House, "The States were all restored to the Union, and Reconstruction, whatever its merits or demerits, was accomplished." Badeau recollected that that measure was not initiated by Grant, nor were all its provisions or results those which he would have recommended or desired, but Congress laid down the law and General Grant as President executed it.

Another biographer of Grant was of the opinion that "His use of federal troops, subject to hot denunciation at the time, has been thrown up against him ever since; as if it were the cause of violence and not intended as the cure." The writer came to the following conclusion, "If Reconstruction could have been left to soldiers like Grant and Schofield... the result would have been infinitely better than that which came from the unseemly quarrels of civilian politicians."

110 Wirt A. Cate, Lucius G. C. Lamar, Secession and Reunion, 155.  
A letter to Hon. T. J. Wharton of Jackson, Miss., Dec. 25, 1873.  
111 Grant in Peace, 256-57.  
112 Louis Coolidge, Ulysses S. Grant, 221.
CHAPTER III

GENERAL WINFIELD S. HANCOCK

General Winfield S. Hancock, who was to replace General Sheridan in 1867 as Commander of the Fifth Military District, had early in his life been exposed to political studies and ideas. He had stated that his father wanted him "to become a lawyer." Chitty's Blackstone and Kent's Commentaries were pondered over by Hancock. It is not surprising, therefore, that this famous general found himself completely involved in events and discussions concerning the rights of citizens. His procedure in Texas and Louisiana, 1867-1868, reflected his earlier attention to governmental affairs. One biographer related that the West Point graduate enjoyed "discussions regarding the powers of the General Government, and maintained opinions on the subject of a highly conservative character." In regards to the Constitution of the United States, he was a strict constructionist.¹

In the realm of politics Hancock definitely had leanings toward the Democratic party. But with the advent of the war between the states, he remained a confirmed Unionist. Throughout the bloody years of strife "he continually urged that party lines should be

¹Francis A. Walker, General Hancock, 14-15, 301.
abandoned.\textsuperscript{2} The welfare and future existence of the nation had to come first, politics had to take a back seat. Secession, he determined, could be regarded only as disunion. No complaint of the Southern citizens could justify their taking up arms to "revolt against the constitutional government of the nation."\textsuperscript{3} Even though he retained his pro-Democratic bias, the war had to be carried on to a successful conclusion.

On the 4th of July, 1861, Hancock stated that he hoped "that our brothers" in the South, "do not wish to separate themselves permanently from the common memories which have so long bound us together. . . ." Continuing the speech he further stated, "Let them return to us. We will welcome them as brothers who have been estranged, but have come back." It was pointed out that the men of the whole nation had feelings for the outstanding "battle-fields of the Revolution in those States. . . ." Their one commanding interest was to preserve intact "the government resulting from the union of these States." He concluded, "Your rights we will respect; your wrongs we will assist you to redress. . . ."\textsuperscript{4}

\textsuperscript{2}Augustus T. Freed, Hancock, The Life and Public Services of Winfield Scott Hancock, 70.
\textsuperscript{4}Frederick E. Goodrich, The Life and Public Services of Winfield Scott Hancock, Major General, U.S.A., 303. Hereafter, this work will be cited as Goodrich, Life of Hancock.
Hancock understood the mind and the "patriotism of the Southern people, . . . among whom he had married, whose representatives had been his schoolmates, his comrades. . . ." It was impossible for him to align himself with the opponents of the reconstruction views of President Johnson. General Francis A. Walker reasoned that "if one were disposed to argue the question, it would be not unfair to point to the course of subsequent events as showing that Hancock was right in his view of the way to restore the true union of the States, and that this way might have been even better taken in 1868 than in 1876.\(^5\)

The headquarters of Hancock in the summer of 1865 were at Baltimore. He was in command of the Middle Military Department. He exercised authority over the discharging of the numerous volunteers from the military service who were located there. This city contained many who had had pro-Southern proclivities during the conflict. "But so ably and judiciously did General Hancock administer the affairs of his command that much of this feeling was soon removed. He treated all questions with justice and impartiality, and won the respect and confidence of the majority of all classes of citizens.\(^6\)

War Department general orders of August 6, 1866, placed Hancock in command of the Department of the Missouri.\(^7\) This time

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\(^5\)General Hancock, 302.

\(^6\)Rev. David X. Junkin and Frank H. Norton, The Life of Winfield Scott Hancock; Personal, Military, and Political, 278. Hereafter, this work will be cited as Junkin and Norton, Life of Hancock.

\(^7\)Annual Report of the Secretary of War, 1866, 39 Cong., 2 sess., House Ex. Doc. No. 1, 19.
his headquarters were located at Fort Leavenworth, Kansas. Once again he displayed acumen in dealing with the affairs of an area that was not devoid of sectional feelings. As two biographers of Hancock related, "it was at this time... both in Maryland and in Missouri, that General Hancock began to be noted for the spirit of true patriotism, and the courageous adherence to the essence of constitutional law, which continued to characterize his connection with administrative authority thereafter." He was always willing to support the local officials in all "their efforts to preserve the peace and maintain the law."  

On August 26, 1867, President Johnson notified the Secretary of War ad interim, General Grant, that he had assigned Major-General Hancock "to command... the Fifth Military District, created by the act of Congress passed March 2, 1867..." This section containing the States of Louisiana and Texas had been governed by General Sheridan. Here was to be the acid test of Hancock's administrative abilities. Here in the problem Fifth Military District he would receive a splendid opportunity to express his viewpoints and attitudes toward the South during its trying period of reconstruction. Many have looked upon Sheridan's rule there as a "harsh and arbitrary..."  

8 Junkin and Norton, Life of Hancock, 279.  
9 Richardson, Messages and Papers, VI, 557.  
10 See Chapter VI on Sheridan.
enforcement” of the “Congressional despotism” of military government. As we shall see, General Hancock’s behavior in that troubled district “was a refreshing change from that usually held by military commanders at the time.”

It was not long until Hancock gave a public declaration of his views. He spoke to a crowd standing outside the Metropolitan Hotel, in Washington, D.C., on September 24. “... I... assure you that my course as a District Commander will be characterized by the same strict soldierly obedience to the law... taught me as a soldier. I know no other guide or higher duty. To the large gathering he further related:

Misrepresentation and misconstruction, arising from the passions of the hour, and spread by those who do not know that devotion to duty has governed my actions in every trying hour, may meet me, but I fear them not; my highest pride will be to perform the duties of my new sphere, not in the interest of parties or partisans, but for the benefit of my country... and I trust also for the welfare of the people committed to my care. If I can administer them in spirit, with due charity to the Government and to the satisfaction of my country, I shall indeed be happy in the consciousness of a duty performed.

Before the general left the nation’s capital, he was interviewed by a Washington correspondent. The latter explained that

11 Anonymous, A Biographical Review of the Military and Civil Services of Major Gen’l W. S. Hancock, 6. Hereafter, this work will be cited as Biographical Review of Hancock.

12 Charles H. Coleman, The Election of 1868; the Democratic Effort to Regain Control, 170. Hereafter, this work will be cited as Coleman, The Election of 1868.

Hancock expressed the same point of view as he had earlier to the crowd which had serenaded him.

All fear as to his administration of affairs in Louisiana and Texas vanished when he proclaimed his purpose to enforce the law in the spirit in which it was enacted. From that moment it became evident that the enemies of reconstruction would derive no succor from any action of his, and that the preliminary measures of Gen. Sheridan would be allowed to proceed without hindrance or essential alteration.

General Hancock's military career seemed from the first to constitute a guarantee against subserviency to the views promulgated by the President. It was not probable that his tried and sterling loyalty would admit of tampering with the law in the interests of disloyal factions.14

The new Fifth Military District commander finally reached his headquarters city of New Orleans on November 28, 1867. On the following day, he issued his celebrated General Orders No. 140.15 This was indeed like a bright comet sweeping across the dark, troubled sky of reconstruction. Many now felt sure he might execute the laws with a deep feeling of charity and kindness. This, his first official act informed the inhabitants of the two States that he had arrived to be their governor, and to let them know exactly how he planned to govern the District.

Hancock stated that it would "be his purpose to preserve" the quiet and peace which he found then reigning over the department.

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"As a means to this great end he regards the maintenance of the civil authorities in the faithful execution of the laws as the most efficient under existing circumstances." War was regarded by the general as necessary to "overthrow and destroy opposition to lawful authority." But once the rebel force has been defeated and peace regained, and when the civil authorities were "ready and willing to perform their duties, the military power should cease to lead." The civil administration should then "resume its natural and rightful dominion." Next came a very important declaration! It was stated that:

... the great principles of American liberty still are the lawful inheritance of this people, and ever should be. The right of trial by jury, the habeas corpus, the liberty of the press, the freedom of speech, and the natural rights of persons and the rights of property, must be preserved.

The order continued, "Free institutions... always furnish the strongest inducement to peace and order. Crimes... committed... must be referred to the... judgment of the regular civil tribunals, and those tribunals will be supported in their lawful jurisdiction."

In case of violations not inquired into, or failure in administration of justice, the headquarters would intervene and take any needed action. In conclusion, General Hancock reminded the inhabitants that "armed insurrections or forcible resistance to the law will be instantly suppressed by arms."16 Thus while showing his desire to

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16See also Anonymous, The Civil Record of Major General Winfield S. Hancock, During His Administration in Louisiana and Texas, Maryland Historical Society, 4-5. Hereafter, this work will be cited as Civil Record of W. S. Hancock. For comment on this article see The Southern Review, IX, 906-23 (Oct. 1871).
respect the liberties of the people, he recalled for them his military might.

"In the midst of... universal death and prostration of liberty, law and personal rights," this military order "rang out upon the astonished and delighted country like a new Declaration of Independence..." After he had read the order, Judge J. S. Black, a constitutional lawyer, wrote to Hancock that it reflected his "patriotic and noble behavior." "Yours is the first, most distinct," continued the jurist, "and most emphatic recognition which the principles of American liberty have received at the hands of any high officer in a Southern command."...

President Johnson sent a special message to Congress on December 18, 1867, drawing its attention to the order issued by the general. The Chief Executive explained:

When a great soldier, with unrestricted power in his hands to oppress his fellow-men, voluntarily forgoes the chance of gratifying his selfish ambition and devotes himself to the duty of building up the liberties and strengthening the laws of his country, he presents an example of the highest public virtue that human nature is capable of practicing.

Hancock followed in the footsteps of Washington in refraining "from violating the legal and constitutional rights of his fellow-

17Biographical Review of Hancock, 6.

18Goodrich, Life of Hancock, 247.

citizens." "... the distinguished honor belongs to him of being the first officer in high command south of the Potomac," since 1865, "who has given utterance to these noble sentiments in the form of a military order." Johnson thought that "some public recognition" was due him.

Gideon Welles, Secretary of the Navy, related that Johnson read this communication to the cabinet the day before he sent it. The former was of the opinion that "Should he send it in, he will exasperate the radicals," and that it might even result in bringing about a "contrast between the action of Hancock and the other military generals..." to the disadvantage of the latter. Johnson agreed and replied that it "would bring out before the country the weakness of Genl Grant, who, he was sorry to perceive was becoming identified with the tyrannical and oppressive measures of the military commanders." The diarist admitted this, and was certain "this consideration had its effect in producing the Hancock message." 20

In the latter part of December, 1867, radical Senator Morton of Indiana, addressed a large audience of the Soldiers' and Sailors' Union in Washington, D.C. For the gathering he analyzed the recent order promulgated by Hancock. The Hoosier Republican said that

it made no mention whatever of the business of reconstruction, but was directed entirely to a recognition of the legal character of the existing State Governments, and that the President pledged himself to sustain

20 Welles, MS. Diary, box 8.
them fully in the execution of their powers. If Gen. Hancock supported the principles against which he fought, and became the ally of his enemies against his friends, his laurels would wither like the tender flowers beneath the simoon of the desert.21

Mrs. Hancock recalled that her husband composed General Orders No. 40, while on board a steamer after they had left St. Louis. He said he would be expected to wield "extreme military authority over those people. I shall disappoint them." Hancock further confided in her, "I have not been educated to overthrow the civil authorities in time of peace. I intend to recognize the fact that the Civil War is at an end, and shall issue my order . . . accordingly." He would be crucified by the radicals, and President Johnson would give him his sympathy, "but he is powerless to help me." A more grateful people," she wrote, "could not be found than the Louisianians and Texans when this order was promulgated."22

General Orders No. 40, then, was the cornerstone upon which Hancock started and continued his period of rule in Texas and Louisiana. "These principles are immortal; they lie at the very foundation of our system of free government . . .," concluded a biographer of the general. The Southerners "looked for a Caesar, and they found . . . the expounder and defender of the Constitutional laws . . .." Hancock "reconciled the differences that had . . .


22 Mrs. Almira Hancock, Reminiscences of Winfield Scott Hancock, 120 et passim. Hereafter, this work will be cited as Mrs. Hancock, Reminiscences.
prevailed, and which had had their origin in the abominable carpet-bag governments" that had arisen in the area after the war.\textsuperscript{23} The general will always be remembered primarily for this order, "so distinctly declaring the subordination of the military to the civil power..."\textsuperscript{24}

A Democratic congressman, with long experience in Washington, stated that the "principal departure of General Hancock from the policy pursued by his predecessors related to the organization of juries."\textsuperscript{25} When General Sheridan commanded the Fifth Military District, he issued Special Orders No. 125, August 21, 1867. It was hereby ordered "that no person who is not registered in accordance with... [the reconstruction] law shall be considered as a duly qualified voter of the State of Louisiana. All persons," the instructions continued, "duly registered as above, and no others, are... eligible under the laws of... Louisiana to serve as jurors in courts of that State."\textsuperscript{26} It had been contrary to that state's law to allow Negroes seats on juries.\textsuperscript{27} Thus there was to be no distinction between whites and blacks when juries were organized.

\textsuperscript{23}Goodrich, Life of Hancock, 250.
\textsuperscript{24}Denison and Herbert, Hancock the Superb, 359.
\textsuperscript{25}Samuel S. Cox, Three Decades of Federal Legislation, 1855 to 1885, 518.
\textsuperscript{26}40 Cong., 2 sess., Ser. 1346, House Ex. Doc. No. 342, 172.
\textsuperscript{27}John R. Ficklen, History of Reconstruction in Louisiana (Through 1868) (Vol. XXVIII, no. 1, of the Johns Hopkins University Studies in Historical and Political Science), 197. Hereafter, this work will be cited as Ficklen, Louisiana Reconstruction.
Special Orders No. 203 was promulgated by Hancock on December 5, 1867. He advised the inhabitants that he had "been officially informed that the administration of justice, ... especially ... criminal justice, in the courts, is clogged, if not entirely frustrated" by the heavy hand of this order earlier issued by Sheridan.

To determine who shall and who shall not be jurors appertains to the legislative power; and until the laws in existence regulating this subject shall be amended or changed by that department of the civil government, which the constitutions of all the States under our republican system vest with that power, it is deemed best to carry out the will of the people as expressed in the last legislative act upon this subject.28

Hancock was convinced that the "qualification of a juror, under the law, is a proper subject for the decision of the courts." He would "maintain the just power of the judiciary, and is unwilling to permit the civil authorities and laws to be embarrassed by military interference. ..." In revoking part of Sheridan's order dealing with the qualifications of persons to be placed on the jury lists, Hancock concluded that "the trial by jury be henceforth regulated and controlled by the constitution and civil laws without regard to any military orders heretofore issued from these headquarters."

On why this order was proclaimed, a Republican paper of the North reported that it "was elicited by the representations of eminent judicial officers. ..." These individuals felt justice had been impeded, "and it was almost impossible to obtain juries that

could read or write, and it is almost certain that should convictions be obtained by them, the proceedings would be set aside by the Supreme Court." This same newspaper in an agitated frame of mind reproached the commander's "conforming the 'Constitution' of the State of Louisiana, a thing which, if it had any existence, would supersede Gen. Hancock's authority altogether." He was extricated from becoming an "usurper and a despot" because the chief executive and Congress had announced that "Louisiana has no civil government, and therefore no Constitution." "If he wishes to issue an order that no negroes shall sit on juries, he ought to have the manliness and honesty to do it openly." The editors reasoned that even though numerous Negro citizens "have not sufficient intelligence to sit on juries...," there was thus "no justification" for this order. Color was not a good test. Were there not also whites who were incompetent? "Had Gen. Hancock based his order on a qualification either of property or intelligence, it might have been sustained." Ten days later the Tribune still could not forget the deeds of Hancock and printed a report from New Orleans. It stated:

His conduct since his arrival here, would seem to justify the conclusion that he came to this city brimful of Johnsonian-Rebel Democracy. He has found a congenial element in Louisiana. His first Sabbath was spent in the Cathedral, where prayers were offered for the repose of the souls of the Confederate dead. ... Gen. Hancock


30 Ibid., Dec. 7, 1867.
is represented by the former Rebels as their General. He has shown his hand. He has seized the colored men who sat on juries and rejected them. This is putting his order in a clear light, so that no one can misunderstand it. And could the Union men of the North have seen the countenances of the old Rebels of New Orleans, on the day that the order was issued, they would have bowed their heads in shame.  

The district commander's actions were not overlooked by another New York paper. In an article discussing who might run against General Grant in the 1868 election, it was suggested that Hancock could very well be the one. It would seem "from a certain recent order issued by him at New Orleans," that he is "decidedly opposed to universal negro suffrage..."  

While in command of the Fifth Military District, Hancock continued to pursue a course of action which delighted the opponents of Congressional reconstruction. For example, on December 18, 1867, he made known Special Orders No. 213. It prohibited military interference in the elections "unless it shall be necessary to keep peace at the polls..." No men of the armed forces were permitted to appear at any election place, "unless, as citizens of the State, they are registered as voters, and then only for the purpose of voting..." But at the same time he warned that if the civil authorities failed to keep the quiet, the "commanders of the posts


will be prepared to act promptly. . . ." President Johnson was notified that the Hon. Christian Rawlins of Louisiana was certain that "General Hancock is gaining golden opinions of all sorts of men: only a few of the dirty politicians howl and curse: I am satisfied that our political horizon begins to brighten up and that Constitutional liberty will revive."

From time to time individuals, having an interest in local questions, asked the general to interfere and deal with them. They imagined he would be willing to do so, knowing full well that he had arbitrary powers. The complaint of Louisiana Governor Flanders on December 11, 1867, against the Police Jury, Parish of Orleans, for alleged misappropriation of public funds, and recommendation for removal of some of its members, was turned down. Hancock's secretary said that the "charges present a proper case for judicial investigation and determination; and . . . it is evident to him that the courts of justice can afford adequate relief for the wrongs complained of. . . ."

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34 The Papers of Andrew Johnson (Library of Congress), Vol. 128, Jan. 6, 1868. Hereafter, these manuscripts will be cited as the Papers of Andrew Johnson.

35 Anonymous, The Civil Record of Major-General Winfield S. Hancock, Democratic Candidate for President of the United States, 12. Hereafter, this work will be cited as Civil Record of Hancock, Democratic Candidate.
There would be no removals without judicial investigation!

Having refused time and time again to interfere in various disputes, he finally officially published General Orders No. 1, on January 1, 1868. "Applications have been made at these headquarters" which implied, read the order, "the existence of an arbitrary authority in the commanding general touching purely civil controversies." It was declared that the "administration of civil justice appertains to the regular courts. The rights of litigants do not depend on the views of the general—they are to be adjudged. . . according to the laws. Arbitrary power, such as" Hancock has been earnestly solicited "to assume, has no existence here. It is not found in the laws of Louisiana or of Texas—it cannot be derived from any act. . . of Congress—it is restrained by a constitution and prohibited from action in many particulars." Horace Greeley's paper termed this a "remarkable order." "Some people want him to exercise arbitrary power, but as he finds no authority for doing so, either in the Constitution of Louisiana, or the Declaration of Independence, . . . he would rather not. . . . If this patriotic and self-denying manifesto," continued the editorial, "does not entitle him to the name of the second Washington, then there is no merit in words and no virtue in proclamations."
One instance when Hancock left the people of Louisiana to
decide issues for themselves occurred on December 28, 1867. The
voters of Avoyelles Parish determined to put up for sale a school
section in that parish. This was then sent to the general for his
acceptance or rejection. The commander of the District of Louisiana
was notified

that if the provisions of the law were complied with... the manner of taking the sense of the inhabitants, and
legal voters only were admitted to take part, there seems
to be no reason why the action should be considered a
nullity. The previous authorization of the Major-General
Commanding is not considered necessary.38

General Hancock was very reluctant to establish military com-
missions and have them function in the place of regular civil trials.
He was of the opinion that an emergency had to exist before he would
take such a step. In a celebrated letter dated December 28, 1867,
expressed the views of Hancock on the subject of the appointment of
military commissions. The note was addressed to Governor Pease of
Texas. This individual was not an official elected by the voters, but
one appointed by the Federal government. He had dismissed from
office numerous judges and county officers after he had taken the
governor's position. Pease then proceeded to fill their places with
individuals of his own selection. "By arbitrary order," he permitted,

38 Civil Record of Hancock, Democratic Candidate, 12. Goodrich,
Life of Hancock, 257.
"none but persons capable of taking the test oath... to serve as jurors."39 The case involved three men held for murder. The governor did not feel that they could ever be held long enough to be tried by the civil courts of Uvalde County which was located on the extreme western frontier of Louisiana. They could never "be brought to trial unless it is done before a military commission."

Speaking for his commander, Mitchell replied that the location of the county in question was not foundation enough for the request. It did not "justify him in the exercise of the extraordinary power vested in him by law 'to organize military commissions or tribunals' for the trial of persons charged with offences against the laws of a State." It was further stated:

It is true that the third section of "An Act to provide for the more efficient government of the Rebel States," makes it the duty of the commanders... "to punish... all disturbers of the public peace...", but the same section also declares that "to that end he may allow local civil tribunals to take jurisdiction of, and try offenders." The further power given to him in the same section, "when in his judgment it may be necessary for the trial of offenders," to organize military commissions for that purpose, is an extraordinary power, and from its very nature, should be exercised for the trial of offenders against the laws of a State only in the extraordinary event that the local civil tribunals are unwilling or unable to enforce the laws against crimes.

"At this time," continued the secretary, "the country is in a state of profound peace. The State Government of Texas... is in the full

39 J. R. Cole, The Life and Public Services of Winfield Scott Hancock, Major-General U.S.A., etc. also the Life and Services of Hon. William H. English, etc., 200.
exercise of all its proper powers." It was decidedly indicated that there appeared to be no lack of cooperation on the part of the courts in looking into the offenses, nor were there any impediments whatever in the path "of enforcing the laws against them." The commanding general felt sure the existing government of the State possessed "all the powers necessary" for the trial of the persons in question. In conclusion it was mentioned that the powers would not be used unless Hancock became convinced there were not enough experienced Individuals in the State to carry out its laws properly.\textsuperscript{40}

While Hancock was commander in the Fifth Military District there occurred a dispute over the operations of the Freedmen's Bureau agents. He expressed his views on the subject in a letter to General O. O. Howard dated February 24, 1868. The general wrote:

My intention is to confine the agents of the bureau within their legitimate authority so far as my power as... commander extends; further than that, it is not my intention or desire to interfere with the Freedmen's Bureau. I can say... that had the district commander a superior control over the freedmen's affairs in the district, the Bureau would be as useful, and would work more harmoniously and be more in favor with the people. At present there is a clashing of authority.

Hancock was quick to point out that the reconstruction law made it mandatory for the commanders to protect "all persons in their rights of persons and property." They could allow local courts to judge offenders, or could permit military commissions to function if it

\textsuperscript{40} Civil Record of W. S. Hancock, 18-21.
were felt necessary. The commanders had "control over all criminal proceedings for violation of . . . laws of the States, and for such other offences as are not by law made triable by the United States courts." No one class was exempted from the operation of the laws, and the "duty of protecting all persons . . . of necessity invests district commanders with control over" the Bureau agents. At least the prerogatives of district commanders should not be interfered with by the agents. After all, these generals had to maintain peace and enforce local statutes in their districts. It was up to them to decide which courts should be used to try persons accused of breaking these laws. "Such being the fact," concluded Hancock,

many of the agents of the bureau seem not to be aware of it. In Texas some are yet holding courts, trying cases, imposing fines, taking fees for services, and arresting citizens for offences over which the bureau is not intended by law to have jurisdiction.\textsuperscript{11}

Governor Pease of Texas refused to accept the views of Hancock as expressed earlier.\textsuperscript{12} A letter to the general was first made known to the press and then finally received by Hancock on January 27, 1868. The state executive requested the establishment of military tribunals to hear certain cases in areas where civil courts would remain aloof. He disagreed with the statement that "at this time the country is in a state of profound peace." This was not true in the

\textsuperscript{11}Civil Record of W. S. Hancock, 29-30. See also Annual Report of the Secretary of War, 1867, 40 Cong., 3 sess., House Ex. Doc. No. 1, 260.

\textsuperscript{12}See page 62.
case of Texas. Although there was no "organized resistance," there was a hostile attitude displayed by the majority of the rebel whites because of their defeat in 1865 and because of the events which followed the close of the war.\textsuperscript{13}

It has been stated that in Hancock's reply of March 9, 1868, could be found "a triumphant vindication of the principles upon which General Hancock conducted his administration." The "military commissions requested" were not shown to have been necessary. Furthermore, the general thought Pease contradicted himself when he objected to the statement that Texas was "in a state of profound peace." Had he not given it as a fact that there was no longer any "organized resistance?" The inhabitants of Texas were yielding unwilling obedience to the government, the governor had admitted. The commander replied, "Nevertheless, you concede they do yield it obedience." The general continued:

It is rather more than hinted in your letter, that there is no local State government in Texas, and no local laws outside of the acts of Congress which I ought to respect; and that I should undertake to protect the rights of persons and property in my own way, and in an arbitrary manner. If such be your meaning I am compelled to differ with you.

An excellent discussion of the value of State laws followed. It was only logical to continue and use them. Hancock flatly refused to accept Pease's view that there was now more "hostile feeling toward

\textsuperscript{13} Annual Report of the Secretary of War, 1868, 40 Cong., 3 sess., House Ex. Doc. No. 1, 259-70.
the Government" and "a perceptible increase of crime" than before the issuance of General Orders No. 40. Two biographers of the general came to the conclusion that this letter "deserves to go on record as one of the most statesmanlike papers ever issued at a time of ferment, when prejudice had usurped the functions of reason, and passion had warped judgment to a perilous extent."^45

In a letter to a friend the district commander confided that he had objected to being placed in charge, but being obedient to orders, he finally accepted. He intended, however, to "carry out the laws—not... make new ones unless necessary, and only when civil ones failed..." When laws were needed, they should be made by Congress. It was pointed out that he would not execute those in force "in a partisan spirit..." In a typical Hancock style he continued, "Having often to choose between the civil and military law I take the former, and where powerless will try and build it up." When officers failed he would assign new ones, "and if no good ones can be found may have to resort to military despotism." This was not believed probable. But if it did "I may make as good a despot as any one."^46

^44 Annual Report of the Secretary of War, 1868, 40 Cong., 3 sess., House Ex. Doc. No. 1, 262-68. See also Civil Record of W. S. Hancock, 5-14.

^45 Denison and Herbert, Hancock the Superb, 362.

As his predecessor had found it inevitable, Hancock also removed from office civil officials in his district. Already in December, 1867, he had written to his superior General Grant that the "municipal offices of the city of New Orleans are in a lamentable condition." It was difficult to find good cooperative men who had the interest of the community "at heart" because of the iron-clad oath required by the Act of Congress of July 2, 1862. It was inquired by Hancock whether he had to select men for "municipal offices, to fill vacancies," only from those who could "take the oath prescribed?" He had been following this course of action and would continue to do so unless Grant permitted him to act otherwise "in exceptional cases. . . ."

The proponents of the congressional plan of reconstruction, both inside and outside of congress, were greatly disturbed by Hancock's procedure as commander of the Fifth Military District. Congressman Farnsworth, an Illinois Republican, stated that the general was "the idol of the disloyal—the rebels, the traitors, the enemies of the Government. . . ." The rebels' hearts of that district, according to the reports which Farnsworth received, were filled with joy at the operations of Hancock. When loyal men petitioned "for his intercession" to "save them from the oppression

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of rebels," he referred them to local officials. The representative concluded that the commander certainly was "not executing the law of Congress by any manner of means." General Hancock's "mild and liberal" administration was finally sidetracked after he removed two white and seven Negro members of the city council of New Orleans by special order on February 7, 1868. These individuals had decided to proceed to an election for a local official of that city. It was an elective office "by the people and not by the council." General Sheridan earlier had forbidden elections, "until reconstruction was completed, without the authority of the commanding general." Hancock explained that he acted in agreement with the power given by the reconstruction act. This law permitted commanders to remove individuals from office, "and to provide... for the performance of the duties of persons removed by appointments, ... ." On February 9, 1868, Hancock told Grant that "designing men" had prompted the council to proceed as it did. It was hoped that "if I dared to make those removals, ... it would end in my own removal from this place." A warning was then given by the district commander:

To suspend my order, would be to destroy my usefulness here; and in such case a sense of what I consider due me and my position, in this matter, would necessitate a respectful request to be relieved from my present command.


Grant informed his Fifth District Commander on February 21, 1868, to reverse his removal decision. There was "no contempt of military authority intended" by the aldermen. Six days later Hancock wrote to his superior that the aldermen had no authority to act as they did. In conclusion he stated:

I will only observe that I entertain serious apprehensions that the revocation of my order, and the re-establishment of the council removed by me will be injurious to the public interest and increase the embarrassments under which the community is now laboring.

On February 29, 1868, General Grant replied that he did not doubt Hancock's "authority to make removals and appointments when the public exigency requires it." After all, as General of the Army, Grant also had certain authority which he could exercise too. "Your order of removal was based on certain charges which I did not think were sustained by the facts as they were presented to me." Hancock had already, on February 27, written to the adjutant general requesting "to be relieved from the command of this Military District, where it is no longer useful or agreeable for me to serve." He desired to be sent to St. Louis, Missouri.

50 Correspondence between General Grant and Major General W. S. Hancock. Relative to the Removal of Members of the City Council, New Orleans, 7, 9. Hereafter, this work will be cited as Correspondence between Grant and Hancock.

51 Annual Report of the Secretary of War, 1868, 40 Cong., 3 sess., House Ex. Doc. No. 1, 231. See also Correspondence between Grant and Hancock, 11.


53 Correspondence between Grant and Hancock, 1.
Mrs. Hancock recalled that Grant finally had answered the plea of the "carpet-bag" men in the South to help them in their struggle against her husband. The latter's "usefulness" was thus brought to a close, the humiliation was too severe! The Negro element became quite arrogant in their behavior "after their triumph over General Hancock. . . ." 54 Samuel S. Cox, following the reinstatement of the aldermen, decided that "The time had passed by when black men had no rights which white men were bound to respect, and the reverse rule seemed to be coming into use." 55 Secretary Gideon Welles was convinced this whole episode was the result of "a radical movement. . . ." one which involved Stanton. With the return of the aldermen to their posts, Welles came to the conclusion that Grant was "implicated in the conspiracy against the President—a willing party to it. . . ." 56 Johnson had always been a supporter of Hancock.

The New York Times correspondent in Louisiana reported that the people and press of that state were pleading with Johnson not to remove Hancock. However, there was a petition signed by forty-three sent to Congress asking for his departure. But "Forty-three thousand honorable, loyal, good and staunch men" in one city alone, "would today sign a petition to the President that he remain." Many Louisiana newspapers had editorials entreating the chief executive not to accept

54 Mrs. Hancock, Reminiscences, 128 et passim.
55 Three Decades of Federal Legislation. 1855 to 1885. 549.
56 Welles, MS. Diary, box 8, Feb. 12, 28, 1866.
the request to be relieved. The forty-three members of the Louisiana Constitutional Convention desired the general's removal because he was considered "an impediment to reconstruction" of the Congressional brand.\textsuperscript{57} In an editorial on March 10, 1868, the \textit{Daily National Intelligencer} reasoned that "an indignity has been offered to him purposely to induce him to resign his position. . . ."

Finally General Orders No. 17, March 28, 1868, according to the "direction of the President," relieved Major-General Hancock "from command of the Fifth Military District and assigned \underline{him} to command of the Military Division of the Atlantic. . . ."\textsuperscript{58} By the end of the month he was in charge of the division recently created.

On October 31, 1868, Hancock gave his report on his period as commander of the Fifth Military District. One paragraph in that report is especially interesting:

No removals from civil offices were made except upon most satisfactory evidence of dishonesty and incapability . . . of those displaced, and I . . . here . . . state that during my whole administration of affairs . . . all of my energies were bent towards carrying out the reconstruction acts of Congress in what I considered to be their true spirit, while at the same time I endeavored to forward and protect . . . the vast interests of the people of the States . . . confined to my care for the time being, by the orders of . . . the President . . . giving myself only the latitude permitted me by the laws.\textsuperscript{59}

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\textsuperscript{57}March 6, 1868. See also \textit{Daily National Intelligencer}, March 2, 1868.

\textsuperscript{58}Richardson, \textit{Messages and Papers}, VI, 663.

\textsuperscript{59}Annual Report of the Secretary of War, 1868, 40 Cong., 3 sess., \textit{House Ex. Doc.} No. 1, 207-208. Underlining is my own.
Hancock was prominent among Democrats of the country as a possible candidate for President in 1868. This individual displayed "an intimate and thorough knowledge of the system of State and Federal Governments under which we have prospered so gloriously as a nation in the past." There was some opposition to the general in the Democratic ranks because of his alleged connection with the execution of Mrs. Surratt. A leading Washington paper answered this charge: "General Hancock had no direct connection either with the trial or the execution of Mrs. Surratt. He simply commanded the department in which the execution took place." Gideon Welles recorded on July 1, 1868, that "he would make a good candidate." And seven days later he wrote "Seymour if nominated will be defeated. Hancock if the candidate will be elected." General S. J. Anderson who offered Hancock's name to the Democratic Convention on July 7, 1868, said:

*I present a gentleman who, by his position during the past year, has made a record that stands to-day high in the hearts of the whole American people; a gentleman who, appointed to a Military District of the United States... standing there as the representative of his Government, interposed the shield of the laws of the country between the tyranny of hard and petty tyrants and an oppressed and outraged people...* 

Hancock failed to receive the nomination because he had no appeal for the Peace Democrats and the Pendleton Democrats did not appeal for him.

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60 *Biographical Review of Hancock*, 8.
61 *Daily National Intelligencer*, June 27, 1868.
63 *Goodrich, Life of Hancock*, 305-306.
appreciate his being a military man. Welles in a reflective mood concluded that Hancock was not nominated since "the Tammany politicians were determined to have Seymour who was neither a military man, nor a friend to the war for the Union." 

On July 9, 1870, the general wrote to his fellow officer Sherman explaining once again the details of his removal from the command of the Fifth Military District. He "was glad to be removed... I never desired the command... I had my opinions upon political matters, but had never obtruded them..." He continued, "I knew I could not satisfy the unreasonable expectations of many patriotic people, if I confined myself to the latitude allowed me by the laws, and did not advance beyond them. I executed the laws faithfully while there," Hancock recalled, "but not in the interests of partisans." 

In commenting upon this officer at a later period, Congressman Cox felt that the record of this general "as a civil governor... was something magnificent to proclaim..." His politics were firmly laid "upon the teachings and purposes of the Constitution." The Democratic member of Congress warmly concluded, "When armed with

64 Coleman, The Election of 1868, 174.

65 Welles, MS. Diary, box 9, July 9, 1868.

66 Winfield Scott Hancock, Correspondence between General W. T. Sherman, U. S. Army and Major General W. S. Hancock, U. S. Army, 19.
unrestrained military power, he was animated with the grand abnegation of the best men of all republics.67

After General Hancock was transferred to the Military Division of the Atlantic in March, 1868, he no longer played an active role in the reconstruction of the South. He never repented, however, of his actions while in command of the Fifth Military District. He knew even before being sent there that many, especially the Radicals, would object to his rule. But being governed by certain principles and ideals he could act in no other manner. Americans opposed to the radical Congressional reconstruction program found a hero in the person of Hancock, while to the Radicals, he was continually a thorn festering in their side. What would have happened if the entire South had been governed by generals holding to the same theories and methods as those so ably expressed and put into action by General Hancock?

67Samuel S. Cox, Three Decades of Federal Legislation, 1855 to 1885, 674.
CHAPTER IV

GENERAL OLIVER O. HOWARD

Major General Howard, a graduate of Bowdoin College and West Point, was in command of the right wing of Sherman's army which marched through the very heart of the Confederacy. As a result of his activity, he found himself in an excellent position to view the inhabitants of the South, especially the newly freed Negroes. As the "boys in blue" advanced, Oliver O. Howard found the blacks in a deplorable condition. They were arrayed in tattered clothing, were often without food and frequently had no homes. The freedmen were seen congregating around army camps; and, in general, they managed to get involved in difficulties. Even though there were various charitable Christian organizations, their activities were very "irregular and spasmodic." General Howard noticed that "only here and there was there any settled system of doing."¹

Something would have to be done for these people to prepare them for their entrance into a free society. The Thirteenth Amendment had freed them, but they needed to be able to read and write. Knowledge was of the utmost importance! As a result of public pressure, a House Committee brought forth a Bureau of Emancipation in

¹Oliver O. Howard, Autobiography of Oliver Otis Howard, Major-General United States Army, II, 195. Hereafter, this work will be cited as Howard, Autobiography.
December, 1863. Nothing further was done at the time. Finally on March 3, 1865, Lincoln gave his approval to an act which decreed the establishment of the Bureau of Refugees, Freedmen, and Abandoned Lands. According to the measure, this was to be a bureau within the War Department.

On May 12, 1865, Howard accepted the post as Commissioner of this bureau. Lincoln had decided upon him even before the conflict had ceased but according to Stanton he had waited until the officer was freed from the task of fighting. Besides his ability to command men, Howard was without doubt a deeply religious person, and the President must have perceived these qualities. When the secretary gave the general all the needed materials to put the agency into operation, he stated, "Remember there is not one dollar of appropriation!" Congress finally furnished the funds for it in the summer of 1866. Thus from the very start he was operating under vexing conditions. A Washington paper concluded, "It would be difficult to exaggerate his burdens."

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4 Howard, Autobiography, II, 207-208. General Butler, among others, had been mentioned as possible bureau heads. New York Tribune, Mar. 6, 1865. After Howard's appointment, this paper on July 17, urged him to help the Negroes especially those in Texas. They were being unfairly treated in making contracts. He would defeat the goal of many to eliminate the blacks as a race.

5 Mrs. Laura C. Holloway, Howard: The Christian Hero, 114.

6 Daily Morning Chronicle, Aug. 16, 1865. On May 15, 1865, Howard indicated how he would treat the problem of the freedmen. "The
A number of individuals have expressed their views on Howard's qualifications to hold such a position. On May 3, 1865, H. W. Beecher informed Stanton that he had talked with people in the South and they were in favor of Howard. He is, of all men, the one who could command the entire confidence of the Christian public. He is of all men yet mentioned the very one. Harriet Beecher Stowe was of the opinion that "he was in every respect most suitable." He was a man in complete sympathy with the missionary object of securing a real Christian citizenship for the unfortunate colored race. . . . It has been concluded by a recent writer that "no better man was available for the immensely complex and difficult task for which he was chosen."

Howard certainly could be considered gracious and compassionate, and these attributes were of primary importance if he were to be the Commissioner. Outstanding competence in the administrative field and "consummate skill in the handling of men, and considerable adroitness in political maneuvering," were required. But the latter

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problem of their support by their own labor. . . will be the first solved, and then that of education. Howard to Gov. Andrews of Mass., Howard Papers MSS. (Letters sent Feb. '64-Oct. '66).

7Howard Papers MSS. (Letters received Jan.-May 1865).

8Men of Our Times; or Leading Patriots of the Day, 454-55. See also the Reunions of the Society of the Army of the Tennessee, 1866-1871, for Gen. John A. Rawlins' laudatory speech on Howard, Nov. 11, 1865 at Cincinnati, Ohio.

skill was not possessed by him and the general lacked experience in
the field "of southern social problems." Samuel S. Cox decided
that Howard "was more remarkable for piety than for practical
talent." He summed it up as follows:

He did not possess high administrative abilities.
He had not had the experience and training which
would qualify him for the efficient discharge of
these peculiar duties.11

Five days after Howard became the Commissioner, he was sent a
letter from his former commander, General Sherman. The latter ex­
pressed his confidence in his friend. He did this, however, with
doubt in his mind.

I hardly know whether to congratulate you or not,
but of one thing you may rest assured, that you pos­
sess my entire confidence, and I cannot imagine that
matters that may involve the future of 4,000,000 of
souls could be put in more charitable... hands. So
far as man can do, I believe you will, but, I fear
you have Hercules' task.

The famous Ohio general looked upon the bureau as "simply impractic­
able," after all, Howard was only human, and the job wastremendouso
Sherman feared there would be an attempt to give the Negroes "su­
frage and equal political status" for political purposes.12 This
would lead to troubles. It would appear from this letter that Sherman
did not consider his wing commander a radical on the Negro issue. He

10 George R. Bentley, A History of the Freedmen's Bureau, 56.
Hereafter, this work will be cited as Bentley, Freedmen's Bureau.


12 For a further discussion of Sherman's views see pages 195-196.
concluded with this admonition: "Don't let the foul airs of Washington poison your thoughts toward your old comrades in arms."\textsuperscript{13}

It has been claimed that Howard comprehended "very thoroughly the relation which existed between the slaveholders and the slaves... And while not so radical as some in his views, he believed in emancipation, and in the capacity of the negro race for elevation and improvement."\textsuperscript{14} A Representative from Maine, James G. Blaine, set forth that the general "was somewhat an exception to West Point graduates in being from the outset thoroughly anti-slavery in his intellectual and moral convictions."\textsuperscript{15} Howard recalled that while at the academy he would not have admitted that he was "an abolitionist," however, he really supported "the speeches of William H. Seward, which were against slavery and demonstrated the desirability of its nonextension." In fact, the general came into contact with a member of the Negro race quite early in his life. For "benevolent" reasons his father offered the use of the Howard home to a Negro lad for four years. Oliver related that he was glad to have experienced this circumstance "for it relieved me from that feeling of prejudice

\textsuperscript{13} The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, Ser. 1, Vol. 47, pt. 3, 515-16. Hereafter, this work will be cited as Official Records. See also Bentley, Freedmen's Bureau, 55.

\textsuperscript{14} The American Annual Cyclopaedia and Register of Important Events of the Year 1865, 371. Hereafter, this work will be cited as Annual Cyclopaedia.

\textsuperscript{15} Twenty Years of Congress: From Lincoln to Garfield, II, 161.
which would have hindered me from doing the work for the freedmen which, years afterwards, was committed to my charge." 16

When he was stationed with the army in Florida, before the outbreak of the conflict, Howard wrote favorably on the master-slave relation to his mother. "I give the slave holders the credit as far as I have seen them of treating their slaves as indulgent parents do their children." Deep insight into the situation was revealed when he said:

Glad to see that this relation is generally so amicable between the master & his slaves, for having so deep a root it will not speedily be possible to enfranchise them, and their capacity for self government & independence is evidently not yet. They had better be cared for as they are now in this place than turned loose on the world, with all their simplicity & improvement habits without a proper education.17

On May 23, 1889, he gave a speech at the Hampton Normal Institute. "In 1862, or indeed earlier," he stated, "I became very strongly convinced that we should never be able to settle the question and end the war till we had set every slave free."18 Thus in a period of a very few years, Howard had modified his position.

The Commissioner gave sound advice to a group of Negroes in an African Church in Lynchburg, Virginia. After explaining the objects and operations of the bureau, it was pointed out to them that they


17 Howard Papers MSS. (Letters Received May '57-Dec. '61, III).

18 Ibid. (Articles & Addresses No. 5).
bad a duty "to live virtuous and industrious lives; to work hard for
themselves; to try to save money... to buy... homes and to provide
for all their wants." This emphasis upon the necessity of work would
be returned to again and again. He urged them "to make contracts with
their former masters or others" and then "to keep them...." The
prophecies of some that they would be "unfit for freedom" could then
be proved false. He warned against "exaggerated ideas of what freedom
was." The bureau chief referred to the unwise counsel given by trouble­
makers, "if a white man pushes you off the sidewalk, push him off too;
if he strikes you, strike him back again." This advice which advocated
force was "all wrong." 19

In regard to the freedmen's right of voting, two scholars felt
that Howard supported this and "insisted upon energetic measures to
fulfill [this] duty..." 20 First, however, education had to be
resorted to in order to aid the Negroes. Reflecting upon this prob­
lem, the general declared, "Though my officers and myself had no
responsibility for the gift of suffrage, yet we had to bear no small
part in its introduction. We were at court the friends of the freed­
men and had to bear that odium." It was recalled also by him that if

19 Howard Papers MSS. (Scrapbook I, newspaper clipping, n.n.,
n.d., n.p.). See also the Daily Morning Chronicle (Washington, D.C.),
Aug. 16, 1865, for further explanations of the Bureau.

20 John and LaWanda Cox, "General O. O. Howard and the Misrepre­
Hereafter, this work will be cited as Cox, "Howard and the Misrepre­
sented Bureau."
a bureau agent "favored universal suffrage and it became known, his
life even was in peril."\(^{21}\) Frederick Douglass and several other Negro
deleagtes called upon the Commissioner in Washington to determine his
position on the right of suffrage. They were concerned over reports
of Howard's antagonism. Then came the officer's best summary of his
position on Negro suffrage:

> My conviction was, first, that all citizens should be
equal before the law, and then, as in military general­
ship, one position should be carried at a time and then
the next tenable position, each of which I would fortify
and defend for the right, and advance from that. I was
all along in favor of eventual suffrage for the negroes,
but hoped that it might be limited at least by an educa­
tional qualification. Opposition to education was, I feared,
forcing us to adopt at once universal suffrage.\(^{22}\)

From the above statement it would appear that Howard was definitely
for limited voting at first, but as the months passed by and
Southerners objected to giving the Negroes equal opportunities, he
went over to the universal suffrage viewpoint.

The major general on December 29, 1865, expressed to Major
Nichols his opinion on the topic of colonization. It was revealed
that he recommended to a congressional committee that three million
acres in Florida, Arkansas and Mississippi be set aside "for the use
of loyal refugees and freedmen." Those lands could be settled by
"those who desire land or homesteads... for the destitute, and for
all who look for a place of refuge from the oppression of the whites."

\(^{21}\) Howard, Autobiography, II, 424.
\(^{22}\) Ibid., 317.
Thus an outlet would be provided "for surplus labor." He did not feel that this scheme could be carried "too far at present. To remove all the freedmen from the South, would in my opinion, be a great mistake."

It was, however, too optimistically concluded:

The feeling of hostility now existing between the two races, I do not regard as permanent. The interests of both tend to decrease it. If we can only bring the whites to do the negroes justice... I think it preferable that they remain where they are, rather than attempt to colonize in large numbers.23

Early in 1868, Howard again voiced his viewpoint on this subject. "Colonization was doubtless a relief in times of slavery," but "unnecessary and thoroughly impracticable now." It was pointed out that there were "millions of acres" of good land, "and by a proper distribution of labor, plenty of food can be raised by all," and prosperity will follow.24

It would be advantageous now to observe some of Howard's additional views as the Commissioner of the Freedmen's Bureau. A circular letter from his office was issued on May 15, 1865.25 This notice received nationwide attention. It was his object to obtain "as much uniformity as possible in the matter of employment and instruction of freedmen..." Howard then admonished the colored man that he "should understand that he is really free, but on no account, if able

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23 Howard Papers MSS. (Letters Sent Feb. '64-Oct. '66).
24 Howard to H. R. Austin, Jan. 10. Howard Papers MSS. (Letters Sent, Nov. 1867-June 1869).
to work, should he harbor the thought that the government will support him in idleness." The general recalled that this part of the letter resulted in "attacks from radical newspapers which were friendly to the negro. . . ." The reason for the labor paragraph was to correct the impression of some that "the Bureau would 'feed niggers in idleness,' as they expressed it, and I wished to start right." 26

In an interesting circular dated November 11, the Commissioner reported as wrong the idea "that lands will be taken from the present holders, and be divided" among the freedmen. The officers of the bureau were instructed "to remove so erroneous and injurious an impression." Any other false statements or rumor spread about to "unsettle labor and give rise to disorder and suffering" were to be overcome. 27 It has been concluded by a historian that the instructions, letters and orders, promulgated by Howard for executing the bureau's work, were distinguished by "moderation and good judgment." 28

Four days later the assistant commissioners were to be appointed and Circular No. 2 also laid down important observations on bureau matters. Howard stated, among other things, that the Government had not the intention "that this Bureau shall supersede the various benevolent organizations, in the work of administering relief. This must still be afforded by the benevolence of the people through

26 Howard, Autobiography, II, 214.


28 Dunning, Reconstruction, Political and Economic, 32.
their voluntary societies." The assistants received instructions "to introduce practicable systems of compensated labor..." They should attempt to eliminate prejudice from the late masters, the ones who were unwilling to employ their former slaves. The false belief at times held by the freedmen "that they can live without labor" had to be corrected. While the aged and sick had to receive necessary attention, "the able bodied should be encouraged and if necessary compelled to labor for their own support." The Commissioner reminded his assistants never to forget the educational and the moral conditions of these individuals. Support must be given to those agencies and groups interested in these people.  

Howard expressed views similar in tone at a much later date. On January 21, 1868, he was positive "that the greatest relief" which could be given "to the people in the Southern country is the loaning of money to good men, taking real estate security; or better, the purchase of estates... and re-selling them upon time to poor people," individuals ready to work. Again he reverted to the view that "It is dangerous to feed people without their rendering any labor..." The general was of the opinion that destitution in the South had been exaggerated. "I do not wish to check your charity"; Howard continued,

29Circulars and Circular Letters Issued from May 15, '65 to July 19, '69, Vol. 139 (Record Group 105 - Civil War Branch, War Records Division, National Archives, Wash. D.C.). All future citations of bureau material are those located in the National Archives, unless otherwise designated.
"I know that it is really needed, but it is better when given in compensation for labor. . . ."\(^{30}\)

On May 30, 1865, Circular No. 5 was issued which set down rules and regulations for Assistant Commissioners. Those men, "not already at their posts," were required to "make all haste to establish their headquarters," and to study their local situations. These individuals were instructed to do everything to "promote good order and prosperity."

Efforts to make the Negroes self-supporting were emphasized. The agents of the bureau were to deliver supplies only temporarily to aid the needy to hurry and support themselves. Loyal refugees, ones "driven from their homes," were to be sheltered from abuses while the problems of their condition were to be "relieved as far as possible." The desire of Howard for rapid recovery and self-subsistence can be clearly detected in these instructions.

This Circular No. 5 also contained several other interesting instructions.

In all places where there is an interruption of civil law, or in which local courts, by reason of old codes, in violation of the freedom guaranteed by the proclamation of the President and laws of Congress, disregard the negro's right to justice before the laws in not allowing him to give testimony, the control of all subjects relating to refugees and freedmen being committed to this bureau, the Assistant Commissioners will adjudicate either themselves or through officers of their appointment, all difficulties arising between negroes themselves, or between negroes and whites. . . .

\(^{30}\)Howard Papers MSS. (H Letterbook, Jan.-July, 1868), 59-62.

Howard to Jay Cooke & Co.
The general pointed out that the Negroes must be free to decide their own employment, and to receive remunerations for their work. Agreements must, of necessity, be freely contracted. "The old system of overseers, tending to compulsory unpaid labor and acts of cruelty... is prohibited. The unity of families, and the rights of the family relation," were to be carefully protected. The assistants were to be of service to the refugees and freedmen in obtaining titles to land according to law. The President approved these instructions early in June.

Circular No. 11 was published by the commissioner on July 12, 1865, and dealt largely with wages for the former slaves. To obtain a fair wage "the bureau agent should have in mind minimum rates for his own guidance," but "no fixed rates" were ordered for an area. The agent should ascertain the wages which the master had received when his slave had been hired out. This would afford an "approximate test of the value of labor." However, the bureau official had to take into consideration the changed circumstances, and be positive that the workers were protected against extortion and avarice. The use of written contracts was urged and the agent was to keep duplicate copies. Howard related that some farmers had already rented lands to Negroes and refugees which was certainly in agreement with the principles of the bureau law. Section 4 of that law called for setting

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apart land for "every male citizen, whether refugee or freedmen." To ensure the enforcement of the contracts, recourse should be had to "Provost courts, military commissions, local courts, where the freedmen and refugees have equal rights with other people" and were available for his use. Howard warned the bureau officers not "to tolerate compulsory unpaid labor. . . . Suffering may result to some extent, but suffering is preferred to slavery, and is to some degree the necessary consequence of events." Any substitute for slavery, e.g., peonage or unwilling apprenticeship, could not "be tolerated." 32

A Washington paper reprinted the Commissioner's circular of October 23, 1865, to agents and officers of the Freedmen's Bureau in South Carolina, Georgia and Florida. It was aimed at restoring "confidence. . . between the property-holders and the negro laborers. . . ." Once again by examining the bureau circular we are able to get an understanding of Howard's attitudes. The agents and officers were cautioned against the "use of any offensive expressions." Even though the local inhabitants would stir up "feelings of resentment," they had to "carefully abstain from recriminations." He informed them that "true friendliness to the freedmen demands that they be taught to look to the property-holders for employment. On the part of the employers it is equally urgent and for their interest to secure the confidence of their employees." It would take time before there would be no longer "jars, quarrels, and some acts of

violence; but I do not believe this is the general wish or belief of the people, whether white or black.  

General Howard admonished his bureau workers to use a reconciling approach, an intelligent attitude, and to abstain from recriminations. On March 3, 1866, the general wrote to Brig. General Gregory, Assistant Commissioner for Texas, of the reports he had received of the latter's excessive friendliness to the Negroes, while overlooking "the interests of the whites." Howard cautioned him
to be as wise as a serpent as well as harmless etc. By a spirit of fairness, and great discretion, you may conquer the opposition of all reasonable men. Consult often with the Dept. Commander and Provisional Governor. ... I counsel you to use the broadest possible charity, and do what you conscientiously can to promote mutual good will among blacks and whites.  

In a communication to a gentleman in Virginia, two years later, the Commissioner defended vigorously his agents and officers. He recognized the fact, however, that some of the bureau workers had erred in their activities. Howard concluded by saying, "The... drift of our work has been to transfer the responsibility and duties to local... agencies, as soon as it can be done in keeping with the pledges of the Government to make the freedom of the slaves a substantial fact."  

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33 Daily Morning Chronicle, Nov. 4, 1865.


35 March 27, 1868, Howard Papers MSS. (Letters Sent Nov. 1867-June 1869), 159-60.
It was recalled by Howard that both he and Stanton believed strongly in furthering education for the freedmen. It became apparent to Howard that the President did not think much of his educational tendencies. Opposition to the Commissioner and his bureau came from the Chief Executive of the nation. Johnson and others were inclined to feel that "true relief" for the former slaves was only in work. To this the general responded, "It was hard for them to realize that the training of the mind and hand, particularly with negroes, could go on together." He likened relief to crutches, something to be dispensed with "as soon as the patient was able to walk alone. But one source of relief was imperative, and friends of freedmen believed that in some form... it would be made permanent. It was the school." While various activities of the bureau were diminished, as time went by, "school operations" were extended.  

In his first annual report as commissioner in December, 1865, it was related that, "Education is absolutely essential to the freedmen to fit them for their new duties and responsibilities." A system was needed, most men in the several states agreed, but Howard felt that a "majority of the white people" were completely "opposed to educating the negroes." It was mentioned how teachers even though they were good Christians were looked down upon and "visited... with undisguised marks of odium." Education should be placed "on a firmer basis than it now is..." Money "raised during the war

under the treasury laws for the benefit of freedmen" should be used to obtain "sites and buildings for school purposes. . . ." The United States should retain these until the people "shall be able to repurchase the same." He then remarked:

School buildings should not be exclusively for freedmen; for any aid given to educate the numerous poor white children of the south will be most important, and conducive to the object our government has in view; I mean the harmony, the elevation, and prosperity of our people. Industrial schools and orphan asylums could be provided for in the same way. These appropriations would at least be but a meagre amount for such a work, yet they would give an impulse in the locality where expended.37

Howard called to his assistance, in the realm of education, numerous benevolent groups. Early he took cognizance of these organizations when he said to Stanton that "various churches and missionary societies have already started schools. . . ." The problem presented was that "they don't pull together exactly, sometimes they work at cross purposes. I believe the Bureau had better work out some combination scheme and take general charge of it all. So we went at it."38

To expedite "the educational work General Howard adopted the simple arrangement of giving a dollar for every dollar that a society would


38 Howard Papers WWS. (Articles and Addresses No. 5, Speech at Hampton Institute, May 23, 1889). This hope of Howard's was expressed to the officers of the various associations for Freedmen and Refugees on June 17, 1865. "... one general agency. . . would simplify, economize and extend the work." Bureau Refugees and Abandoned Lands, Asst. Adj. Gen. Vol. I, May 1865-Dec. 1865, Letters Sent (Record Group 105), 65-66.
invest in the work." This scheme "worked well, and the funds for it" came from abandoned properties which had been sold. There appeared opposition to his plans in both sections of the nation. The North felt that advanced education for the Negroes was not necessary while the South could "hardly afford to support the public-school system."\textsuperscript{39}

The bureau head stressed advanced education. "In every way, as commissioner, I... encouraged... higher education." He stated that in his "earlier interviews with Mr. Stanton in May, 1865, I claimed that the education of the freedmen's children, and of adults as far as practicable, was the true relief. "Relief from what?" asked Stanton. "... 'Relief from beggard and dependence,' I replied."\textsuperscript{10}

He invited individuals to observe at first hand the workings of collegiate education, e.g., Howard University. In commenting on the subject of equality he once wrote, "of course no man expects positive equality in anything—but surely we can here demonstrate that the dusky color of the skin does not of itself unfavorably affect his... intellect."\textsuperscript{11}

\textsuperscript{39}Mrs. Laura C. Holloway, Howard: The Christian Hero, 149. Howard endeavored immediately to promote and harmonize the actions of the various groups "in providing teachers, books, and schoolhouses." They received aid and protection from him, and he "saw to it that the bill extending the life of the Bureau gave explicit authority to continue and enlarge this work." Cox, "Howard and the Misrepresented Bureau," 453.

\textsuperscript{10}Howard, Autobiography, II, 390, 394.

\textsuperscript{11}Howard to Hon. J. W. Forney \textsuperscript{37}, June 18, 1869, Howard Papers (H Letters Sent). It was in the founding and promoting of "larger and higher institutions that the bureau performed its most
An interesting letter was addressed to the assistant commissioner of Mississippi on December 12, 1866.

Well regulated schools correct public sentiment rapidly. I have known secession slave holders to be affected and converted by visiting a successful school. Get good teachers from the North, men that are ready to die if need be, in the service. Such will never stir up strife unless it ought to be stirred up. I dont much hope to get a good system in Mississippi because of the harshness and blindness of so many people, but something can be done.\footnote{Howard to Gen. T. J. Wood, Howard Papers MSS. (F Letters Sent).}

General Howard was instrumental in establishing the bureau courts to determine minor problems, such as contracts between planters and the former slaves. In having the court composed of a bureau agent, and two others, representing the freedmen and the planters, Howard thought every interest would be accounted for. For the more serious crimes, State courts were called upon, if existing, or recourse was had to federal courts or military commissions. A recent historian does not think too highly of these bureau courts. He concluded that in matters dealing with contracts between whites and freedmen, "the Negro usually came out the winner."\footnote{E. Merton Coulter, The South During Reconstruction 1865-1877 (Vol. VIII of A History of the South, ed. by W. H. Stephenson and E. Merton Coulter), 79. Hereafter, this work will be cited as Coulter, The South During Reconstruction.}

The First Reconstruction Act of March 2, 1867, gave the district generals authority to substitute military commissions for substantial and permanently beneficial service to education." Paul S. Peirce, The Freedmen's Bureau, A Chapter in the History of Reconstruction (Vol. III, No. 1, of the State University of Iowa Studies in Sociology, Economics, Politics and History), 88. Hereafter, this work will be cited as Peirce, Freedmen's Bureau.
civil courts when necessary. Howard gave the Radicals aid in fostering this bill with a report. This was termed by Gideon Welles "an omnium-gatherum of newspaper gossip, and rumors of negro murders, neighborhood strifes... amounting to 440..." Howard's agents had scoured papers to secure them.

The general had strong convictions on the right of Negroes to give testimony in the Southern courts. He notified the mayor of Alexandria, Virginia, in the summer of 1865, that he had heard from his agents that the testimony of former slaves had been refused. Now that slavery was abolished, the old, state, slave laws were inoperative. He went on to say "that simple justice and equity require the reception of testimony from Freedmen." Since this was not being done, the general requested that such "cases arising between colored and white persons and between colored persons themselves," be transferred "to the jurisdiction of the Provost Courts," or to those set up according to Circular No. 5.\(^5\) On October 5, 1865, he stated to the assistant commissioner of North Carolina, Col. E. Whittlesey, "The right to testify and sue in the Courts must not be impaired, and

\(^{14}\) Welles, MS. Diary, box 7, Feb. 15, 1867. Orville H. Browning recalled that the report was made up of "alleged outrages and murders... on freedmen." It was compiled from "exaggerated statements" of officers of the bureau. The Diary of Orville Hickman Browning, II, 130.

whenever a Court recognized by you for freedmen fails to receive testimony of freedmen, you will withdraw your recognition."  

The general supported assistant commissioner Swayne, of Alabama, when the latter got the judges of that State to accept the testimony of freedmen in return for having cases tried in the State courts. Wendell Phillips disapproved this procedure and Howard replied, "Justice in time will work itself clear. It is a long step gained to secure the negro's testimony in the Southern courts."  

Howard favorably remembered the accomplishment of Swayne in his first annual report as commissioner of the bureau.

In December, 1865, the Commissioner of the Freedmen's Bureau gave his first annual report to the President. In this document he recalled all the activities of the bureau in an excellent survey. He closed it by stating that "the different problems given me" have not "been solved," but he did not feel that "complete and satisfactory results" could be accomplished. With the aid of God, however, he would strive hard to "keep the pledges we have made that... freedom shall be a substantial reality."  

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47 Howard, Autobiography, II, 253-54.

One Washington paper determined that Howard "managed the affairs of this bureau with the utmost ability and with great success." Because of the scope of its work, it was surprising that there was so little complaining heard of it and so few mistakes made by it. "If there have been abuses, if errors have been committed in relation to the proper policy to be pursued, they are neither chargeable to the bureau nor to General Howard." 49

Not all newspaper editorial comment was favorable to the general and his bureau. Different sections of the nation had opportunities to see and hear Howard in person. He travelled from city to city delivering speeches on the purpose and the desired objects of the bureau. A Jackson, Mississippi, sheet reported "he is not to be trusted. His talk betokened a want of education inexcusable in any one pretending to teach even a negro." 50 The Cincinnati Daily Enquirer related that

... Howard, of the Negro Boardinghouse Bureau, has been inspecting the negro quarters in Washington, and finds them more comfortable than in any other part of the country. Why should they not be? Are not their friends in power there? Are they not boarded free? 51

A paper in the capital of "Old Dominion," referred to the general's speeches as "the raving rant of this fanatical negrophilist. ..." In mentioning the fact that Howard went to New Orleans

49 Daily Morning Chronicle, Dec. 21, 1865.

50 Howard Papers MSS. (clipping in Scrapbook Vol. 1, n.d., n.n.).

51 Sept. 16, 1865.
"to investigate matters" there; this sheet concluded that "This strange fanatical specimen... instead of attending to his Bureau duties last Fall, was going about the North lecturing to those queer political clubs there called 'Christian Associations'."

Among the papers of General Howard an interesting article entitled "Our Christian Duty towards the Southern People" can be found. It was composed probably between 1866-1868. Howard arranged the Southerners into several classes. The first group were "the truly repentant," ones who had fought in the war but have changed since. They "may be met more than half way." These persons could "be relieved... from the consequences of their offences" with pardon and amnesties. They should have all the privileges which they were willing "to accord in equal degree to all other loyal men." This group would cooperate soon with the fourth class, those who had "always been true..." They had to "present a solid front against" the second and the third groups. The former were those who pretended at first to disavow state supremacy, slavery and secession views, but have tried since to regain power to re-establish them. The latter were troublemakers who were trying to keep disorder, crime and contention abroad.

Howard then asked the question, "What is our Christian duty towards them?" We were to give "an eye for

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52 Richmond Times, Dec. 29, 1866.

53 Howard Papers MSS. (Collection of Lectures, Addresses, Articles IV).
an eye and a tooth for a tooth?" The officer replied, "No... ."

They had to be held "by the hand of power, the power of a loyal
gov't—that same power by which they were conquered, in order that no
. . . destruction shall be carried out. . . against loyal men, whether
black or white. . . ." However, while doing this, education had to
be promoted, industry developed, the naked clothed and the hungry fed.
This action was to give them a true picture of "how different we are,
from the morbid representations of us to which a poor deceived people
have so long listened." The Commissioner warned that while being
charitable and generous the Christian could not "allow the innocent to
be apprehended, tortured and slain."

He felt that there could be "no violation of christian
principle in the proposed amendment 14th to our Constitution.
I detect no spirit of revenge in any of its provisions. It imposes
no unnecessary hardship," Howard reasoned, "and makes no unreasonable
exclusion of Southern white men." It was pointed out that Congress
could remove the disability, and the first class of men would appeal
for relief to that body. "The negroes alone, speaking in their own
interest, have any valid right to complain." No race conflict would
occur because the Negroes would be given "the same measure of justice
and right, which the white men claim for themselves. This will be
found to be a groundless fear." He then cautioned, "Our national
danger will result from unequal and partial laws." Politics, it was
pointed out, could not "be a trade without religion in it."
Howard sent out many orders and directives to his assistant commissioners and agents. Although they had discretionary powers, he interposed his own views at times. A letter dated May 24, 1867, was received by Bvt. Maj. General Jos. A. Mower which read:

... I saw your order forbidding your Agents to attend political meetings. While I agree with you fully as to the necessity of our officers never mixing themselves up in politics, yet I think the officers ought to attend public meetings of every kind, whether political, judicial, or religious, with a view of ascertaining every-thing possible with regard to the people with whom they have so much to do. Could you not write a simple letter... to each agent or officer... and caution him against becoming a candidate for public office or in any way mixing with politics, and at the same time not forbid him absolutely from attending public meetings of a polit-ical character?

Bvt. Maj. General W. P. Carlin, assistant commissioner in Nashville, Tennessee, was informed confidentially that one of his agents had entered into a political contest with a "worthy union man." Furthermore, it looked as if the agent would win "by means that hardly become an agent of the Government." Howard emphatically cautioned his officer, "If Mr. Lawrence [the agent] will use his position for his own personal agrandisement [sic], he is a very different man from any that I want to employ in this Bureau." The general would not tolerate drunkenness among his workers. Senator Henry Wilson was informed of the removal of an agent at Charlotte

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54 Howard Papers MSS. (Letterbook F. Letters Sent).

55 Howard Papers MSS. May, 1867 (Letterbook F. Letters Sent). Howard's assistant informed a Republican party official in Arkansas on June 27, 1867, that agents of the bureau should instruct the freedmen in their rights, "and should explain to them their privileges
when he was found drunk by my Inspector..." **56** Thus did Commissioner Howard attempt to keep his bureau employees in a straight line!

General Howard discovered that the use of Negroes as agents was unsatisfactory. In an autumn letter of 1865, an assistant to the Commissioner wrote that some colored men had been used, "but being thoroughly identified with the Blacks they saw through prejudice and caused a hostility [from the whites] hard to overcome." The note continued:

> By teaching however they are now being made use of and will be to the greatest possible extent. The best aid the colored people can possibly give is to teach, and rise as rapidly as possible to higher plains of culture. It is vastly more important that they should earn money, buy lands and get homes, than to participate in any office under the Government at present. However Genl Howard would not exclude any colored man from any position that he is fitted for." **57**

The use of Negroes in the service had declined sharply, in fact by October 20, 1867, there were only "twelve commissioned officers, retained on duty in the Bureau of Refugees, Freedmen, and Abandoned Lands.**58** under the franchise law, but should avoid partizan discussion." **59**

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**56** Howard Papers MSS. May 25, 1866 (Letters Sent Feb. '66-Oct. '66). John DeForest, a bureau agent in S.C. Car., 1866-1867, related that Howard issued temperance pledge forms to his men. They were to establish "total-abstinence societies among the freedmen." However, DeForest "never got a signature..." John W. DeForest, A Union Officer in the Reconstruction, 102-103.


At first Reconstruction of the South under the President proceeded as the Confederates "would have it." The general did not agree with Johnson's plan "because the freedmen were left outside of all proper citizenship." He thought it wrong because they "had no voice directly or indirectly in the new governments over them..." The appearance of black codes brought his objection since the lot of the Negro became more deplorable. Howard was of the opinion that if it had not been for "military protection," the colored men would have been worse off than under the old set-up. In his annual report as Commissioner of the Bureau, Howard reported on November 1, 1867, that "There is abundant evidence that these measures [the reconstruction acts] have checked the defiant spirit of disloyal men, raised the hopes of freedmen, and greatly promoted good order and peace."

The Second Military District Commander, Daniel Sickles, was not friendly to the bureau. This political general expressed his views shortly before the passage of the reconstruction bill. On January 26, 1867, Orville H. Browning, the Secretary of the Interior, recalled his meeting with this officer. The diarist recorded that Sickles had stated, that because of the bureau the South had been loaded "with petty tyrants, knaves and robbers, who were doing a great deal of harm..." If the South were left alone "the new system of things would soon adjust itself satisfactorily and

59 Howard, Autobiography, II, 277.

advantageously to all parties and all interests. . . ." He concluded by saying that "Genl Howard was a weak man and a hypocrite, whose only merit was that he had lost an arm in the service etc." However, the Commissioner of the bureau informed Sickles on March 18, 1867, that he had drawn up a circular which was to give the District Commander "the duty of supervising" the assistant commissioners. The former could then get involved as deeply in bureau work as he desired. Grant approved of this letter, but Stanton felt there was "no necessity of any change at present," and he suspended the circular. Sickles soon saw that Radicalism was the road to preferment," one scholar decided, and "he did not interfere with the Bureau" in North and South Carolina. 63

"During my Government work in Washington, D.C., from its commencement, May 12, 1865, to its close, July 3, 1874," Howard reflected, ". . . I was obliged to meet and overcome many obstacles, and to encounter a constant . . . opposition." The bureau had been a cause of ill feeling and murmuring to both Southern and Northern opponents. After Johnson decided to oppose the Republican radicals, his actions tended to strengthen "all Southern hostility to the Bureau work, and brought into disrepute its most faithful officials." This resistance

61 The Diary of Orville Hickman Browning, II, 126.
63 Bentley, Freedmen's Bureau, 186.
did not surprise Howard because the organization, which he headed, became an "out and out... advocate of negro manhood. How could... Southern white people, who had not even believed in emancipation, enter heartily into sympathy with me..." Conservatives of the North "wanted the care of the freed people left entirely to their old masters and to the Southern State governments...."64

The President, while struggling against Congress in the summer of 1867, had a visit with John M. Langston. This eminent, Ohio, colored lawyer and orator was asked what the view of the Negro was toward the bureau. Johnson also informed him that he was planning to remove Howard. This move was contemplated for several reasons. The general "was running the bureau in the interest of the Congregational Church" and "in the interest of the Republican party." An additional reason was that "he was a d_d scoundrel anyway." Lastly, he wanted a colored man to head the organization. Langston was offered the job and he then proceeded to an interview with Grant, the Secretary of War, ad interim. When told of the offer, Grant responded, "You have come to the wrong place... I cannot give you any assistance. I think Gen. Howard the best man in the country for the position and I shall use all my influence to keep him there." The Negro stated that he did not want aid in securing the position. He only wanted to know if Howard could be retained, and that if he were removed, would

64 Howard, Autobiography, II, 423-24. For the Steedmen-Fullerton Investigation of the bureau, ordered by Johnson, see Bentley, Freedmen's Bureau, 63-64.
it "not be better for a colored man to take the place rather than" a white person "not in sympathy with his race..." The general told him to refuse it and not to be a party to the scheme of breaking down the Commissioner.65

Earlier the President had spoken to Welles on the practicability of replacing Howard with Fred Douglass. The secretary replied that if a Negro was desired, he would "be as appropriate as any." The general was a good person, "but loose in talking and appropriating public property, and so intensely radical that I wished him removed, and an overturn in the management of the Bureau." Approximately eight months later, Welles recorded in his diary that "at the beginning of the war Howard was a religious man of small calibre, but has become a pious fraud."66

Radical leaders in the country must have reckoned Howard a true brother after becoming familiar with his views as expressed to Douglass, Langston and others early in 1866.67 Negro suffrage had not been brought forth yet, but it appeared obvious that when the time arrived for its introduction, Howard would support them.68 The officer


66 Welles, MS. Diary, box 8, July 26, 1867; March 25, 1868.

67 See page 83.

68 Bentley, Freedmen's Bureau, 116.
explained his own position and predicted the course to be followed by the Radicals in a letter to a former classmate at West Point. 69 Howard figured that he would be interested in his opinion on political matters, "as it comes from a man who is a thorough radical himself." The "dominate party" will require the Southern states to accept the pending amendment. If this is refused then its provisions "with the addition of just and impartial laws which shall not discriminate simply on account of the color of the skin," will be demanded. Although one might question his degree of radicalism in the period immediately after the war, by the summer of 1866 many in the South were convinced of the degree. The Little Rock Daily Gazette, while lamenting the bad weather and planting difficulties, pleaded for the President to veto the bill continuing the bureau. It had already been passed by the House. The paper also requested Johnson to "remove that fanatic Gen. Howard, from the head of freedmen's affairs...." 70

Howard became involved in the discussions concerning amalgamation of the white and black races. It was reported, early in 1866, that the Republicans were surprised and had regrets over the fact that the general "avowed himself in favor of amalgamation" at a recent Howard University trustees meeting. This view was rejected by Congressional Republicans and it was imagined that this opinion would "seriously

69 To J. Black, Nov. 19, 1866. Howard Papers MSS. (Letters Sent, Nov. 1866-1867), 16-17.

70 June 22, 1866.
damage the bill continuing the Bureau. . . ." On February 21, the Chicago Tribune published a note from an informer who knew the general. He related that on the question of intermarriage, the officer held "as you do, that the tastes of both parties, left free, will disincline them to such unions." However, where they were living together in an unmarried state, they should marry. In the same month, the general wrote to the Chairman of the House Committee on Freedmen's Affairs that his attention had been called "to an absurd charge against me that. . . I favored the intermixture by marriage of the white & black population. This charge originated in certain men who hate me." He firmly remarked, "Of course there is no shadow of truth in it. . . ." In reality the question was never discussed by the board of trustees.

As the months and years rolled along the activities of the bureau declined. Its head never voiced the opinion that it would be a permanent organization. In the autumn of 1865, he wrote to the Assistant Commissioner of North Carolina, Col. E. Whittlesey. This officer was informed that "It is a good thing for the Bureau to be dispensed with in N.C. the moment that N.C. is prepared to do simple


72 Ibid (clipping of the Chicago Tribune, Feb. 21 in Scrapbook V. 4).

justice to all her people. Again, on December 1, 1868, Howard notified Bvt. Brig. General O. Brown, the Assistant Commissioner in Virginia:

I have no doubt that a continuance of the Bureau in those States not yet reconstructed would in many respects be beneficial to the Freedmen. But I do not think its continuance absolutely necessary or adequate without other aid to protect their lives, or to secure to them their political rights. I believe none of us have wished to engrat the Freedmen's Bureau as a permanent institution upon our Government. This being the case, its substantial removal can as easily be effected now as at any subsequent time.

Howard called for the renewal of the bureau's life, however, as long as it was desirable. The general in his first annual report showed that, in combination with the armed forces, the bureau was "a means of encouraging immigration" to the South. If these governmental aids were withdrawn, the "Union men of the south and northern men now residing there" would be in peril and would have to leave.

In his annual report of November 1, 1866, he related how the continuance of the agency "has had a salutary effect." This body "has served to cheer the freed people throughout the entire south, to increase their confidence in the general government to give new

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stimulus and a better tone to industrial and agricultural enter-
prises. . . .

The Commissioner explained to Congressman Eliot on February 8, 1868, why he had recommended the discontinuance of the bureau in his last annual report. This proposal was based "on the belief that each of the several States, where the Bureau exists. . . will be completely reconstructed by next July," and the former slaves, possessing all citizenship rights, could "protect themselves with such aid as the United States military forces may be able to render." The only hindrance to this end was the ignorance of the as yet uneducated. The writer further elaborated:

Since writing the report in question I have attempted to discharge all the officers and agents of the Bureau from certain States, and in part from certain other States. A reaction against the interests of the Freedmen immedi-
diately followed. This I did not anticipate.

The removing of the bureau officials took away the protection of having cases involving "violation of the Civil Rights act" placed before special courts. Schools had been closed when these men departed. Relief also could not be terminated by next July. Howard concluded that the bureau should be continued "for at least one year longer than I previously recommended. . . ." The last part of this communication displayed the fact that the general had an eye on the political situ-
ation. He wanted its life extended:

\[\text{till matters settle; till the new government shall be not only established, but in practical operation, and}\]

be able and willing to afford the protection and the relief which the United States government has rendered and is now rendering through its instrumentality.\footnote{Howard Papers MSS. (Letterbook H. Jan. 1868 to July 1868, Letters Sent), 130-33. See also letter to Senator Henry Wilson, March 26, 1868, in same Letterbook, 270-74.}

Howard won his presentation of the case, since the bureau was renewed by Congress for another year.

A recent scholar has decided that the bureau might have made "the difference between victory and defeat for the Republicans" because their opponents in the South were seeking the votes of the Negroes. The sizable vote which Grant received from the blacks was corraled by the bureau. Thus it carried through to fruition "one of its original tasks, that of helping the Radical politicians keep their party in power."\footnote{Bentley, Freedmen's Bureau, 199, 202. See also Coleman, The Election of 1868, 369-70.}

By the fall of 1868, the Commissioner remarked how there had been reductions made in the number of bureau officials. Some of the duties of the bureau had been assumed by the civil governments. "Arrangements are now being made for the discharge of all agents on or before the 1st of January, 1869," with few exceptions. Regardless of the pleadings from Southern whites and blacks, Howard decided it was best not to continue the bureau's life beyond the termination date. In regard to relief he pointed out that it was "extremely difficult to induce the cities and counties to assume the charge of
the indigent, and they will not do so while the general government furnishes assistance." The Bureau, in part, was continued from time to time, with Howard remaining at its head until 1874.

New York Congressman Fernando Wood, in the spring of 1870, charged Howard with being a member of a "ring known as the 'Freedmen's Bureau ring'. . . ." He also charged that Howard was "guilty of malversation and dereliction of duty. . . ." His connections with the bureau had led to his personal gain and to "political profit" for a political machinery of a party in the Southern States. . . ." There could be no doubt that Wood was referring to the Republican party. Another Congressman, Samuel Cox, agreed that the bureau aimed at perpetuating "the existence of the Republican party." It is not the purpose of this paper to develop the investigation of the charges brought against Howard, but merely to show that opposition existed toward him as a result of his bureau connections. This was a partisan attack since both Cox and Wood were Democrats.

One expert after a thorough study of the Freedmen's Bureau concluded, "that General Howard was true to the negro and not hostile

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80, 131, 137, 183, 135, 137, 137.
81, 131, 137, 137, 137.
82, 131, 137, 137, 137, 137.
83, 131, 137, 137, 137, 137.
toward the well-intended white. . . ." It was pointed out in addition that his "instructions show that his watchwords were justice, freedom, industry, confidence, conciliation, fidelity." Howard never advised a procedure or step "prejudicial to blacks or unnecessarily irritating to whites."84

In an unpublished article entitled "Not Confession; But Admitted Errors" General Howard reminisced about the years spent as Commissioner of the bureau.

It was an unpopular work though in my judgment absolutely necessary in relieving the shock in passing from a state of slavery to a condition of freedom. It was like a buffer between a large ship and a solid dock which is a relief against the breakage of the ship and injury to the dock. The buffer, however, has to be bruised. To claim that there were no mistakes with the Negroes [sic] . . . where criticisms were multitudinous and of the severest kind would be boasting.85

Howard had a difficult job to perform during the period following the war between the States. He attempted to help the Negroes in their huge step from slavery to complete freedom. There was no planned scheme to be severe on the South, but when any of the inhabitants of that section opposed the taking of that step, the general intervened on behalf of the freedmen. He had a task to do and Howard "simply conformed to the. . . law. . . ."86

84 Peirce, Freedmen's Bureau, 154-55.
85 Howard Papers MSS. (Articles and Addresses, Vol. 9).
86 Howard, Autobiography, II, 333.
CHAPTER V

GENERAL JOHN M. SCHOFIELD

An understanding of the attitude or feeling of General Schofield toward reconstruction can be had from his own words.

"... it is an instructive lesson which ought never to be forgotten, that feeling and passion sometimes more than reason, sound military principles, or wise statesmanship, dictated military as well as political policy during and long after the Civil War." He seemed to be convinced of the evils of the reconstruction measures which brought only trouble to the South during that exasperating period. ¹ During his rule, Schofield harassed the army headquarters with demands for authoritative answers upon his powers. Then, in the meantime, he proceeded to exercise his powers with moderation.²

This graduate of West Point³ was present when General J. E. Johnston surrendered at Durham's Station, North Carolina, on April


²William A. Dunning, Essays on the Civil War and Reconstruction and Related Topics, 151.

³It would be well to mention here that Schofield had two roommates from Virginia when he started his training at West Point. They wondered whether he was a "Yankee." He told them that he was from Illinois and this saved him from being classed as one. In this situation, Schofield remarked, "I found my mission at West Point, as in
26, 1865. He was "entrusted with the execution of the military convention of capitulation." The Department of North Carolina was directed by him from April to June 21, 1865. Thus Schofield was connected for a short time with the very beginnings of the problem of restoration in the South. After a mission to Europe from November 1865 to May 1866, he found himself in charge of the Department of the Potomac, Richmond, Virginia, August 16, 1866 to March 13, 1867.

General Orders No. 31 was proclaimed by Schofield on April 27, 1865. The Northern army and the people of North Carolina were informed that the conflict was at an end, "and it is hoped that peace will soon be restored throughout our country." Everyone had to "cultivate friendly relations" in order to help restore peace and "material prosperity" as rapidly as possible. He called for "cordial support" from "all good citizens," while he admonished the military to maintain "perfect discipline and good conduct. . . ." He advised the Southerners to "return to their homes, and resume their industrial pursuits." Those who had lost needed animals and equipment could apply for temporary use of captured ones then in the possession of the Quartermaster's Department.

after life, to be, as far as possible, a peacemaker between the hostile sections. If the great West could have been heard, and its more dispassionate voice heeded, possibly peace might have been preserved."

Forty-Six Years, 3.

Anonymous, Record of Services of Major-General John M. Schofield U. S. Army, July 1869 to June 1893, 6. Hereafter, this work will be cited as Record of Services of Schofield. Schofield actually wrote the military convention of April 26.

Schofield Papers (Copies of War Records).
On the same day the general issued an interesting General Orders No. 32 which dealt with the freedmen. The North Carolinians were reminded that the Negroes were free as a result of President Lincoln's proclamation and the army would help them keep this freedom. Former owners of the slaves were urged to "employ them as hired servants at reasonable wages." Freedmen would be better off if they could "remain with their former masters, and labor faithfully so long as they shall be treated kindly and paid reasonable wages...." Certainly it would not be right "for them to congregate about towns or military camps." The freedmen were cautioned, where necessary, to "seek employment in the kind of work to which they are accustomed. They will not be supported in idleness." Here again we observe this admonition being given to the former slaves soon after the war was terminated.

Another regulation concerning the Negroes was proclaimed on May 15, 1865. The former owners of slaves could not turn a cold shoulder toward "the young or the infirm, nor refuse to give them food and shelter." Able-bodied freedmen and women could not depart from their houses, "or live in idleness" and permit their relatives "to be supported by others." The wages to be paid the blacks were to be determined by the "employer and servant." Schofield reasoned that the Negroes "ought to expect only moderate wages" at least "for the present

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6 Schofield Papers (Copies of War Records).
season." A just "share in the crops to be raised" might be had where the employers had no money. Thus Schofield gave sound and practical advice to the freedmen.

A fellow officer of General Joseph E. Johnston recalled that "Schofield set the example [sic], and every man under him behaved with the most chivalric courtesy to the heartbroken people they had conquered." Rations and transportation to their homes were given to the Confederate soldiers. The author remarked that they "were sent thousands of miles at the expense of the Federal Government. . . ."

Then followed a significant statement:

As long as the soldiers controlled things, everything went on well. It was only when the politicians began to divide the plunder of the conquest, and aliquot the prize money, that the suffering was ten-fold aggravated.

On May 5, 1865, Schofield wrote to General Sherman for information:

I think it would be an act of wisdom to open this State to trade at once. I hope the Government will make known its policy as to organization of State governments without delay. Affairs must necessarily be in a very unsettled state until that is done. The people are now in a mood to accept almost anything which promises a definite settlement. What is to be done with the freedmen is the

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7 General Orders No. 46, Schofield Papers (Copies of Orders).

8 Bradley T. Johnson, A Memoir of the Life and Public Services of Joseph E. Johnston, 224. Schofield saw to it that the Confederates received 250,000 rations, "with wagons to haul them, to prevent the troops from robbing their own people. . . ." They received enough arms from him to form "a guard to preserve order and protect citizens en route. . . ." These weapons were then turned over to U. S. officers upon their arrival home. No objections were made to this procedure. It had been objected to when included in Sherman's first agreement. Schofield, Forty-Six Years, 351-52.
question of all, and it is the all-important question. It requires prompt and wise action to prevent the negro from becoming a huge elephant on our hands.9

Sherman answered him on the same day. He regretted the "indefinite action of our Government." The famous general also was sickened over the politicians in Washington, but found himself "powerless for good, and must let events drift as they best may." He felt Schofield "could guide the State of North Carolina into a path of peace, loyalty, and security in three months. . . ." The Negroes would also be put on the proper track of making "an honest livelihood. . . ." However, the politicians probably would attempt to shove him aside. Schofield could count on the backing of Sherman, even though it might not be very potent.10 Toward the end of the month Schofield received another letter from the Ohioan. "I have watched your course in North Carolina and approve it. Maintain peace and good order, and let law and harmony grow up naturally."11 It has been pointed out by a contemporary of Sherman how "intermingled have become civil matters with the military, and how almost impossible it had become for an officer in authority to act a pure military part."12

11Col. S. M. Bowman and Lt. Col. R. B. Irwin, Sherman and His Campaigns, 1389.
12David P. Conyngham, Sherman's March through the South, 1410.
Again Schofield gave an excellent account of the situation in his vicinity when he wrote to General Halleck on May 7, 1865. He had "not recognized... any of the civil officers of the State," because he had received no instructions. Steps should be taken as soon as possible "to organize a civil government..." The people are now in a mood to accept anything in reason... I think it would be... wise to retain in office," he stated, "justices of the peace, sheriffs" and others "who may prove to be loyal and worthy." He also called for action by the State legislatures in caring for the freedmen.13

"The imperative need of the Southern States at the close of the war," Schofield revealed, "was temporary military government, and permission, under such full military protection, to reorganize their civil governments." In a letter to Grant, May 10, 1865, he ventured to unfold his views regarding a plan which should be followed in North Carolina. A military governor should be designated and he should "declare the constitution and laws of the State in force immediately preceding the... secession... to be still in force." But no law could be permitted which ran counter to the Federal laws, Constitution and Presidential war proclamations. Until civil government was set up, provisional minor appointments were allowed to the governor. He could call for "an enrollment of all electors who may take the President's amnesty oath." When this enrollment was

13 Schofield Papers (Copies of Letters and Telegrams sent from Hdqrs. Dept. of N.C.).
finished, a state convention was to be held and delegates were to be elected to it. Both candidates and voters were to be qualified according to State law and they had to "take the amnesty oath." The results of the convention had to be given to the electorate. The latter would then also determine the state legislature and governor. The general was positive that such a convention would have to disavow "the doctrine of secession, abolish slavery" and return its state to the Union. "The people are now ripe for such action. They only ask to know," he stated, "what the government desires them to do, and how they are to do it." He would keep the state under military power if the people refused to act in the manner above mentioned. The convention would be dismissed. Thus if Schofield could not have "a lawful popular government," he would have "a military government."

The officer voiced very clearly, in this letter to Grant, his opinions on various aspects of the Negro problem in the area. He did not feel that the Federal government could "make a negro, nor even a white man, an elector in any State. That is a power expressly reserved by the Constitution to the several States." The freedmen were as yet not ready to be handed the suffrage privilege. "They can neither read nor write; they have no knowledge whatever of law or government." Schofield doubted whether they really comprehended what freedom itself meant. Then he reiterated an opinion held by many, that the Negroes felt freedom meant they could "live in idleness and be fed by the Government." They were amazed when informed of the incorrectness of this belief. Agreeing with General Howard,
he called for education to enable them to take their place in a free
society. A warning was then sounded, "I have yet to see a single
... Union [man] ... who would willingly submit for a moment to the
immediate elevation of the negro to political equality with the white
man." They accepted the fact of abolition, but could not countenance
raising "the negro in his present ignorant and degraded condition to
be their political equals. . . ." This would amount to enslaving the
whites.14

When writing his memoirs, Schofield related how his constitu­
tional approach was discarded by higher officials. The "provisional"
governors which were appointed did not meet with his sanction. This
scheme was really "unauthorized." He then solemnly concluded:

If wise statesmanship instead of party passion had ruled
the hour, how easily could those twelve years of misrule
in the South, and consequent disappointments and shame
among its authors in the North, have been avoided.15

In a telegraph on May 29, 1865, Lieutenant General Grant was
informed by Schofield that he had "some time ago removed all military
restrictions upon trade and . . . [had] given every facility for
carrying cotton and other products to market. . . ." But he objected
to restrictions imposed by the Treasury Department. Its agents and
officers searched for cotton which had been promised to the Confed­
eracy. These men often engaged in corrupt practices to benefit

14 Schofield Papers (Letters Sent No. 27, 1865). See also

15 Schofield, Forty-Six Years, 376.
themselves financially. At that time, Schofield pointed out, only one individual in North Carolina was given power to "buy cotton." This was certainly an obstacle to the Southerners when they attempted to market their produce.\footnote{Schofield Papers (Letters Sent, No. 221, 1865).}

Shortly before the general left his post, he wrote to Sherman concerning the condition of North Carolina. It was "quite as good as we had any reason to expect. The people are perfectly quiet, and exceedingly anxious for peace and restoration of civil government." He was pleased over the "appointment of a Provisional Governor" who would relieve him "from all responsibility as to civil affairs..."\footnote{June 6, 1865, \textit{ibid.} (Letters Sent, No. 225, 1865).} After the appointment of William W. Holden as governor, Schofield accepted another duty which took him abroad and away from the problem of reconstruction in the South.

The general was commander of the Potomac in August, 1866. It would not be too long before Congress would bring forth its reconstruction plans for the South. Schofield penned a very informative article entitled "Reconstruction in Virginia."\footnote{Schofield Papers, 3 \textit{et seq}.} This lengthy paper voiced the officer's views on numerous problems of this difficult period. He had a definite viewpoint on the Fourteenth Amendment which was pending before the country and the provisional Virginia legislature. Some members of that body were advised by Schofield to accept...
the proposed Constitutional change "as the only means of saving the State from the more 'radical' reconstruction... which was then threatened." Virginia would not fare too badly under it "because of the general intelligence of her white population and their superiority in numbers over the negroes..." If Virginia acted favorably upon this proposal, Congress would in turn "recognize the existing State Government and make it permanent..." But his advice was rejected and "Old Dominion" was compelled to suffer the rigors of radical reconstruction. While General Howard could wholeheartedly approve the Fourteenth Amendment, Schofield disliked it because it was "unjust and unwise." The South would reject it for it disqualified from office persons of "social position, intellectual attainments, and known moral character..." This would result in "bad government."

There were some Southern leaders who deserved to be placed under restrictions but this should not be carried to excess. After all the "general good" of the people had to be considered. It is folly to attempt to bring back a revolted people by disfranchising all the leaders in whom they trust and confide. These leaders, if they will act in good faith, can bring their people back to their allegiance. Without them it cannot be done during the existing generation. The question is simply can we trust the leaders of public opinion in the South when they say "we are honestly loyal to the Union and willing to do all in our power to effect a complete restoration?"

19 See page 99.
If we can not trust them there is nothing left but to hold the Southern States under military government, until a new generation can be educated.

It was related how the third article of the amendment condemned the Negroes "to seek redress from a magistrate of the same class as the culprit." Practically all gentlemen in the South had held posts which required them to take "an oath to support the Constitution. . . ." They were active also in the war effort. Most hostility to the colored men came not from this class but from the "inferior class of whites... . ." The proposed constitutional change would "place the negro in the power of the only enemies he has in the South." The officers of the Freedmen's Bureau claimed that the "higher courts" were fair in their treatment of the blacks but "some inferior magistrates" discriminated against the freedmen. If this amendment would become a law of the land, Schofield was positive this bureau would have to be continued, and then "take the place of civil courts all over the South, or else the negro's condition will be worse than that of slavery."

In his article "Reconstruction in Virginia" the general turned to the acute problem of voting. He could not accept the principle of universal suffrage. There were many rural areas in the South where neither whites nor blacks could read. How might the nation fare if they were entrusted with the ballot? "Ignorance or crime" were the "only just grounds" for disability. The question naturally arose then, how much education is needed to fit a man "for the right of suffrage?" The answer was simple, "just enough to enable him to
vote intelligently." Only impartial and qualified suffrage was acceptable to Schofield.

With the passage of the radical reconstruction measures early in 1867, Virginia became the First Military District. Schofield was appointed its commander on March 13. "The terrible oppression of the Southern people," he recalled, "embodied in those acts of Congress has hardly been appreciated by even the most enlightened and conservative people of the North. Only those who actually suffered the baneful effects of the unrestrained working of those laws can ever realize their full enormity."^20

General Orders No. 1 was promulgated by the commander on March 13. "All officers under the existing provisional government... will continue to perform the duties of their respective offices, according to law, unless otherwise hereafter ordered in individual cases. . . ." After their successors have been properly elected and have met the qualifications which Congress laid down, the former could then relinquish their positions. Then came a very significant section which indicated the course Schofield would follow.

It is desirable that the military power conferred by the... act be exercised only so far as may be necessary to accomplish the objects for which that power was conferred, and the undersigned appeals to the people of Virginia, and especially to magistrates and other civil officers, to render the necessity for the exercise of this power as

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^20 Schofield, Forty-Six Years, 395-96. See also William A. Ganoe, The History of the United States Army, 391.
slight as possible, by strict obedience to the laws, and
by impartial administration of justice to all classes. 21

It is highly instructive to compare the tone of this order with
the first ones issued by Generals Philip Sheridan, 22 John Pope and
Edward Ord. The latter was placed in charge of the Fourth Military
District which embraced the states of Mississippi and Arkansas. The
second part of his General Orders of March 26 informed the "civil
officers" that they were "expected to arrest and punish all offenders
against the law, so as to obviate, as far as possible, necessity for
the exercise of military authority under the law of Congress. . . 23

A more radical note was sounded by General Pope on April 1 as com-
mander of the Third Military District. He had authority over Georgia,
Alabama and Florida. The third part of his order notified the "civil
officers... retained in office" to "confine themselves strictly to
the performance of their official duties." They were warned not to
"use any influence whatever to deter or dissuade the people from taking
an active part in reconstructing their State governments, under the
act of Congress. . . ." 24

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21 40 Cong., 2 sess., Ser. 13h6, House Ex. Doc. No. 3h2, 2. See also Hamilton J. Eckenrode, The Political History of Virginia during
the Reconstruction (Vol. XXII, nos. 6, 7, 8 of the Johns Hopkins University
Studies in Historical and Political Science), 52-53. Hereafter, this work will be cited as Eckenrode, Virginia During Reconstruction.

22 See page 163.

23 40 Cong., 2 sess., Ser. 13h6, House Ex. Doc. No. 3h2, 132.

24 Ibid., 99-100.
In commenting upon the army rule in the South, the journal of the armed services termed Schofield's order "so simple, temperate and judicious, as to provoke a hearty response from the people of his District. His subsequent conduct has squared with that pronunciamento, and the citizens are in accord with him." One leading Democrat was certain that this document and the others likewise set forth by him did "honor to his head and heart. It shows that, like General Hancock in Texas, he took a statesmanlike view of the duties assigned to him." The Richmond Times thought that "its temper furnishes the most gratifying evidence that General Schofield is a conservative, honorable and intelligent official. . . ." The editorial concluded, "The spirit of kindness and gentleness with which this officer greets us, will produce a more conciliatory effect than a thousand acts of harshness." While awaiting General Pope's first declaration, an Atlanta, Georgia paper hoped that it would "be similar" to Schofield's "in spirit and in fact. . . ." Three days later this same newspaper pointed out how three members of the Richmond city council called upon the general to determine his opinion on whether a municipal election,

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25 The United States Army and Navy Journal, and Gazette of the Regular and Volunteer Forces, IV, May 4, 1867, 581. Hereafter, this work will be cited as Army and Navy Journal.

26 Samuel S. Cox, Three Decades of Federal Legislation, 1855 to 1885, 188.

27 March 11, 1867.

28 The Daily Intelligencer, March 19, 1867.
already scheduled by the council, should be held in April. Schofield felt the election should not be held "until after the registration of voters should be completed." However, he "preferred that the State authorities themselves should postpone the elections. . . ." The officer already "had ordered the postponement of. . . [other] municipal elections. . . but thought it desirable that the local or State" officials should "manage the matter themselves. . . ." 29

Two other orders of some significance were issued by Schofield. On March 15, 1867 following the line laid down by an act of Congress on March 2, "whipping or maiming of the person, as a punishment of any crime, misdemeanor, or offence, is hereby prohibited in this district." 30 Whites as well as blacks could be benefited by this directive. Schofield did not attempt to spare any of his appointees to local offices from responsibility. An order of April 20, 1867, provided that

county and corporation officers appointed by the commanding general will be required to give. . . bonds required by law, and will be subject to indictment for malfeasance, misfeasance or neglect of official duty, the same as if they had been elected by the people. 31

Even though Schofield was moderate in his approach to the Southern question, he did not hesitate to exercise his authority when he

29 The Daily Intelligencer, quoting the Richmond Times, March 22, 1867.


31 General Orders No. 16, ibid., 250.
felt that it was necessary. Charles H. Winne of the Richmond Times on April 27, 1867 was warned about an editorial which appeared in his paper on that date. While the general encouraged "the utmost freedom of discussion of political questions," the editorial comment called "for severe censure." The editorial was entitled "A Black Man's party in Virginia" and reflected upon grasping "the blood-stained hands of the authors of our ruin." It was an "Intolerable insult to all soldiers of the United States Army. . . ." The proprietor was told that "The efforts of your paper to foster enmity, create disorder. . . . can no longer be tolerated." The Army and Navy Journal did not doubt "the propriety of General Schofield's" remonstrance. It is interesting to note that the last issue of the Times appeared on June 10, 1867.

The First District Commander did not allow the skin color of individuals or groups involved to influence him when an assertion of his authority was needed. Special Orders No. 39 was issued on May 11, 1867. "The Lincoln Mounted Guard," earlier known as "The Union Aid Society," was instructed "to lay aside entirely its military character, and its members are forbidden to parade or appear in the streets in uniform, with arms. . . . or with field music. . . ." No assembly of this group could be had "for the purpose of parade or drill." These


33 May 4, 1867, Vol. 4, 581.
colored men had to "maintain a purely civic character." This order was proclaimed by Schofield undoubtedly to relieve tension and prevent possible disorder.

The commander issued General Orders No. 31 on May 28, 1867. This provided for the establishment of military commissions when "protection to all persons in their rights of person and property" was not supplied by the civil officials. They had to keep Schofield informed of all cases over which they took jurisdiction. "Where parties are held for trial... full statement will be made of the facts... as will enable the commanding general to decide whether the case shall be tried by a military commission or be brought before a civil court." Then came an important section, so typical of this officer.

Trial by the civil courts will be preferred in all cases where there is satisfactory reason to believe that justice will be done. But until the orders of the commanding general are made known in any case, the paramount jurisdiction assumed by the military commissioner will be exclusive.35

Military commissioners were instructed further in Circular No. 7, August 8, 1867 that they were to be "governed in the discharge of their duties by the laws of Virginia, so far as the same are not in conflict with the laws of the United States" or orders issued by Schofield. They should not "supersede the civil authorities, except


35 Annual Report of the Secretary of War, 1867, 40 Cong., 2 sess., House Ex. Doc. No. 1, 243-44.
in cases of necessity." However, in such cases the commanding officer was to be informed of the matter.\textsuperscript{36}

The \textit{Richmond Times} objected to this order because it "strips the courts of this Commonwealth of power, and leaves them in all civil, as well as criminal proceedings, subject to the will and caprice of military commissions. . . ." These were made up of "strangers and soldiers of the army of occupation. . . ." But this paper admitted that of the five district commanders, "we believe we have the best of them in Virginia." It was recalled that the \textit{Times} had previously praised him. The editorial concluded that it was "not unnatural he should blunder and make grave and serious mistakes in the discharge of his. . . duties. . . ." It was up to the press, however, to discuss and criticize "all such errors."\textsuperscript{37} Schofield reported in his memoirs that "No case arose in Virginia in which it was found necessary. . . to supersede the civil authorities in the administration of justice. Not a single citizen of that State was tried by a military commission."\textsuperscript{38}

On October 5, 1867, the general gave his report as commander of the First Military District. He recalled that his first directive had stated "that the power conferred by the act of Congress would be exercised only so far as might be necessary to accomplish the purposes for


\textsuperscript{37} June 3, 1867.

\textsuperscript{38} Schofield, \textit{Forty-Six Years}, 399.
which that power was conferred." It was pointed out that, "Believing
the principle thus enunciated to be in exact accordance with the
spirit of the act of Congress... I have strictly adhered to that
principle in the discharge of my duties." Schofield felt that it was
"important not to relieve the civil officials in any degree from the
responsibility of a faithful discharge of their duties, but, rather,
to encourage them by a liberal confidence and support." He decided to
leave the remodeling of the jury system of Virginia up to the State
convention which would soon meet. His emphasis upon the use of civil
authorities instead of military commissioners was recalled. The
latter were to take over cases only where justice had failed. This
plan "afforded a large measure of protection to all classes of citi-
zens, with but slight interference with the judicial proceedings of
the civil courts."39

Like General Hancock, Schofield received petitions from
individuals in his district requesting the use of the general's power.
Well known citizens who cared nothing for the military government
policy "came to me to settle their petty differences summarily." He
observed that they were "disappointed when I declined to adjudicate
such cases..." They had to accept the regular procedure of trial
in a local court under a civil magistrate.40

39 Annual Report of the Secretary of War, 1867, 40 Cong.,
2 sess., House Ex. Doc. No. 1, 210-41. See also "Reconstruction in

40 Schofield, Forty-Six Years, 399.
The general lamented the appearance of "Carpet-bag" governments in the South. These bodies were "so offensive as to be nearly intolerable even to their authors." The introduction of the "Iron-clad oath" helped in the establishment of these governments. Not only active participants in the conflict, but also some Union men were ruled out as a result. For example, he asked Judge Rives to be the Chief Justice, but the latter was unable to accept the post. He could not take the prescribed oath in good faith for he had allowed his son to take a horse when he left for the rebel army. This was done only to save the youth from walking. It was looked upon by this Union man as an act which gave "aid or comfort to the enemies." Schofield remarked, "Perhaps the judge was too conscientious. But that was the very evil effect of the law, to exclude the highly honorable and let the rascals in." Circumstances like this permitted Carpetbaggers to take over in the South. The district commander executed the reconstruction acts in a manner to spare Virginia "the great evils suffered by others. . . ."

Secretary of the Interior Browning remembered on October 11, 1867 that General Schofield had "spent an hour at my house this evening." They discussed leading affairs of the day. The cabinet member decided that the general was "very calm and sensible" and that he was "opposed to all the extreme measures of Congress, and in the

main agrees with the President." Schofield felt that "all white persons in the South should be restored to their rights of property, and the right of suffrage, but that some few of the leaders should be disqualified from holding office."  

On April 2, 1868, Schofield wrote to Grant explaining his course in Virginia. The latter was informed that two things were to be accomplished "by the correct carrying out of the laws of Congress." One was to obtain "good governments under the provisional system, and the other the formation of a loyal State government for restoration to the Union." It was difficult "to secure efficient cooperation toward the accomplishment of both these objects." Men most eager in supporting Negro suffrage and most desirous for office, even though they had influence over the colored voters, were often "unfit for the office they aspire to." The First Military District Commander stated that as a rule he appointed "Republicans in all cases where respectable and competent persons of that party" could be found. "This will be... just to all parties from the fact that most of the offices are now held by 'Conservatives.'" It was concluded by Schofield that

if by this course I incidentally give strength and influence to respectable Republicans as against the lower class of men who have acquired control over the mass of colored voters, I am sure I shall thereby render the

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\(^2\)The Diary of Orville Hickman Browning, II, 163.
Country an important service and not be justly subject
to the charge of partisanship.\textsuperscript{43}

The Virginia constitutional convention, nicknamed the "Mongrel
Convention," assembled in Richmond in December 1867.\textsuperscript{44} The Radicals,
of whom twenty-five were blacks, controlled the aggregation. A con­
siderable number of the majority were also Carpetbaggers. They
managed to bring forth a constitution which surpassed the Reconstruc­
tion Acts of Congress with a more strict test oath required and a
disqualification of ex-rebels "from holding public office. . . ."\textsuperscript{45}

Decent and respectable whites were ruled out of an active role in
governmental affairs. Consequently the Carpetbaggers and Negroes were
left in command of the situation. Schofield made a personal appearance
before this group and voiced his honest opinion on the proposed con­
stitution. He objected to that section "which prescribes the quali­
fications for office" and was certain that it would be "detrimental in
its effect upon the adoption of the Constitution." The members were
reminded that he had had to select and appoint officers in Virginia.
However, at times he was "able to find one, and only one" in a
county "of either race who could read and write, and who could at the
same time take the oath of office." Some counties in the state would

\begin{footnotes}
\item[43] "Reconstruction in Virginia," Schofield Papers, 51.
\item[44] A. A. Taylor, \textit{The Negro in the Reconstruction of Virginia},
227.
\item[45] Robert S. Henry, \textit{The Story of Reconstruction}, 283-84.
\end{footnotes}
require "thirty or more civil officers" to carry on the business of government. The general warned them that

you cannot find in these counties a sufficient number of men who are capable of filling the offices, and who can take the oath you have prescribed here. They pay a very limited salary, and even the common laborer could not afford to come from abroad for the purpose of filling them. I have no hesitation in saying that I believe it impossible to inaugurate a government upon that basis.\textsuperscript{6}

The \textit{Richmond Daily Dispatch}, in an editorial, stated that Schofield fully appreciated the social and political condition of Virginia. He gave "a well-tempered and judicious address" which attempted "to mollify the proscriptive spirit of the Convention at least so far as to get them to omit the iron-clad oath which had been put in the Constitution as a qualification for office." The paper mentioned that he had tried to get the delegates to "repeal that oath, as well for the interests of the Republican party as for the good of the State." But he had hardly left the gathering when "he was assailed in a contemptuous manner by the negroes. . . ." The commander of the district was then called "King Schofield" and his sound recommendation was rejected "as the introduction of 'outside influence'.\textsuperscript{7}

With the adjournment of the body of delegates Schofield sent an explanatory letter to Grant. The former recalled how he had visited the convention and had urged the "repeal of the test oath."

\textsuperscript{6}Richmond Daily Dispatch, April 18, 1868.

\textsuperscript{7}April 18, 1868.
It would be best to let the constitution "fall and die where it is. Not submit it to the people at all." Union men might then be placed in office, and the provisional government could be reorganized "upon a loyal basis, until the friends of reconstruction get control of the State." Schofield further stated:

Then a convention can be called which will frame a Constitution fit to be ratified by the people... and approved by Congress and the country at large. I can't see how the endorsement of such a Constitution as this one, by the republican /sic/ party, can be otherwise than damaging to them in the North. Would it not be wise for Congress to say at once, "We reject once and for all, proscriptive constitutions."

Schofield sent another note to his superior on April 19, 1868. Other objectionable features were described, although it was felt they would "not be fatal if the test oath were not added." The main point was that town, city and county officers were to be elected by the people. In "more than half" the towns, cities and counties the "Negroes have a majority of voters." The general then pointed out that "Unless their temper changes very greatly from what it now is they will elect persons of their own race who can neither read nor write to fill the majority of those offices." It was related how some colored men had "already announced themselves as candidates for Congress and the State Legislature and they expect... to appropriate to themselves a large proportion at least of the minor offices - Will the Country at large endure such a Government?

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-h8 April 18, 1868, "Reconstruction in Virginia," Schofield Papers, 5h-57. See also Schofield, Forty-Six Years, 400-401.

-h9 Schofield Papers (No. 8, Letters Sent, Headq'rs 1st Military District), 19.
According to Federal law the Constitution was to be presented to the people for acceptance or rejection but no money had been appropriated by Congress for such a vote. Schofield would not authorize the use of state funds for the election. On May 8, 1868, he sent a private and an official message to General Grant. It was recommended that Congress permit "a special vote on the test oath in the Virginia Constitution and appoint a time for the election." Schofield recounted in his memoirs that the Radicals in Congress did not disapprove of his procedure. The obnoxious Constitution was pigeonholed in the commander's desk until the following year. "Then an act was passed providing for submitting that Constitution to the people of Virginia with the privilege of voting separately on the disfranchising clause, which clause they, of course, rejected." In this manner Virginia was spared "from the vile government and spoliation which cursed the other Southern States and which the same radical Congress and its successors sustained until the decent public sentiment of the North would endorse them no longer."

Reflecting upon the situation just described, Schofield stated:

It is, perhaps not too much to say that if the other district commanders had in like manner refused to make

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50 Schofield Papers (No. 8, Letters Sent, Headq'rs 1st Military District), 19.

51 Schofield, Forty-Six Years, 403. See page 34 for Grant's relation to this episode.

52 "Reconstruction in Virginia," Schofield Papers, 73.
themselves parties to the spoliation of the people placed under their charge. Congress would have shrunk from the direct act of imposing upon them such obnoxious governments, and the country might have been saved the disgrace of the eight years of carpet-bag rule in the South.53

Schofield used his power of removal from office on April 4, 1868. He dismissed Governor Pierpont because the official's term of office, according to the Virginia constitution, had expired.54 The district commander had already informed Grant of this approaching action on April 2. Pierpont had been hanging on to his office "to secure his renomination and election to the same office. . . ." The Virginia constitution made governors "ineligible to succeed" themselves. Schofield reported that the state executive had "by his official conduct and influence," not intentionally of course, "done more to prevent the proper execution of the Acts of Congress than all the disfranchised office-holders in Virginia combined." The general desired a man who would be "eligible under the laws of the State, as well as under the Acts of Congress." It would be advantageous to have a governor "more acceptable to the people and who can and will aid me instead of being a dead weight . . . in the work of reconstruction."55 A former New Yorker, General H. H. Wells, was

53 Schofield, Forty-Six Years, 403.
55 Schofield Papers (No. 8, Letters Sent, Headq'rs 1st Military District), 14-15.
then appointed to the position. A citizen of Washington, D.C. stated that this action was "endorsed by all good and true men as" were "all your other removals and appointments."56

After the Republican National Convention had nominated Grant as its candidate for President in 1868, Schofield wrote a letter of congratulations to him. The district commander said that he had "always believed that the Union could be fully restored only by the men who put down the rebellion." Schofield had "serious apprehensions" that the "stability of the government might be endangered" by fastening "upon the Country radical theories." He concluded by saying:

Great reforms require time for their full development—time in which theories may be analyzed and that which is sound and of practical utility separated from the unsound and chimerical. Wisdom and moderation in Congress will now give the country restoration and peace. Your election to the Presidency will be the end of our political troubles as your accession to the command in Chief of the Army was the end of the Southern rebellion.57

On June 1, 1868, Major-General Schofield was relieved from his command of the First Military District and was appointed Secretary of War.58 He related that he accepted this new post to bring about a "firm and impartial administration of the War Department in the sole interest of peace and order during the coming Presidential..."

56 J. W. Shaffer to Schofield, April 16, 1868, Schofield Papers (Letters Received).


58 Richardson, Messages and Papers, VI, 664.
contest..." There was danger of a "revival of civil strife..."
The appointment was approved by the Senate.59 A friend of the general
wrote from Richmond of his surprise to hear of the change. This
individual said:

... you have left here many friends, and the fact
seems to me to be unmistakable, what a universal
feeling of regret at your leaving Virginia, pervades
this whole community, coupled however with a belief
that a [sic] it is a loss to us, it is a great gain
to the public service of the Country...60

James G. Blaine commented favorably upon Schofield's "ability for civil
administration" which was portrayed so well in Virginia. Furthermore,
he was "in all respects successful" as the head of the War Depart-
ment.61

As Secretary of War, Schofield showed a somewhat less concili-
atory attitude toward the South. Secretary of the Interior Browning
mentioned a cabinet meeting on August 18, at which time Schofield
presented a letter from General Thomas in Tennessee. The latter
wanted to know if he could use the army "to aid in the execution and
enforcement of State laws" when requested by State officials. The
cabinet members with the exception of Schofield opposed the idea. The

59 Schofield, Forty-Six Years, 401.
60 Wm. H. Richardson to Schofield, June 1, 1868, Schofield
Papers (Letters Received).
61 Twenty Years of Congress: From Lincoln to Garfield, II,
latter probably was of the opinion that "army officers should be left to exercise their discretion."  

A communication from the Governor of Arkansas, on October 23, 1868 was read to the cabinet by Schofield. The executive expressed fears "of trouble from the people" who were armed. He wanted Federal arms given to the militia, who were "understood to be radical partisans." The Secretary of War considered the governor's opponents as none other than rebels. The general was afraid that "the loyal men would be overpowered and killed. . . ." Welles asked Schofield if the state official "was afraid of the people of Arkansas. . . ." The Secretary of the Navy felt that if the partisans of the governor were armed "against their opponents, the people of that State," would that not indicate that popular government was a failure there? Schofield answered by stating that there "was but one way to establish the Reconstruction of the States South, and that was by Martial law." This should be continued until a government would be "able to sustain" itself. Schofield after a lengthly discussion agreed to Seward's proposal of sending United States troops there.  

Browning reported an agreement among the cabinet members to send troops to the commander of the area, "subject to his order and not to the State" authority.  

62 The Diary of Orville Hickman Browning, II, 214.  
63 Welles, MS. Diary, box 8.  
64 The Diary of Orville Hickman Browning, II, 222-23.
The cabinet discussed the question of amnesty in the latter part of June, 1868. All agreed that the time had arrived to issue a general amnesty. Seward felt that those against whom legal proceedings were pending should be excepted. However, General Schofield "thought the exception should be broader, and embrace those also who had gone abroad and not returned." Johnson was of the opinion that Jefferson Davis should be pardoned, and Browning figured that Schofield was "inclined to favor the President's views..." The Secretary of the Interior related that the general regretted the arrest of Davis. The proposed proclamation should have been "issued immediately upon the surrender of the rebel armies..." All the best men of the South, those best able to govern, "had been in the rebellion." By July 3, Johnson had his amnesty proclamation ready to give the following day. It excepted Davis, but Schofield thought this was a mistake. The general would favor a pardon for the rebel leader even if he were tried and convicted. An exception would tend "to dignify him." General Schofield certainly exhibited a conciliatory attitude in regard to the amnesty question.

On November 20, 1868, the Secretary of War gave his report on the Southern situation. He commented upon the removal of the military governments from those States "recently restored to civil government." They were "imperfectly organized" as yet and did not have the support of the "most influential citizens." Then followed an exciting

65 The Diary of Orville Hickman Browning, II, 203-206.
political campaign which many felt would result in the overthrow or support of these "newly formed governments." As a consequence of these events there has been an "unusual disposition to lawlessness and crime, and comparative inefficiency of civil government in those States." The Federal laws, in existence since the beginning of the nation, providing for assistance to States were "not designed for such a condition of society as now exists in the southern States." He further stated:

Hence, with an earnest desire to do all in the power of the Executive to preserve peace in those States, and enable the people to fairly decide at the polls the exciting questions involved in the canvass, it has been found possible to attain these objects only in an imperfect degree, but it is believed that, considering the difficulties of the situation, there is abundant reason to be satisfied with the comparative good order that has prevailed throughout the country.

Before the inauguration of Grant, Schofield received a letter from an individual in Richmond. The latter hoped the report that Schofield would not accept a position in Grant's cabinet was untrue. It was reasoned that the President-elect needed a good "man in his cabinet for the South" and certainly "no man... would give such universal satisfaction as yourself." However, if he decided not to take a portfolio, the writer wished that he would come back to Virginia as its commander. The Union men of that State would welcome the return of Schofield.

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67. H. G. Bond, February 26, 1869, Schofield Papers (Letters Received, 1868-1875).
With the inauguration of Grant as President in March 1869, Schofield "laid down the War portfolio without having incurred censure from either party for any of my official acts. . . ." 68 Then on March 20, 1869, he was assigned commander of the Department of the Missouri. 69 With this change, Schofield was taken away from contact with the Southern question.

One author has stated that Schofield, of all "the military commanders in the South," was "one of the most sagacious. . . ." The general "had attributes of statesmanship, and might with great advantage have been consulted by the civilians who had to solve in Washington the grave problems of Reconstruction." 70 In discussing the Southern problem, another writer remarked that "Virginia was never under Radical government, thanks to the interference of General Schofield, who aligned himself with the conservatives." 71 The author feels that Schofield's administration in the First Military District and his role as Secretary of War were two of the bright spots in an otherwise dark and gloomy picture of Southern reconstruction.

68 Schofield, Forty-Six Years, 405.

69 Record of the Services of Schofield, 6.

70 Louis Coolidge, Ulysses S. Grant, 223.

71 James S. Allen, Reconstruction, the Battle for Democracy, 190.
CHAPTER VI

GENERAL PHILIP H. SHERIDAN

With the outbreak of the conflict between the states, Sheridan, as was so typical of many army officers, hoped the Union would be saved. His "patriotism was untainted by politics" and he claimed that his devotion to the nation had never "been disturbed by any discussion of the questions out of which the war grew." This individual who was to gain fame as a Northern cavalry leader was interested in the "preservation of the Union."¹ To him this was the all important issue of the day!

This colorful officer, of Irish parentage, possessed a fiery temper which did not aid him in his administration of affairs while in the South after the Civil War. This temper of Cadet Sheridan caused him to be suspended from West Point in 1851 for one year. He had charged at a fellow student "with a lowered bayonet" but fortunately drew it aside before it was too late. In looking back on this incident in later life, the general decided that the suspension "was hardly as much as I deserved for such an outrageous breach of discipline."² Two biographers of the officer have concluded that he was

¹ Sheridan, Personal Memoirs, I, 123.
² Ibid., 11-12.
"Restless, full of combative quality, not politic in language... half stubborn... he was the embodiment of heroism, dash, and impulse."  

After a successful career in the Northern army, Sheridan was hurried off to New Orleans before he could take part in the Grand Review in Washington. He assumed control of the Southwest on May 29, 1865. He was supposed to round up Kirby Smith, but the latter surrendered before Sheridan had an opportunity to act. The real reason for sending him south was to have him close to the situation in Mexico. The United States had for some time objected to the French intervention with Maximilian in that country. Grant was of the opinion that Sheridan was the man to have along the Rio Grande in order to hasten the restoration of Mexico.  

Sheridan sent a letter to Grant on June 28, 1865 in which the former expressed his view that the "rebels who have gone to Mexico have their sympathies with the Imperialists" and that the Maximilian forces likewise inclined toward the Confederates. Some time later, writing to Grant from the headquarters of the Military Division of the Gulf at New Orleans, he alleged "I sometimes think there is still..."

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4 Richard O'Connor, Sheridan the Inevitable, 276-280.  

5 Nathaniel P. Banks Papers (June-July 1865) (Essex Institute, Salem, Mass.). All future reference to Banks Papers are to those located at the Essex Institute.
an understanding between the rebellious of the Southern States and Louis Napoleon. That such understanding did exist before the surrender of Lee there is no doubt.6 Toward the end of December Sheridan reiterated his beliefs on this subject when he said:

I believe that we never will have a restored union till the French leave Mexico and I have considered this so important that I have thought the government should have demanded their withdrawal. The occupation of Mexico was a blow at republican institutions a blow at our own country, and if they are allowed to remain the malcontents of the South who love any flag better than the old flag will be an element of strength for France in our midst which will be more dangerous than the Copperheads of the North during the struggles just gone by.

The general voiced the opinion that many Southerners were "too indolent to retrieve their fortunes by labor." These will certainly wander to Mexico and they will have bitterness in their hearts. He could "see many evils which will come unless we establish the liberals again" in Mexico.7

On January 27, 1866, Sheridan directed his subordinate in Louisiana, General Canby, "to quietly prevent Emigrants from leaving any port in your Dept. to join the so called Military & Agricultural colony... in the Valley of Mexico." Later the commander sent a message to the British Consul at New Orleans, which informed him of the

6 Nov. 5, 1865, Papers of Daniel O. Drennan (Library of Congress) box 19. Drennan was a military secretary to Sheridan for many years.

7 The Papers of Philip H. Sheridan (Autograph Letters) (Library of Congress). Hereafter, these manuscripts will be cited as the Sheridan Papers.

8 Sheridan Papers, box 5.
restriction placed upon citizens of the United States. They were not permitted to leave any port, under Sheridan's command, on any vessel, in order to join such a settlement. The officer was convinced that these emigrants were to help make up "a Maximilian American party" which would be hostile "toward our Government." However, this exodus was finally checked as a result of his restrictions on embarkation.

The Military Division of the Gulf was commanded by Sheridan from the summer of 1865 until it became the Department of the Gulf on August 15, 1866. Louisiana, Texas and Florida were included in this department which he ruled until March 19, 1867 when the two states of Louisiana and Texas became the Fifth Military District. As the military director of this region of the nation, two writers have decided that he was "inclined to be arrogant and boastful, and possessed of few scruples when treating with those who stood in his way or opposed his policies." The general used "any methods, brutal or otherwise, to accomplish his purpose or to carry out his interpretation of orders." Sheridan instructed General G. Granger, who was to command Texas, to remind the people of that state "That all slaves are free."

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9 To Denis Donahue, Feb. 17, 1866, Sheridan Papers, box 5.


11 Sheridan Papers (Order Book), 606, 624.

12 D. B. Sanger and T. R. Hay, James Longstreet, 326.
The latter was to advise the freedmen to "remain at home" and "that they will not be allowed to collect at military posts, and will not be subsisted in idleness." Granger was instructed to tell the inhabitants that "all acts of the Governor and Legislature of Texas since the Ordinance of Secession are illegitimate." The leading military minds of the North certainly were attempting to prevent the Negroes from living in idleness.

On November 26, 1865, Sheridan wrote an interesting and a revealing note to President Johnson. The former observed bitterness in his area and also the fact that there were "many malcontents" in Louisiana. "... no power of resistance" was left, and the country was poor. In a short time, however, there would be "a total transfer of landed property, the North will own every Railroad, every Steamboat... and everything which requires capital to carry it on." He told the President that he considered "the South now Northernized."

The commander of the Military Division of the Gulf said:

The slave is free and the whole world cannot again enslave him, and with all these facts staring us in the face we can well afford to be lenient to this last annoyance, impotent ill feeling. Then it is so hard by... legislation to correct this feeling, magnanimity is the safest and most manly course. How hard it would be to change the opinions of Mr. Wendell Phillips and make him a Vallandigham democrat by... legislation. I have the most abiding faith in the solution of the question of a restored Union, if we can only wait and trust to a little time and the working of natural causes.

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13 June 13, 1865, Sheridan Papers, box 3.

14 The Papers of Andrew Johnson, Vol. 81 (1865, Nov. 10-27).
The moderate and conciliatory tone of this letter is noteworthy. It would appear that Sheridan was not vindictive toward the South in the fall of 1865. Before the last year of the war was over, the three leading Northern generals, Grant, Sherman and Sheridan, had expressed themselves as favoring leniency toward the defeated South.

The brisk, vigorous and merciless pattern of administration, for which he became so well known, was early displayed in New Orleans. There was a powder-house used by merchants to store their powder until the "demands of trade" called for its removal. However, it had been under the depot Quartermaster and the merchants had wanted to keep ammunition there, but this was not permitted. Sheridan ordered the mayor to take over the house and to appoint a keeper for the magazine and to allow the use of the building by the merchants. Mayor Kennedy, "armed with law books and other documents," called upon Sheridan and informed him "that his action was illegal." Sheridan responded rapidly, "Mr. Kennedy, if that magazine is not open tomorrow for receiving and issuing the ammunition of merchants, under charge of a keeper appointed by you, there will be a new Mayor of New Orleans by sunset." The "required keeper" was appointed "at once."15

Before continuing with this narrative of Sheridan, it would be appropriate to take notice of the important part of the area over which he had command. Texas and Louisiana were the most significant

15 Article from the New Orleans True Delta quoted by The Nashville Daily Union, Dec. 29, 1865.
states, and the latter "was the most difficult and trying to control. . . ." It was "one of the most populous" in the South, and before the conflict had been very wealthy. The people of New Orleans had always been "interested in public affairs. . . ." The social structure, however, was damaged by the terrible struggle. Numerous former slaves "were idle and vagrant, with no occupation or habits of industry. . . ." Many of the Negroes had worked on large plantations and had little or no opportunity of development by association . . . with the whites." New Orleans housed people of all sorts—traders, gamblers, camp followers, speculators, smugglers, and other undesirables. The conclusion of the war affected many of them and they turned to politics for a livelihood. On February 5, 1866, Grant was notified again by his general that Northern people and capital would aid Louisiana which had become poor as a result of the conflict. But, Texas had "increased in wealth by the rebellion. . . ." Therefore, this state "by its wealth and hostility of its people to northern influence, will oblige us to govern them for a long period by a military force." On the last day of March, 1866, Sheridan sent a letter to a Congressional joint sub-committee which was investigating affairs in Louisiana, Texas and Florida. He had been asked what the rebels then

16 Henry E. Davies, General Sheridan, 265-67.

thought of the general government. The officer believed they accepted "the situation," and had "an earnest desire for the restoration of a perfect union," though they exhibited, "at the same time, an unmistakable desire to glorify rebellion." The committee wanted to know what would happen to "the State organization, if the people were left, without control, to act for themselves?" Sheridan simply wrote, "I believe they would quarrel among themselves, and that the sensible... people would regret the absence of the military force." In answer to a query on the withdrawal of Federal protection from loyal men, the general replied, "My impression is that for the present they would feel unsafe, and many... would leave the country."

Military force was needed in his division to "give security to northern capital and Union people" and to give "moral support to the freedman until he has time to work out his social status." Sheridan looked favorably upon the Freedmen's Bureau, but thought some structural modification "might be made..." The investigators wanted to know what the condition of the blacks would be if they were left under the control of local whites, and received no protection? In replying to this inquiry Sheridan stated, "I fear there would be a great deal of trouble." He calculated that sort of "a war of races... would probably be a consequence." Sheridan was asked what would be the best course for Congress to follow in regard to the freedmen? "I believe the best thing that Congress or State can do," he responded, "is to legislate as little as possible in reference to the colored man beyond giving him security in his person and property. His social
status will be worked out by the logic of the necessity for his labor. It is the only labor that can be obtained in the Southern States for some time to come."\(^{18}\)

Sheridan did not feel that the former Confederates should glorify their attempt at secession. This was an early indication that the commander would follow a less conciliatory policy toward the South. On July 18, 1866, General Orders No. 14 was promulgated. It forbade the erection of any "monument intended to commemorate the late rebellion" within the "limits of the Military Division of the Gulf." The order stated that all reorganizations of Confederate companies, batteries ... or divisions, within the limits of this Military Division, for whatsoever purpose, are hereby dissolved, and the maintenance of such organizations, either in a public or private manner, is prohibited.\(^{19}\)

The Commander of the Department of the Gulf gave his report to General Rawlins on November 14, 1866, indicating that Florida did not present complex problems to him and that the population of the state was interested only in repairing the damage done by the late rebellion.\(^{20}\) The condition of civil affairs in Texas was ...

\(^{18}\) 39 Cong., 1 sess., Ser. 1273, House Report No. 30, 122-23. This testimony is included in the Report of the Joint Committee on Reconstruction.

\(^{19}\) General Orders 1865-66, Adj. Gen. Office (Record Group 94 - Civil War Branch, War Records Division, National Archives, Wash., D.C.). All future citations of General Orders with Record Group 94 are those located in the National Archives.

\(^{20}\) Annual Report of the Secretary of War, 1866, 39 Cong., 2 sess., House Ex. Doc. No. 1, 49.
unsatisfactory. " The provisional governor and his group held to the principle of "abhorrence for the rebellion and glory in its defeat," while his successor, as actual governor, had for his standard of loyalty 'pride in rebellion—that it was a righteous but lost cause, being overpowered by the federal forces." He tried to support both groups, "but it has been embarrassing in the extreme."

Upon the request of provisional Governor Hamilton for troops, to protect Union men and freedmen, Sheridan replied favorably, "whenever it was possible." Throckmorton, the present governor, wanted soldiers removed from the settled areas because "the civil law was all right." The general pointed out, however, that justice was not being obtained. "My own opinion is that the trial of a white man for the murder of a freedman, in Texas, would be a farce. . . ." This was the absolute truth, according to the officer. 21

"In Louisiana there was about as much, if not more anomaly in civil affairs than in Texas." Sheridan felt that the previous commanders in New Orleans had left many claims and questions to be settled especially in regard to military matters. "At the time of my arrival at New Orleans," the general stated, "the civil affairs were much mixed up." J. Madison Wells was the legitimate governor, and an election was to take place soon. Sheridan had hoped for support from Wells for he had been a pro-federal man. He was a candidate for reelection and had been appointing former confederates to various

offices. Some of those, who had been dismissed to make room for these new appointees, appealed for assistance to the general. This led "...to bitterness and shedding of blood" later on. When the election occurred Wells won but found himself at odds with the legislature. There was actual hatred between them. Most of the civil authorities, including his own appointees, were opposed to the governor. Wells asked for military assistance which Sheridan gave "to serve the ends of justice..." The commander reported that he did not give support when it was for political or partisan purposes. "This bitter political feeling finally culminated in the massacre of the 30th of July, 1866." He was sorry that he was not in the city on that date, perhaps he could have prevented it. Sheridan did not feel that any slaughter would take place. The president of the Louisiana convention of 1864, Judge Durell, had told him that he would not call the members together. Durell had asked if the meeting could have "military support," but the general had given a negative reply. The military would not "be used for party purposes." Force would be made use of only if trouble resulted between contending groups.  

The New Orleans riot in 1866 drew the attention of the country to this city. Louisiana was almost completely controlled by returned Confederates who had been restored to citizenship by presidential
proclamation. Negroes were oppressed by "apprentice and vagrant
claws" and injustice was shown the blacks in courts. To remedy this
situation, by enfranchising the Negroes and disfranchising the
whites, a group of Radicals decided to have the constitutional con­
vention of 186h reconvened. Durell's successor, B. K. Howell,
issued the call for the reassembling of the delegates on July 30.
This was an improper procedure, but those responsible for this action
were hoping that the Radicals in Congress would support them. It
also appeared that the Governor did not oppose the recall of the con­
vention. Howell and his followers sought assistance from the Negroes,
and the latter had been inflamed by extreme, radical speeches. The
cause of the convention was the cause of the colored men! The
blacks were to act as guards for the delegates. Only twenty-five
members came to the meeting. The fight started between
the Negroes and the white crowd and police outside the convention
building. When it was over many whites and blacks were either wounded
or killed. A recent scholar has pointed out that the convention
leaders really were the cause of this riot. Had they not urged the
blacks to arm themselves? The city officials took every step possible
to prevent collision. General Baird, who was in charge during the
absence of Sheridan, could have acted but did not until it was too
late.25

23 Sheridan, Personal Memoirs, II, 233-34.

24 Willie M. Caskey, Secession and Restoration of Louisiana,
215-21. This work contains an excellent account of the entire episode.

Upon his return to New Orleans, General Sheridan sent his first report on the New Orleans Riot to General Grant on August 1. The general referred to the convention leaders as "political agitators and revolutionary men." Then he revealed that he had planned "to arrest the head men if the proceedings of the convention were calculated to disturb the tranquillity of the department. . . ." But Sheridan criticized Mayor Monroe and the police for their suppression of the convention. He termed as "murder" their attack upon the delegates and Negroes.\textsuperscript{26} When this report was first released to the public, Johnson deleted the section dealing with the charge of "murder." This provoked Sheridan who wanted the entire document published. This was done, but Johnson's hostility toward his general mounted.\textsuperscript{27}

On August 2, 1866, Sheridan sent another message to Grant in which he reiterated his views on the actions of the mayor and the police. This time no reference was made to the "political agitators." The officer said that the affair was "no riot. It was an absolute massacre by the police. . . . It was murder, which the mayor and police of this city perpetrated without the shadow of necessity." He even felt that "it was premeditated. . . ." The removal of the mayor was demanded.\textsuperscript{28}

\textsuperscript{26} 1\textsuperscript{st} Cong., 2 sess., Ser. 1330, House Ex. Doc. No. 57, 51-52.

\textsuperscript{27} Henry E. Davies, \textit{General Sheridan}, 272.

\textsuperscript{28} 1\textsuperscript{st} Cong., 2 sess., Ser. 1330, House Ex. Doc. No. 57, 52. See also The Papers of Andrew Johnson, Vol. 99 (Library of Congress).
A detailed account of the whole episode was given by Sheridan to Johnson on August 6. He admitted that the "assemblage of this convention" was the "immediate cause." Then it was shown that the "remote cause was the bitter and antagonistic feeling which has been growing in this community since the advent of the present Mayor. . . ." Then followed a severe criticism of this official and the police force for the cruel way they broke up the meeting. The general wondered whether Northern men could live there any longer and be assured of protection "in life and property" and "justice in the courts." At the conclusion of this report he referred to several of the convention leaders as "bad men" and "political agitators" \textit{sic}.\footnote{Papers of Andrew Johnson, Vol. 99.} Wells was accused of being "vacilating" \textit{sic}.\footnote{Aug. 13, 40 Cong., 2 sess., Ser. 1330, \textit{House Ex. Doc.} No. 57, 55.} However, the emphasis was upon Mayor Monroe and his police department. A little later the general told Grant that "nine-tenths of the casualties were perpetrated by the police" and others who helped them.\footnote{Aug. 13, 40 Cong., 2 sess., Ser. 1330, \textit{House Ex. Doc.} No. 57, 55.} Regarding responsibility for the episode, Sheridan had shifted somewhat from his opinion which was expressed in his first message to Grant.

Gideon Welles was positive that the Radicals in Washington were in sympathy with the convention and the Negroes. It was noted also that the general's dispatches were "somewhat conflicting." Of Sheridan the secretary reflected:

\begin{quote}
Although a brave and excellent officer, Sheridan lacks judgment and administrative ability. He is impulsive
\end{quote}
but his intentions are honest, and his first telegram was an honest impulse. It struck me that he was tutored as regards the others, either from Washington or by some one at New Orleans, duly advised.\(^{31}\)

On August 7, 1866, Welles expressed the view again that the commander was "without much knowledge of civil government..." and that he "apprehended him badly prompted after his first telegram..." Seward agreed with Welles' estimate of the famous cavalry officer.\(^{32}\)

On August 3, Grant informed Sheridan to continue "to enforce martial law, so far as may be necessary to preserve the peace, and do not allow any of the civil authorities to act," if it might be, in your opinion, "dangerous to the public safety."\(^{33}\) The division commander promulgated General Orders No. 15 on August 4, 1866. It was announced to the public that "Martial Law will be continued and enforced so far as may be required for the preservation of the public peace, and the protection of life and property."\(^{34}\)

General Sheridan, when writing his memoirs, stated that the New Orleans Riot "agitated the whole country." The various reports tended "to intensify and concentrate the opposition" to the President's reconstruction plans. It appeared that:

he was seeking to rehabilitate the seceded States under conditions differing not a whit from those existing

\(^{31}\)Welles, MS. Diary, box 7, Aug. 3, 1866.

\(^{32}\)Ibid.

\(^{33}\)Papers of Andrew Johnson, Vol. 99.

\(^{34}\)General Orders 1865-66, Adj. Gen. Office (Record Group 94).
before the rebellion; that is to say, without the slightest constitutional provision regarding the status of the emancipated slaves, and with no assurance of protection for men who had remained loyal in the war. 35

Again reflecting upon Johnson's restoration plans, he mentioned the number of people who came to Louisiana to "influence" his course of action. One of these was Thomas A. Hendricks who arrived in 1866. He attempted "to explain personally Mr. Johnson's plan of reconstruction, its flawless constitutionality, and so on. But being on the ground, I had before me the exhibition of its practical working, saw the opposition and excesses growing out of it, and in the face of these experiences even Mr. Hendricks' ... eloquence was powerless to convince me of its beneficence." 36

A Congressional committee visited New Orleans early in December, 1866 and investigated the riot and Sheridan's procedure in regard to it. The majority report supported the correctness of the general's messages and sanctioned his actions. Sheridan was asked whether it would be safe to withdraw the military and the Freedmen's Bureau from New Orleans? The general thought it was necessary "to retain them" for they exerted "a great moral influence." If the military were withdrawn, and matters left to take care of themselves, what would happen? Sheridan replied, "I think it would affect


36 Ibid., 278-79.
capital, and that it would so affect the people of anti-secession proclivities here that many would leave the State." The minority report stated that the "riot was provoked by the incendiary speeches, revolutionary acts and threatened violence of the conventionists..." All this was done to incite an attack upon the Negroes. "This would afford an excuse for congressional investigation, resulting in congressional legislation favoring the ultimate design of the conspirators, viz., the destruction of the existing civil government of Louisiana."

It was obvious that by the fall of 1866 Grant did not consider Sheridan a Johnson man on the leading issues of the day. The victor at Appomattox informed the former cavalry leader that we were "fast approaching the point when" Johnson "will want to declare" Congress "itself illegal, unconstitutional and revolutionary." The dispute between the President and the nation's legislature was unfortunate. "Commanders in Southern states will have to take great care to see, if a crisis does come, that no armed headway can be made against the Union." Grant then concluded, "I write you this in strict confidence but to let you know how matters stand, in my opinion, so that you may square your official action accordingly."

The situation in Texas was bad throughout 1866 and at the start of 1867. In the Sheridan manuscripts there are many letters commenting on the lack of peace and quiet. Early in February Governor

Hamilton begged for additional troops. Sheridan had asked him if he could use Negro soldiers, and the state executive answered, "In God's name send us troops—troops of any sort and we will be thankful." On October 20, Sheridan reported to Grant that the Texans howl over the "occasional murder of a white man by Indians on the... frontier, while nothing is said or done over the murder of very many negroes in the settled portions of the State." The commander tried to correct the situation but was hindered by the need of additional soldiers.

The mayor of Galveston, Texas asked General Sheridan on January 27 whether the citizens of his city could "give a civil escort... to the remains of Gen. Johnston" as it was taken from the steamer to the hearse. In his reply, the general declined to grant the request. "I have too much regard for the memory of the brave men who died to preserve our Government," Sheridan tersely stated, "to authorize Confederate demonstrations over the remains of any one who attempted to destroy it." The New York Times reported that the language used by a New Orleans paper, to extol Johnston, induced the general to act "as he did."

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40 H. Cong., 2 sess., Ser. 1330, House Ex. Doc. No. 57, 45. See also Sheridan's dispatch to Grant on Jan. 25, 1867, p. 34.


42 Jan. 29, 1867.
When Congress overrode the presidential veto of the first Reconstruction Act, Sheridan was convinced that "the plan of reconstruction presented was, beyond question, the policy endorsed by the people of the country. It was, therefore, my determination to see to the law's execution, though I felt certain that the President would embarrass me by every means, not only on account of his pronounced hostility, but also because of his determination not to execute but obstruct the measures enacted by Congress."\(^3\)

Sheridan was appointed the Fifth Military District Commander on March 11, 1867, and "assumed control" of the district on March 19.\(^4\) On the latter date General Orders No. 1 was issued by him. In accordance with the act of Congress "the present state and municipal governments in the States of Louisiana and Texas are hereby declared to be provisional only, and subject to be abolished, modified, controlled or superseded." The third section was most significant:

No general removals from office will be made, unless the present incumbents fail to carry out the provisions of the law or impede the reorganization, or unless a delay in reorganizing should necessitate a change. Pending the reorganization, it is desirable and intended to create as little disturbance in the machinery of the various branches of the provisional governments as possible, consistent with the laws of Congress and its successful execution; but this condition is dependent upon the disposition shown by the people, and upon the length of time required for reorganization.\(^5\)

\(^3\) Sheridan, Personal Memoirs, II, 253.

\(^4\) Ibid., 250-51.

\(^5\) Cong., 2 sess., Ser. 13h6, House Ex. Doc. No. 3h2, 159-60.
The Fifth Military District Commander did not lose much time in using his new powers. By General Orders No. 5, March 27, 1867, he removed from office the Attorney-General of Louisiana, John Monroe who was the mayor of New Orleans, and a judge of the first district court of the same city. Appointees, of a radical bent, were then named to these positions. Monroe had actually "controlled the element engaged in the riot," it was charged. Furthermore, Judge Abell had been preparing part of the community for some time to act as they did on July 30. Attorney-General Herron was removed because he indicted the victims and not the rioters. This vigorous action was the keynote of General Sheridan's administration. Grant said that this order was "just the thing."

On April 5, 1867, Sheridan was sent a confidential letter from Grant. The former was told that the Attorney General of the United States was drafting an opinion which would not permit the removal of state officials by district commanders. The White House opposed Congressional reconstruction and was thinking of removing "you from the command you now have." However, both Grant and Stanton would oppose this. Then Grant advised him to "make no more removals"

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17 Samuel S. Cox, Three Decades of Federal Legislation. 1855 to 1885, 514.
18 Burr and Hinton, Life of Sheridan, 339.
19 Grant to Sheridan, March 29. The order was liked by "the loyal people... it will also meet with... approval from the reconstructed." Sheridan Papers (Autograph Letters).
than you find absolutely necessary" for the time being. After a decision had come forth, Sheridan was instructed to make up his "mind fully as to the proper course to pursue, and pursue it, without fear, and take the consequences." Grant was convinced that Congress had intended to give the generals full control in these matters. The only thing required of the various generals was that they faithfully execute the law.\(^50\)

Continuing his vigorous and energetic approach to the Southern problem, General Sheridan, by Special Orders No. 59, June 3, 1867, removed from office Louisiana Governor Wells. This official had been "an impediment to the faithful execution" of the reconstruction act. He had "directly and indirectly" impeded the commander "in the execution of the law."\(^51\) Thomas Durant, who was named as the successor, declined to accept the post and Benjamin Flanders was appointed in his place. Sheridan explained his action to Secretary of War Stanton on the same day. Wells was termed a "political trickster and a dishonest man." He removed Union men from office and put former rebels in their jobs. Sheridan had watched him closely during the riot of 1866 and thereafter. The general concluded that "his conduct has been as sinuous as the mark left in the dust by the movement of a snake."\(^52\) President Johnson was informed by a friend,

\(^{50}\) Sheridan Papers (Autograph Letters).


\(^{52}\) Sheridan, Personal Memoirs, II, 267.
Gen. James B. Steadman in New Orleans, that the removal was an "unwarranted usurpation" of power. Still the people remained quiet because of a want of respect for Wells. This individual was considered "a bad man. . . ." Steadman felt that Sheridan had made the removals "to embarrass" Johnson. Because of the "bad character of Wells and Monroe, you ought not to reinstate any who have been removed, because you cannot reinstate any without reinstating all, but you ought to prohibit the exercise of this power in the future."

Grant again supported his general in his removal of the governor. "I shall do all I can to sustain you in it." The superior officer was of the opinion that his subordinate had "acted boldly and with good judgment and will be sustained by public opinion. . . ."

In accordance with the second Reconstruction Act of March 23, 1867, Sheridan appointed boards to carry out the registration of those eligible to vote in his district. Special Orders No. 15, April 10 portrayed the severity of General Sheridan. "Registers and all officers connected with elections will be held to a rigid accountability, and will be subject to trial by military commission for fraud, or improper conduct in the performance of their duties." Until the Attorney General, Stanbery, gave a decision on who would be "disfranchised by law, registers will give the most rigid interpretation to the law, and exclude from registration every person about whose right to vote there may be a doubt." If the Attorney General's

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53 Papers of Andrew Johnson, Vol. 115. See also Sheridan Papers, box 2.

54 June 7, 1867, Sheridan Papers (Autograph Letters).
The general appointed army officers to act as supervisors of these boards.

Sheridan had ordered the registration to close at the end of June, but he was notified by Washington to refrain from closing it before the first of August. Stanbery also wrote an opinion to enforce the laws as liberally as possible. These announcements provoked Sheridan to inform Grant on June 22 that it was "practically opening a broad macadamized road for perjury and fraud to travel on." He objected to the extension of time and would not grant it unless so ordered. "I regret that I should have to differ with the President, but it must be recollected that I have been ordered to execute a law to which the President has been in bitter antagonism." Grant then notified the commander to "enforce your own construction of the Military Bill until ordered to do otherwise." He did not feel that Stanbery's opinion amounted to an order.

After a study of the registration figures and the total vote cast in

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56 Richard O'Connor, Sheridan the Inevitable, 289.
58 June 28, Sheridan Papers (Letters and Telegrams sent by Grant to Sheridan).
59 June 24, Sheridan Papers (Autograph Letters).
Louisiana for a constitutional convention, Samuel S. Cox decided that "some forty thousand whites must have been excluded from the right of suffrage."\(^{60}\)

The New York Times criticized Sheridan's dispatch to Grant as one that "sails as near the edge of absolute insubordination as anything of the kind we have seen lately."\(^{61}\) A complete copy of this message was published in this paper on June 24, 1867. A recent writer has termed Sheridan's dispatch "untactful." The commander "was encouraged in this rather arrogant attitude by General Grant, who was now the darling of the Radicals in Congress."\(^{62}\)

The Commander of the Fifth Military District permitted the use of military commissions whenever he felt cases required their benefit. On this subject he said, "Although Military Commissions were... authorized by the Reconstruction acts, yet I did not favor their use in governing the district, and probably would never have convened one had these acts been observed in good faith." Continuing the discussion of the topic, he pointed out that "civil courts" and "municipal authorities," already existing in the State, "should perform their functions without military control..." Sheridan concluded that "because the civil authorities neglected their duty, I was obliged to resort to this means to ensure the punishment of

\(^{60}\text{Three Decades of Federal Legislation. 1855 to 1885, 546-47. Cox has an excellent account of this whole affair.}\)

\(^{61}\text{June 24, 1867.}\)

\(^{62}\text{Richard O'Connor, Sheridan the Inevitable, 289.}\)
The first military court met to hear the case of John Walker who was "charged with shooting a negro in the parish of St. John." There was no attempt on the part of the local officials to seize him. The general ordered Walker arrested and tried in New Orleans. The commission found the man guilty and sent him to the penitentiary. This was only one instance of several murders that seemed to be aimed at the subjection of the colored men to "their late masters."  

Sheridan never shirked the use of his military powers and even proceeded to nullify state laws. The Legislature of Louisiana, on February 12, 1866, passed a law which raised the "residence qualification for policemen," in New Orleans, "from two to five years." It was "to take effect after the election then pending for a new mayor." The purpose of this measure, it was alleged, was to exclude ex-Union soldiers from the police force. . . ." The new mayor, John Monroe, executed the act and "every ex-Union soldier" was dismissed "to make room for those of rebellious antecedents." Special Orders No. 33, promulgated May 2, 1867, aimed at correcting the situation. The section of the law requiring five years residence was "hereby suspended, and a residence. . . of two years adopted." The present mayor, Edward Heath, was ordered "to adjust the present. . . force so that

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64 Ibid., 262-63.
at least one half of said force shall be composed of ex-Union soldiers. . . ."  

In June 1866, two Union men were "elected judges of the fourth and eleventh judicial districts in Western Texas. . . ." The legislature of that state later abolished these two districts by consolidating them with other districts. These new sections were too large for good administration of justice. This law, he claimed, was passed to eliminate these men because "of their political opinions. . . ." Special Orders No. 65, issued on June 10, 1867, declared the measure "null and void." Sheridan also had the old judicial districts restored, and the two men were allowed to resume their duties as judges.  

The situation in Texas at the start of 1867 "was as bad as possible. . . ." Sheridan had reported that "freedmen were shot and Union men were persecuted if they had the temerity to express their opinions." Gen. Griffin, the commander in Texas, reported to Sheridan that there was hardly one state official, "in any county where troops are not stationed, that will even show a disposition to punish crime. . . ." Local officers would have to be replaced. The general then asked Sheridan to give the state a new governor. E. M. Pease was suggested as the man needed for the job. "A strong


66 Ibid., 167.

67 Samuel S. Cox, Three Decades of Federal Legislation, 1855 to 1885, 572.
hand must be exercised... and it cannot commence the work too soon. A Rusk County clerk notified Sheridan that three discharged Union soldiers were murdered in a neighboring county which was strongly Secesh. No action was taken against the culprits because mob action would follow. The murderers openly bragged of their deed. The official asked that "a squad of soldiers" be sent to arrest the guilty parties. Sheridan informed General Grant of this affair.

Disgusted with what he considered dilatory action on the part of Governor Throckmorton, the district commander issued Special Orders No. 105 on July 30, 1867. The state executive was considered "an impediment to the reconstruction of that State" and was "therefore removed from... office." E. M. Pease was appointed in his place. Samuel S. Cox related that "Throckmorton had been a severely tried Union man. He was and is among the manliest of men; but he was an impediment to the foolish reconstruction of the state." The removals from office did not end here. By Special Orders No. 111, August 8, 1867, Sheridan summarily dismissed Judge Daugherty, "of the twelfth judicial district of the State of Texas." He had

68 July 20, 1867, Sheridan Papers, box 2.


71 Three Decades of Federal Legislation. 1855 to 1885, 573.
denied "the supremacy of the laws of Congress" and had stated openly that "he would not obey them when they conflicted with the laws of the State of Texas." The jurist had expressed these sentiments in the presence of General Reynolds, commander of the sub-district of the Rio Grande. There were other instances of removals from office too numerous to mention. Suffice it to say that the Fifth Military District Commander never hesitated to use his power. He presents quite a contrast to either General Hancock or General Schofield.

It appeared to Sheridan, even after numerous removals, that "murderers and... criminals went unpunished, provided the offenses were against negroes merely (since the jurors were selected exclusively from the whites, and often embraced those excluded from the exercise of the election franchise)." Feeling that he had the authority, the general ordered the "revision of the jury lists" so as to exclude those who were "not eligible for registration" as voters. This change was called for in Special Orders No. 125 dated August 24, 1867. Part of the famous order follows:

The registration of voters of the State of Louisiana, according to the law of Congress, being complete, it is hereby ordered, that no person who is not registered in accordance with said law shall be considered as a duly qualified voter of the State of Louisiana. All persons duly registered as above, and no others, are consequently eligible under the laws of the State of Louisiana to serve as jurors in any of the courts of

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73 Personal Memoirs, II, 274.
that State. The necessary revision of the jury lists will immediately be made. . . 74

President Johnson could no longer contain himself and he ordered on August 17, 1867, the transfer of General Sheridan to the Department of the Missouri, and assigned General Thomas to the Fifth Military District. But due to the poor health of Thomas, Hancock was substituted for him on August 26. Sheridan was requested to proceed "without delay" to his new command. 75 This executive order was objected to by the Secretary of War ad interim, General Grant. After he had heard of Johnson's plans to remove Sheridan, Grant wrote the President a letter on August 1. The cabinet member wondered what effect the removal "would have upon the public." The people loved this general very much. "His civil administration has given . . . satisfaction. He has had difficulties to contend with which no other District Commander has encountered." Grant said the press, almost from the time of his appointment, had "given out that he was to be removed; that the Administration was dissatisfied with him, etc." This made his opponents hold in the stand they took against him, "and has rendered necessary measures which otherwise might never have been necessary." 76

There were others besides Grant who looked with favor upon the rule of Sheridan in the South. The Army and Navy Journal voiced

75 Richardson, Messages and Papers, VI, 556-57.
76 Badeau, Grant in Peace, 103. For additional views and actions of Grant and those of Johnson see pages 27-28.
the opinion that he was "managing his rather rough Fifth District with consummate skill." The general was "taking good care of reconstruction" in Texas. It was mentioned, however, that his "efforts in respect to registry have been 'adversely regarded' in high quarters. . ." 77 Harriet Beecher Stowe thought "his administration as military governor. . . was a surprise to his friends, for its exhibition of broad and high administrative qualities. Yet there is much that is alike in the abilities of a good general and a good ruler." 78 The House of Representatives passed a resolution on July 5, 1867 which tendered Congress' thanks to the general "for his able and faithful performance of his duties as commander of the military district of Texas and Louisiana." 79 It is interesting to note that Nathaniel Banks, Benjamin Butler and John Logan voted for this joint resolution. Carl Schurz wrote to his wife that the people of St. Louis went all out to greet Sheridan. He then reflected:

Of course Sheridan's recall from Louisiana has made him more prominent than did his excellent administration of

77 Vol. 4, May 4, 1867, 581.

78 Men of Our Times; Or Leading Patriots of the Day, 418.

79 Congressional Globe, 40 Cong., 1 sess., 500. It has been stated that the third Reconstruction Act of July 19 was passed "to support. . . Sheridan. . ." District generals explicitly were given the power of removal and appointment subject, however, to the General of the Army. It also confirmed the action already taken by officers. Commanders were to remove all persons who opposed recon- struction. Walter L. Fleming, "Military Government in Alabama under the Reconstruction Acts," American Historical Magazine, VIII, No. 3, 228 (July, 1903).
affairs there. He is thoroughly radical in regard to political questions and it is easy to imagine what he thinks of Johnson after the treatment he had to endure. I should not be surprised if his name were to appear on the list of presidential candidates although he declares that he has no political ambitions and prefers to remain a soldier.

The New York Tribune had this to say of the change of commanders. "There is no inveterate devotee of and mourner for 'The Lost Cause' in the whole country who does not exult over Sheridan's removal; there is no earnest advocate of Reconstruction on the basis proposed by Congress who does not deplore it." This act of Johnson did "more to impede and prevent the execution of the Reconstruction acts than Gen. Grant can possibly do to promote it." The President's removal will "only be regarded as an effort to defeat the laws of Congress."

With the appointment of Hancock to replace Sheridan, Samuel S. Cox thought that it "was a good and patriotic relief. It is beyond praise." In the early part of August, Welles and Johnson discussed the topic of removing Sheridan. The secretary felt that

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80 Sept. 10, 1867, Papers of Carl Schurz (Copies of Letters to his Wife) (Library of Congress).

81 Aug. 27, 1867. The next day this paper commented: "The President has removed Sheridan and Sickles. His next step will probably be to remove Grant."

82 Three Decades of Federal Legislation. 1855 to 1885, 573.
it would only prod on the extreme Radicals to more violent attacks against the President. Welles then remarked:

that Sheridan was really but a secondary personage after all in this business. He would never have pursued the course he has if not prompted and encouraged by others to whom he looked, from whom he received advice if not orders. Little would be attained, if only he were taken in hand.83

The New Orleans Tribune did not doubt "the good disposition and fair intentions of... Sheridan..." It was thought that he would have fared better under "any other President than Andy Johnson." But the paper decided that he had made one "capital mistake." He appealed "to men without well-defined principles rather than to appeal to Republicans." The general also looked for men who had not been prominent in politics and found "mostly... men without principles." He discovered some Republicans but they were not the ones who would "struggle for Republican ideas and Republican reform."84

In speaking of the more harsh commanders, a recent historian has concluded, "The most despotic of these 'military satraps' were E. R. S. Canby, John Pope, and Philip H. Sheridan."85 Another writer claimed that Sheridan lacked the calm judicial temperament necessary in... holding such a place. He had not the self-poise required to maintain a clear and level head there." This author concluded that "he was

83 Welles, MS. Diary, box 8, Aug. 3, 1867.
84 Quoted in the New York Tribune, Aug. 27, 1867.
85 Coulter, The South During Reconstruction, 131.
very much of a partisan in politics, and his fiery nature showed itself there as in the battlefield."

General Sheridan struck back in his own defense when he gave his report of operations in the Fifth Military District. This account, which was given on November 21, 1867, gave reasons for all his actions and covered the period from November 14, 1866 to September 5, 1867 when he left New Orleans. He again referred to the difficult situation which surrounded him. It was made more difficult by the "open sympathy of the President" with the various officials, most of whom had been "aiders and abettors in the rebellion." Any officer who would not "execute the law" had to be removed. He allowed himself "to be forced to the wall by open, overt acts before action was taken." The cause for removal was always listed in the orders. "I had no desire to oppress, and did not oppress. I only wished to give security to all good citizens, and did so. . . ." Sheridan then remarked:

I have been charged by the highest authority in the nation with being tyrannical and a partisan; and I am not afraid to say, . . . that I feel. . . they are untruthful. In all my dealings with the people of Louisiana and Texas I was governed by honor, justice, and truth; no political influences or interests were allowed to control my actions. I carried out the law with satisfaction to all except those. . . disfranchised and a set of dishonest political tricksters. . .; and the whole system of reconstruction was faithfully and successfully pushed forward to near its completion, with energy and economy. . . .

86 Goodrich, Life of Hancock, 239.

Still remaining faithful to his general, Grant wrote to Sheridan, on September 8, 1867, that "your relief from Command...is a heavy blow to reconstruction." He pointed out that he had made every effort to keep him in command of the district. "All I can say now is that I have sustained your course publicly, privately & officially, not from personal feeling or partiality, but because you were right."88

There are a number of factors to be weighed when attempting to arrive at a conclusion on General Sheridan. First, his nature has to be taken into consideration. When this factor is added to the explosive area, to which he was assigned, sparks were bound to fly. Second, the antagonism between the general and the President helped to confirm Sheridan as a member of the Radical faith. This started when Johnson suppressed part of his report on the New Orleans Riot. Another important factor was the closeness which existed between General Grant and himself. Perhaps one could say "As Grant went, so went Sheridan!"

88 Sheridan Papers (Autograph Letters).
CHAPTER VII

GENERAL WILLIAM T. SHERMAN

William T. Sherman graduated from West Point in 1840, and saw service after graduation in Florida and at Fort Moultrie, South Carolina. While at the latter post he commenced his study of law. Later the young officer was at the arsenal in Augusta, Georgia, but on September 6, 1853, he resigned his commission and entered the banking business. After unsuccessful ventures, he accepted the offer to become Superintendent of the Louisiana State Seminary of Learning and Military Academy near Alexandria. He was there from October 1859 to January 18, 1861.

This time spent in the South helped him to gain a good understanding of the Southern people and their way of thinking. One writer has concluded that "He loved the South," and it certainly left "its stamp upon him." It was related, at a much later date by John Sherman, that his brother's letters from the south "gave a very interesting and friendly view of life" in that section of the country.

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1Dictionary of American Biography (ed. by Dumas Malone), XVII, 93. For detailed account of Sherman at the Seminary see General W. T. Sherman as College President (ed. by Walter L. Fleming).

2Lloyd D. Lewis, Sherman, Fighting Prophet, 1.

3An Address Commemorative of General William T. Sherman, April 6, 1892. Hereafter, this work will be cited as J. Sherman, Address on Gen. Sherman.
When en route to this institution, he expressed on October 29, 1859 some interesting views to his wife. He did not approve of the sentiments expressed by many that the Union could no longer continue. If the Southerners planned to "protect themselves against negroes, or abolitionists, I will help; if they propose to leave the Union on account of a supposed fact that the northern people are all abolitionists like Giddings and Brown, then I will stand by Ohio and the North West..."

It was regretted by him that his brother, Congressman John Sherman, had endorsed Hinton R. Helper's, radical anti-slavery work, *The Impending Crisis of the South: How to Meet It.* This action had placed the superintendent in an embarrassing position with the friends of the Seminary. Moderation was urged always upon the Congressman from Ohio by his older brother. William T. Sherman, however, was known as a Northerner who did not get excited over the slavery controversy. He was clearly no abolitionist. John had on December 15, 1860 urged his brother "not to remain much longer at your present post." Early in the following January, the Congressman stated "The very moment you feel uncomfortable in your position in Louisiana,

1. *Home Letters of General Sherman* (ed. by M. A. DeWolfe Howe), 162-63. Hereafter, this work will be cited as *Home Letters of Sherman.* The general was a voluminous letter writer who freely gave his views and thoughts on the events of the day. He was just the opposite of General Thomas in this respect. Gamaliel Bradford, *Union Portraits,* 133.

come away." As the storm clouds gathered Sherman found his position as superintendent untenable and he resigned to take his stand with the North. There was a great deal of reluctance upon his part to leave the South for he had found "warm personal friendship. . . . in Louisiana." 7

Before proceeding to the war and Sherman, it would be well to take notice of some of his views on slavery and the Negro question. At a dinner given in the home of the Governor of Louisiana, the Northerner remarked that if he were "a citizen of Louisiana and a member of the legislature, he would earnestly strive for the amelioration of the condition of the negroes." He would allow them to write and read and not permit families to be broken up on the auction block. 8 On July 10, 1860, the superintendent informed his wife that "all the Congresses on earth can't make the negro anything else than what he is; he must be subject to the white man, or he must amalgamate or be destroyed. Two such races cannot live in harmony save as master and slave." 9 After Lincoln issued the Emancipation Proclamation, the general decided that this course of action was

6 The Sherman Letters, Correspondence between General and Senator Sherman from 1837-1891 (ed. by R. S. Thorndike), 90, 92. Hereafter, this work will be cited as The Sherman Letters.

7 Home Letters of Sherman, 195.


9 Home Letters of Sherman, 178.
"unwise." It would, understanding the Southern mind as he did, protract the conflict. 10 Sherman wrote to a friend on August 10, 1864 that he and his family would "begin life anew, if the people of the South will but cease the war. . . ." The questions which arose from the problem of slavery should be settled by "argument and reason. . . ." As for the colored men, the general confided, "I care not a straw for negroes." 11 When the possibility arose of giving the blacks the right of suffrage, the general related in his memoirs, "I did not dream of such a result then. . . and did not suppose that the former slaves would be suddenly, without preparation, manufactured into voters, equal to all others, politically and socially." 12

General Sherman will be remembered mostly for his famous march through the Confederacy during the latter part of the Civil War. He was guided by his intense desire to end the war as soon as possible, all else was secondary. As a result of his vigorous prosecution of the conflict, the South came to hate and dislike him. One might conclude that his attitude toward that section, upon the conclusion of the struggle, would be one of extreme radicalism. As we shall see, however, this was not the case.


The whole keynote of Sherman's beliefs and actions before, during and after the conflict can be found engraved on his statue in Washington: "The legitimate object of war is a more perfect peace." It was also pointed out by him to D. F. Boyd, faculty member at the Louisiana Seminary, on May 31, 1861, that "No one now talks of the negro. The integrity of the Union and the relative power of state and general government are the issues in this war." Separation of the nation could not be sanctioned. Senator Sherman later stated that during the hostilities his brother was "intent upon putting down what he conceived to be a causeless rebellion." The general had felt that "war was barbarism... and the speediest way to end it was to prosecute it with vigor to complete success." After the continuance of the Union was assured, "he was for the most liberal terms of conciliation and kindness to the Southern people." The Senator then reflected that "Never since the close of the war have I heard him utter words of bitterness against the enemies he fought."

During the fratricidal conflict General Sherman aired some significant views to Mayor Sawyer of Huntsville, Alabama. The former believed the North to be correct in her position, "but we are not bound to ignore the fact that the people of the South have prejudices

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13 B. H. Lindell Hart, Sherman, Soldier, Realist, American, 425.

14 General W. T. Sherman as College President (ed. by Walter L. Fleming), 383.

15 J. Sherman, Address on Gen. Sherman, 22.
which form a part of their nature, and which they cannot throw off without an effort of reason or the slower process of natural change." He would "give all a chance to reflect, and, when in error, to recant." Then with the Union uppermost in his mind he wrote, "Our national Congress and the Supreme Court are the proper arenas on which to discuss conflicting opinions, and not the battle-field." 16

General Sherman did give some indication, while the war was in progress, that his leniency toward the Confederacy, perhaps, had worn thin. On December 29, 1863, he notified his senator brother that "All the Southern States will need a pure military Government for years after resistance has ceased." 17 One scholar has decided that, Sherman, by the time peace arrived, had learned not to make such "loose" and "wild" statements. The "restless character" of the general always "in a state of commotion" caused him to make such remarks. 18

As the general moved his army through the South, he promulgated Special Field Orders No. 15 on January 16, 1865. 19 Sherman issued this regulation to aid the many freedmen who followed the movements


17 Ibid., 219.

18 E. Merton Coulter, Sherman and the South, 2-3, reprinted from the Georgia Historical Quarterly, XV (March, 1931). Hereafter, this work will be cited as Coulter, Sherman and the South.

of his troops. These refugees were permitted to settle on the sea islands, off the coast of the United States between Charleston, South Carolina and the St. John's river in Florida. This also included abandoned rice fields thirty miles inland. No white persons, excluding soldiers, were permitted residence there. The "freed people themselves" were to manage affairs but were subject to Congress and the military authority. The exact procedure for settling on these lands was given in the order. The blacks would receive licenses for the settlements which were to be of a "peaceable agricultural" type. Each family was to have "a plot of not more than forty... acres." Federal force would be used to protect them until they were able to do so themselves, "or until Congress shall regulate their title." An inspector was appointed to supervise this settlement and to give "possessory titles." General Howard reported that "thousands of Negro families were distributed under this order." They regarded themselves as permanent possessors of the lands. After Lincoln died and ex-Confederates returned to claim their lands, some of the Negroes were dispossessed. But it certainly was a "unique order" which relieved "multitudes of refugees from want." It was most significant for it "inaugurated a system of industry under freedom that was never anywhere lost sight of."20 One newspaper conceded that it was an

20 O. O. Howard, "The Freedmen During the War," The New Princeton Review, II, 239-41 (Sept. 1886). A complete discussion of this topic can be found in Howard's Autobiography, II, 231-40. See also James S. Allen, Reconstruction, the Battle for Democracy, 49 et passim.
"experiment of self-support so well begun by the freedmen." "

Even though Sherman later said "that he had no intention of giving
them the land on the coast," it represented an attempt of the
general to deal with the problems of want and idleness among the
freedmen.

Early in January 1865, Sherman had an opportunity to voice his
opinions on the problem of restoration. A number of individuals from
Georgia had inquired how their state could once again become a member
of the Union. He replied by sending a letter to a citizen of that
state. "Georgia is not out of the Union, and therefore the talk of
'reconstruction' appears to me inappropriate." It was felt that
when the last of the rebellious had returned to their homes, they
would "be dealt with by civil courts." Then he concluded:

My opinion is that no negotiations are necessary, nor
Commissioners, nor Conventions, nor anything of the
kind. Whenever the people of Georgia quit rebelling
against their Government, and elect members of Con­
geress and Senators, and these go and take their seats,
then the State of Georgia will have resumed her func­
tions in the Union.23

These were not just theoretical opinions, for Sherman undoubtedly
had them in his mind when he arrived at the famous settlement with
Johnston.

21 Springfield (Mass.) Weekly Republican, Oct. 21, 1865.


23 The Marietta Register, Jan. 26, 1865. See also Lloyd D.
Lewis, Sherman, Fighting Prophet, 483.
The true disposition of General Sherman toward the South was quite apparent in his terms of agreement with his opponent, General Johnston. After Lee had surrendered, Sherman and Johnston agreed to provisional surrender terms. That was on April 18, 1865, and it was on the preceding day that the Ohioan had heard of Lincoln's death. The terms offered to Johnston were much broader in scope than were Grant's to Lee. The Confederate armies were "to deposit their arms" in their local state capitals. The military equipment was to be "subject to the future action of the Congress," but in the meantime it could be used only "to maintain peace and order within the borders of the States respectively." The Chief Executive was to recognize the various state governments after "their officers and legislatures" had taken "the oath prescribed by the Constitution of the United States." If there were any conflicts on the legitimacy of conflicting state governments they could be resolved by the Supreme Court. Sherman requested that the Federal Courts be reestablished in the states. Then came two significant sections:

The people and inhabitants of all these States to be guaranteed, so far as the Executive can, their political rights and franchise, as well as their rights of person and property, as defined by the Constitution of the United States, and of the States respectively. The Executive authority of the Government of the United States not to disturb any of the people by reason of the late

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24 See page 5. When Sherman announced Lincoln's death to his soldiers he "assured them" that "neither the South as a whole nor its leaders" were accountable for that deed. Robert S. Henry, The Story of Reconstruction, 14.
war, so long as they live in peace and quiet, . . . and obey the laws in existence at the place of their residence.

The last part of the agreement stated that the conflict was to stop and "a general amnesty, so far as the Executive of the United States can command," brought forth. This depended upon "the disbandment of the Confederate armies," and the following of peaceful pursuits. Sherman and Johnston clearly showed that this was not a final settlement. They mentioned that their "respective principals" had not given them the power "to fulfil these terms . . . ." But they both agreed to try and obtain decisions "and to carry out the above programme." This last section was important for Sherman left the final decision up to Washington, but Stanton and his cohorts took little or no notice of it.

Thus with the coming of peace there was hardly the slightest trace of bitterness in the general. He wished the Southerners all the happiness that peace could possibly bring. As Professor Coulter has so excellently remarked, "An enemy in war, in peace a friend." Even though the general might be without vindictiveness, there were persons of a different mind in Washington. The surrender agreement


26 Sherman and the South, 11.

27 Carl Schurz wrote to his wife on April 18, that Sherman had met Johnston and that "I fear . . . Sherman will attempt to excel Grant as mediator, since Grant has excelled him as leader in battle." Speeches, Correspondence and Political Papers of Carl Schurz (ed. by Frederic Bancroft), I, 253.
was criticized in no uncertain terms. It was the use of authority not granted to the general, and practically recognized the rebel government. The terms aimed at reestablishing the Confederate state governments. The permission to retain their arms and then to deposit them in the various capitals likewise was frowned upon. Gideon Welles related that the cabinet was of "one mind on the subject. The plan was rejected and Sherman's arrangements disapproved." Stanton especially was "emphatic" in his "condemnation." Two days later the Secretary of the Navy, certainly no Radical, admitted that Sherman had "behaved hastily, but I hope not, as has been insinuated, wickedly." The general was considered a better military leader than a diplomat. If Sherman had erred it was because this error "had its origin... with President Lincoln who was for prompt and easy terms with the rebels." Welles pointed out that after there had been a chance to reconsider the entire episode, he decided that Stanton had influenced all the cabinet members. The Secretary of War was of the opinion that Jefferson Davis and others "had conspired to assassinate... Lincoln." Therefore it was difficult at that time for the cabinet "to justify Sherman." But hind thought showed the famous general "was less censurable" for his arrangements.

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29 MS. Diary, box 5, April 21, 1865.
30 Ibid., April 23.
There was no question about Lincoln's influence over Sherman. The latter had met the former along with Admiral Porter and Grant at City Point in March, 1865. Senator Sherman later stated that his brother still had the President's views "fresh in... [his] mind" when he met Johnston. "General Sherman believed in and sought to carry out the policy of Mr. Lincoln." The President was full of kindness and charity toward the South and wanted peace as soon as possible. But, the general did not realize what effect the assassination of Lincoln would have upon the "minds of the Northern people..." It was also related that as the Civil War progressed, Lincoln was more and more admired by Sherman.  

John Sherman was informed by his brother on November 4, 1865 that the Chief Executive was "drifting toward my terms to Johnston. He cannot help it, for there is no other solution. Any plan will have objections, but that least of all." Sherman at the close of the conflict, like Lincoln, was ready for the civil reorganization of the South..." He would accept her representatives "as de facto until Congress could provide otherwise." The views of the President then were nothing new to Sherman. The latter had permitted

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31 Address on General Sherman, 15-16.

32 The Sherman Letters, 257. For additional views of Sherman see Jared W. Young, "General Sherman on His Own Record," The Atlantic Monthly, CVIII, 298-99 (Sept. 1911).
civil officials to retain their posts, for example, at Memphis and Savannah. 33

Since the Radicals would not accept the agreement of April 18, Sherman met Johnston again near Durham's Station, North Carolina on April 26. Here General Schofield drew up the new terms for Sherman. 34 The new "military convention" was free of political sections. It terminated hostilities, and arms, except side arms, were to be left in Greensborough for the Federal ordnance department. Each man and officer was to agree not to take up arms again. The officers were permitted to retain their side-arms and private horses and baggage. All were allowed to "return to their homes, not to be disturbed by the United States authorities so long as they observe their obligation and the laws in force where they may reside." 35 Thus Johnston surrendered on the terms which Grant had given Lee.

General Sherman felt very deeply over this affair, for he was convinced that his first agreement should have been accepted. On April 25, 1865, he wrote to Lieutenant General Grant that they, as

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34 See page 114 for Schofield's role in the settlement. Schofield was not sure how "wise or unwise" the first agreement would have been if accepted. But he could not picture anything worse than the results of the plan adopted. It destroyed "everything that existed in the way of government, and then" built "from the bottom on the foundation of ignorance and rascality." Forty-Six Years, 353.

soldiers, had used "any sort of machinery to produce military results." It was not uncommon for military leaders "to use civil governments in actual existence as a means to an end." Then followed a statement part of which could have thrown many a Radical into a fit:

I do believe we could and can use the present State governments lawfully, constitutionally, and as the very best possible means to produce the object desired, viz., entire and complete submission to the lawful authority of the United States. As to punishment for past crimes, that is for the judiciary, and can in no manner of way be disturbed by our acts, and, so far as I can, I will use my influence that rebels shall suffer all the personal punishment prescribed by law. . . . 36

A contemporary of Sherman pointed out that "a majority of the corps commanders approved of his policy." Before negotiating the first agreement, Sherman had seen a Richmond newspaper which published a proclamation by that city's provisional governor, General Weitzel. This officer convened "the Virginia legislature for the purpose of taking measures to restore the state to the Union." From this it was apparent to the general that "a magnanimous spirit of forbearance pervaded the councils of the north." The author concluded, "All these things conspired to make him lenient; but if he erred, it was on mercy's side. . . . "37 Another writer has decided that if the first arrangement "had been accepted, the Southern people would have

36 W. Sherman, Memoirs, II, 361.

37 David P. Conyngham, Sherman's March through the South, 365. Sherman, however, did not hear that Weitzel's order had been disapproved and rescinded." Gen. M. Force, General Sherman, 299.
resumed the place they held in the Union in 1860, and the evils of congressional reconstruction might have been forestalled.\(^{38}\)

In a message to Grant, April 28, 1865, Sherman spoke very plainly and with much sarcasm toward politicians. In part he said, "I envy not the task of reconstruction, and am delighted that the Secretary of War has relieved me of it."\(^{39}\) Throughout the following months of reconstruction, the general looked with aversion on the course the Republican party was taking. The views which he held on the government in Washington were aptly put when he said to his wife, "Washington is as corrupt as Hell, made so by the looseness and extravagance of war. I will avoid it as a pest house."\(^{40}\)

Sherman never turned a cold shoulder to his friends below the Mason and Dixon line. While some could not forget his cruel march through their countryside, others still considered him a friend. D. F. Boyd, of the Louisiana Academy, wrote to his former colleague that "There is no help in ourselves - to our conquerors we must look for aid and comfort; and upon no one more than yourself does the South rely." It was recalled that Sherman had been "instrumental" in their

\(^{38}\) John G. Barrett, Sherman's March through the Carolinas, 277.

\(^{39}\) W. Sherman, Memoirs, II, 367.

\(^{40}\) May 8, 1865, Home Letters of Sherman, 352.
frustration; "yet the very liberal terms you proposed to grant us
thru' Joe Johnston & your course since have led the people of the
South to expect more from you than any of the high Northern offi­
cials."^1

Joseph E. Johnston clearly expressed his own opinion of his
former adversary on April 28, 1865. The Confederate officer felt it
was the misfortune of his life to have encountered Sherman "in the
battlefield." The "enlightened and humane policy" of this Union
general was praised. Then, with Schofield in mind, the writer said,
"It is fortunate for the people of North Carolina that your views are
to be carried out by one so capable of appreciating them." He hoped
no severities would be shown toward the vanquished, with the exception
of the "bands of robbers now existing. . . . The disposition you
express to heal the wounds made by the past war has been evident to
me in all our interviews."^2

Sherman kept in close contact with his friend, General
Schofield. The latter had asked Sherman what policy would be followed
to reorganize state governments. He especially was interested in the
question of the freedmen.^3 As has been stated, Sherman was

^1 Sept. 22, 1865, Vol. 17, Sherman Papers. On Jan. 25, 1867
Braxton Bragg, a former Confederate general, was appreciative of
Sherman's "kind and not unexpected offer of services." Bragg wanted
to know the procedure for applying for compensation. His wife's
plantation had sustained losses during Federal occupation. Sherman
Papers Vo. 20.


^3 See pages 116-17.
disappointed with the government. He doubted "if any one at Washing­
ton appreciates the true state of affairs South." Their thoughts
were "so absorbed with the horrid deformities of a few assassins and
Southern politicians that they overlook the wants and necessities of
the great masses." It was recalled then how Stanton and General
Halleck had opposed him because of the agreement with Johnston.
"Anything positive would be infinitely better than the present
doubting, halting, nothing-to-do policy of our bewildered Government."
Sherman further noticed:

Now that all danger is past, and our former enemy simply
asks some practical escape from the terrible vicissitudes
of his position, it is wonderful how brave and vindictive
former non-combatants have become. It makes me sick to
contemplate the fact. . . .

Again, in his letter of May 28, 1865 to Schofield, he returned to
the main theme of those troubled times. "I think I see already signs
that events are sweeping all to the very conclusion I jumped to in
my terms. . . ." Sherman felt the future would demonstrate "that
that was the only constitutional mode whether popular or not." ^5

After General Howard accepted the job as Commissioner of the
Freedmen's Bureau, Sherman wrote him a lengthy letter on May 17,
1865. ^6 He did not feel that his friend could "alleviate all the

^5 Ibid., 586.
^6 See page 79.
ills of humanity" even though he desired to accomplish this object. He probably could not "fulfill one-tenth part" of what was expected by the framers of that legislation. There was no question about the freedom of the Negro. "The demand for his labor and his ability to acquire and work land will enable the negro to work out that amount of freedom and political consequence to which he is or may be entitled by natural right, and the acquiescence of his fellow men (white)." But Sherman expressed fears "that parties will agitate for the negro's right of suffrage and equal political status," not because the colored men asked for it or wanted it, "but merely to manufacture that number of available votes for politicians to work on." There was danger that a serious element, "prejudice," would be aroused. The "strong prejudice of race" existed all over the nation. Qualifications for voting were left to the states. "The United States cannot make negroes vote in the South any more than they can in the North without revolution, and as we have just emerged from one attempted revolution it would be wrong to begin another."

According to the Constitution, the blacks were freed. The Federal government should "simply guarantee that freedom" and permit them "to hire" their "own labor," then the "transition will be comparatively easy. . . ." A new revolution would be started "if we attempt to force the negro on the South as a voter. . . ." He thought perhaps the Northwest might then take a different side than it did the last time. Sherman recalled for Howard how prostrate the South was, and that even "severe. . . laws of taxation" would not get much from her.
The Ohioan was certain that the Southerners recognized the Negroes as free. If only the former were "allowed reasonable time" and were not "harassed by 'confiscation' and political complication," they would get adjusted soon to their new situation. Many of the whites would "sell or lease" parts of their land to the colored men "and gradually the same political state of things will result as now exists in Maryland, Kentucky, and Missouri." It was then warned:

The West will not submit to the taxation necessary to maintain separate colonies of negroes, or the armies needed to enforce the rights of negroes dwelling in the Southern States in a condition antagonistic to the feelings and prejudices of the people, the result of which will be internal war, and the final extermination of the white or black majority. 17

On February 23, 1866, after Johnson had vetoed the Freedmen's Bureau Bill, the general wrote to his brother that the President's "antagonistic position" spared the country a conflict, "and as I am a peace man I go for Johnson and the Veto." The senator was told that "The white men of this country will control it, and the negro, in mass, will occupy a subordinate place as a race. We can secure them the liberty now gained, but we cannot raise them to full equality in our day, even if at all." Then the officer commented, "that the Freedmen's Bureau Bill, and that for universal suffrage in the District, are impracticable and impolitic. Better let them slide and devote time to putting the actual Government into the best shape the country admits of, letting other natural causes produce the

results you aim at." When state assemblies and the people suppress the Negroes "they cut their own throats, for the negro cannot again be enslaved. Their mistakes will work to the interests of the great Union party." 18

After the Grand Review in Washington on May 24, 1865, General Sherman was ordered to St. Louis to command the Military Division of the Mississippi. This transfer to the West did not check his prolific letter writing as he continued to express his views on the leading issues of the day. One of his favorite topics dealt with the race question. The general never seemed to have a high estimation of Negroes, and he looked askance upon the mounting cry for Negro suffrage.19 Sherman could not accept the idea of black suffrage and as one authority reasoned, this "naturally led him to support white supremacy." 20 Mrs. Sherman was informed by her husband that the "Negroes don't want to vote. They want to work and enjoy property, and they are no friends of the Negro who seek to complicate him with new prejudices." 21

18 The Sherman Letters, 263-64.

19 Gen. D. E. Sickles agreed with Sherman. He informed Stanton on July 19, 1866, that "Mr. Sumner would not be in such a hurry to confer negro suffrage, if he could see the plantation negroes and thus comprehend how hopelessly they lack capacity for political franchises." Papers of Edwin M. Stanton, Vol. 30.

20 Coulter, Sherman and the South, 16.

21 May 10, 1865, Home Letters of Sherman, 353. It was stated also in this letter that "All this clamor after Jeff Davis... is all bosh. Any young man with a musket is now a more dangerous object than Jeff Davis. He is old, infirm, a fugitive hunted by his own people, and none so poor as do him reverence."
On August 3, 1865 he aired his opinion again on this problem. "Negro equality will lead to endless strife, and to remove and separate the races will be a big job; so any way we approach the subject it is full of difficulty." Six days later, in another message to Senator Sherman from St. Louis, the general hoped the agitation on "the suffrage question" would be "allowed to rest until the forms and shapes of the States South are adjusted. . . ."\(^{52}\)

In this note of August 9, he declared also that the Government of the United States "will have a burden to carry in the form of Military Governments South, which are awkward and expensive." Still another letter to John on September 21 explained the ideas of the commander. "No matter" what changes were desired "in the feelings & thoughts" of the Southerners, it would be impossible to bring them about by force. It was stated also that the government could not "afford to maintain" an army huge enough to keep them under "subjugation." He concluded, "All we can or should attempt is to give them rope to develop in an honest way if possible, preserving in reserve enough Military Power to check . . . excesses if they attempt any. I know they will not attempt any. . . ."\(^{53}\)

A convention had assembled in Little Rock, Arkansas in December of 1865 to voice its grievances, especially against a "test

\(^{52}\) The Sherman Letters, 252, 254.

\(^{53}\) Sherman Papers, Vol. 17.
oath adopted by the existing State authorities." Sherman was invited to attend. He did not inquire after the purpose of the gathering. However, he recalled for them that even though they did not have all the rights which they claimed, they had "more rights and privileges under existing circumstances" than any other "civilized country except America. Is not the meeting of this Convention the best evidence that you have a good deal of liberty?" Sound words of advice were then given, when he instructed them to rebuild and restore the country to prosperity.

Cultivate the soil, set your plantations in order; make every possible improvement; get your local and county affairs in good shape. Such work will be far more important... than whether you shall vote this year or next.... There need be no hurry about this political organization; bide your time;... What you want in this State is work - "elbow grease."

An interesting communication from the general to the senator dealt with the problem of equality. On January 19, 1866, he believed that "the extension of the election franchise is being pushed beyond the Rule of Right." All humans were "entitled to the protection of the Law. Even 'infants not born,' but because of such natural Right it is not to be implied they must vote." Then followed an interesting view of this question. "To vote implies an understanding almost equivalent to the ability to make Laws. It is legislation - not natural Right. Instead of enlarging the privilege we must gradually

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54 The Frankfort Commonwealth, Dec. 29. See also Army and Navy Journal, III, Feb. 10, 1866, 393.
Advocates of universal suffrage could expect no support from General Sherman.

Writing from St. Louis on February 11, 1866, the Commander of the Military Division of the Mississippi again returned to the theme of reconstruction. "We cannot shove the South back as Territories, and all steps to that end must fail for many reasons, if no other than it compels the people already there to assume a hostile attitude."

Then came a very sagacious statement. "The well disposed of the South must again be trusted - we cannot help it." The officer further remarked that John was considered a "rising statesman, above party politics. And whilst you should not separate from your party, you can moderate the severity of their counsels. . . ."56

Thoughts of wisdom once more were given to the Republican Senator from Ohio by his brother. The latter agreed "substantially with the President" in his struggle with Congress. The general reflected:

If we do not design to make a complete revolution in our form of Government, but rather to preserve it, you must, sooner or later, allow representation from the South, and the longer it is deferred the worse will be its effect. Any seeming purpose to restrict them from retaining political power with your party will react against you. If the people of the South are to be punished, it must be done by trials and convictions of individuals.57

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56 The Sherman Letters, 262.
57 Feb. 28, 1866, ibid., 265.
On February 11, 1866, while he was in St. Louis, Sherman penned a significant letter to President Johnson. The officer related how he had talked with Senators and Representatives about the radical policies of Sumner and Stevens and how these plans would lead to "everlasting estrangement of all the people of the South." The President should be permitted to restore the Union by his own means. "In the end I know you must succeed for this result is desired heartily by the Great *sic* masses of our people...." Sherman then confided that he would "continue to use what little influence I possess to the same end." The general was certain that Johnson would fulfill his highest ambition to restore the entire nation to a complete "enjoyment of its privileges and protections." He would "be sustained by natural Laws that mischievous *sic* men may delay but not prevent." He even hoped for "a renewal of the term of office" for the President.58  

The general notified his brother on October 31, 1866 that Grant and himself wanted to "keep plainly and strictly to our duty in the Army." They did not want "to be construed as partisans." The two men were willing to let the Supreme Court decide the differences between Congress and the President. "We see nothing objectionable in the proposed" Constitutional Amendment. But he could not even finish the letter before making additional comments on this proposed change. "Only there ought to have been some further action on the

58 Papers of Andrew Johnson, Vol. 86 (1866, Feb. 7-Feb. 15).
part of Congress committing itself to the admission of members when
the amendments are adopted." It was concluded that "the minor ex-
ceptions to hold office etc. should be relaxed as the people show
an adherence to the national cause." 59

Secretary of the Interior, Orville Browning, recorded in his
diary his personal opinion on the two leading Union generals. "Sherman
is fully conservative and utterly opposed to the unconstitutional and
revolutionary measures of the radicals." But his superior, Grant,
"is a radical of strong passions and prejudices, and will obey Con-
gress instead of the President in the event of a conflict." 60 Sherman
did not agree with the viewpoint of Browning. On October 18, 1867
while in St. Louis, he wrote that Grant did not "want to be
President. . . ." Events, however, might force him to accept.

He [Grant] is not an extremist at all, but his many
good officers at the South force him to the conclu-
sion that there is necessary there some strong power
to protect the negroes and union men against legal
oppression, or the acts of badly disposed ex-rebels.
He is frank and friendly to all well disposed men
South.

To clinch the authenticity of these views he related that Grant was
"open and frank with me and others he knows well." 61

It was recalled by the general how he had advised the Presi-
dent during the latter's struggles with Congress. That legislative

59 Sherman Papers, Vol. 20. Sherman may have desired to be non-
partisan, but he simply could not refrain from expressing his views.
On Nov. 11, 1866 in a letter to John, he hoped "Congress will not let
power pass into the hands of such men as Butler, Phillips, etc." The
Sherman Letters, 282.

60 II, Oct. 9, 1867, 163.

61 To Hon. Thomas Ewing, Home Letters of Sherman, 362.
body could not be dispensed with due to "the nature of things. . . ."
It was suggested that he "make overtures to such men as Fessenden, Trumbull, Sherman, Morgan, and Morton who though differing with him in abstract views of Constitutional Law and Practice were not distrustful." If the reconstruction plan of Congress "succeeded he could do nothing and if it failed or led to Confusion the future developed results in his favor etc."62

General Sherman gave an address at the second annual meeting of the Society of the Army of Tennessee at St. Louis on November 13, 1867. He mentioned that his soldiers had asked him, "when troubled with the reports of disturbed condition of things at the South," whether all their efforts had been in vain. Would they not have to be called upon again "to repeat the scenes of 1863 and 1864, or whether the rebels, defeated in battle, might not, in the hurly-burly of time and politics, regain their 'lost cause' and their lost pride." The speaker answered, "On these points I feel no great solicitude. . . ." The Northern army secured national authority, and "if perfect subordination and tranquility have not resulted, we must look for the cause, in the nature of things, or in the civil administration of our Government." He then pointed out he could discuss the first but "the latter is not a fair topic of discussion for the soldier. . . ." He gave a long discussion on the history of slavery, and how part of the North had been responsible for it too. In speaking of "our present

"strength" and "future destiny" he said, "If our friends at the South will heartily... join with us in this future career, I, for one, would welcome them back our equals, but not our superiors [applause], and lend them a helping hand." He hoped that they would not be like "spoiled children" and "cling to the dead past, and shut their eyes to the... future..." 63

On June 11, 1868, the general told his brother that he had "noticed Grant's acceptance" of the Republican nomination. "I take it for granted he will be elected, and I must come to Washington." 64 Sherman was next in line to command the army if Grant were elected. This came about much to Sherman's displeasure, on March 4, 1869. 65 Sherman had still not overcome his old dislike for Washington. In one letter after another the general informed his brother that Grant would be elected. Once he stated, "The election of Grant seems our only salvation from serious trouble." 66

Senator Sherman received a very interesting letter from his brother in the latter part of February, 1869. "My visit South was in every sense agreeable. My old friends in Alexandria did all they

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64 The Sherman Letters, 319.
could to make us welcome, and I was not allowed to pay a cent on steamboat. . ." Then the general explained that he had "visited several plantations and saw negroes at work for wages, and seemingly as free and as conscious of their freedom as the blacks of Ohio." He also wrote that his "own portrait, in full uniform," was observed at the Louisiana Military Academy. The Superintendent D. F. Boyd notified his old friend, General Sherman, that he would "teach his pupils to love and honor the whole country." This must have pleased Sherman very much. When he was in New Orleans, he was warned "against going to Alexandria, which was burned down at the time of the Banks expedition, but I never received more marked attention by all classes, and not a word or look" on the disrespectful side was observed. The letter was concluded when he stated "some political power might be given to the young men who served in the rebel army for they are a better class than the adventurers who have gone South purely for office."67

Many years later General Sherman gave a good summary of the results of the reconstruction ordeal. He wrote to his wife on November 22, 1881, that

the Republican Party gave the negroes full citizenship and vote, increasing the electoral vote from three-fifths to five-fifths on the theory that negroes would all be Republicans, but they simply increased the Southern vote, and afterwards by Reconstruction created a Solid South which with the disaffection of a few states surrendered

the political power to the former enemy. With Mr. Lincoln disappeared the wisdom and shrewdness of the Republicans, since which time they have quarreled among themselves. ... 68

One writer has pointed out that the Southern "question was determined unfortunately and wrongly." With this, Sherman was in full agreement. The general, in 1881, "still thinks the long epoch of misgovernment, turbulence, discontent, and bloodshed through which the South passed, after the war ended, to reach its present condition of quiet and prosperity, might have been avoided." A number of years "were worse than lost, and the general progress of the whole country" was checked. Certainly "negro suffrage was prematurely enforced" and this "would have come in good time through the operation of political forces in the States themselves." 69

To obtain the correct viewpoint of General Sherman, in regard to the Southern question, one must of necessity look to his peace-time years. His true attitude toward the South can not be obtained by the ruthless way he waged war in that section. Total war was turned to by him only in order to hasten the conclusion of the conflict. He must be seen not as a vicious military commander but as a true friend of the South. The words of Professor Coulter express the exact picture of Sherman—"An enemy in war, in peace a friend." 70

68 Home Letters of Sherman, 392.


70 Sherman and the South, 18.
CHAPTER VIII

GENERAL GEORGE H. THOMAS

General George H. Thomas, who was later to earn the title of the "Rock of Chickamauga" for his military ability, was born in Southampton County, Virginia. His father, although not considered a part of the aristocracy of the state, was a man of some means. A number of slaves were used on the farm to help raise the crops which consisted of cotton, tobacco and corn. General O. O. Howard, who drew up a sketch of the life of Thomas, found out from an old colored man, "named Artise," some interesting facets of the Southerner's youth. The eighty year old Negro stated that when George was a boy he "seemed to love the negro-quarters more than he did the great house." As a youth, Thomas considered the Negro boys "his play-mates." The old man recalled further that George after school was finished for the day, would "try to teach them at night," what he had learned during class hours. All of this was done without parental permission.

His early education was received at a Southampton academy and for a time he studied law while a deputy to a county court clerk.

1Richard O'Connor, Thomas: Rock of Chickamauga, 53.

2Howard Papers MSS. "Sketch of the Life of George H. Thomas" (Articles and Addresses, book I).
With William T. Sherman as a classmate, Thomas graduated from West Point in 1850. As a new officer he saw service in the Florida War and also in the Mexican conflict. The black, Artise, remembered that "Massa Thomas" returned from the latter struggle and gave "all the slaves at home new suits of clothes for Sunday wear...".

The young army officer saw varied service and was under Col. Albert S. Johnston at Jefferson Barracks, Missouri in 1855. Thomas had purchased a woman servant and upon his return from Texas, in 1860, decided not to sell her. He said "I haven't the heart to sell a human being & I will not." At "considerable expense" to himself, she was "transported... to his home in Southampton." At the conclusion of the Civil War, when this woman and her family were free, Thomas transferred them to his post in Nashville, Tennessee. She wanted the protection of her old master. "They sometimes worked for him. He ever after cared for them as long as he lived /,7 teaching them independence and self support."

This incident was significant for it showed that Thomas like any other Southerner did not object to buying a slave, but when it

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5 Ibid. When Thomas was sent to command the Military Division of the Pacific in 1869, he sent them to his brother in Mississippi. Richard O'Connor, *Thomas: Rock of Chickamauga*, 100.
came to selling one, that was a different story. There were humane people in the South who dreaded the sale of slaves, but had no scruples over the purchase of them. Thus while he was no abolitionist, "the possibilities of misery and cruel treatment" within the system itself were apparent to him. 6

A great decision had to be made by Thomas after the firing on Fort Sumter in the spring of 1861. 7 Would he go with Virginia and Lee, or would he remain with the Union? He decided to honor the oath which he took as an army officer and not forsake the nation. It must have been a very trying decision for Thomas to make. But, as one writer remarked, "his duty was clear from the beginning." According to the officer's way of thinking "there was but one country,—the United States of America." Here was a son of Virginia who could "serve under no flag except that which he had pledged his honor to uphold." 8 It has been claimed by General E. D. Keyes that Mrs. Frances


7 It has been pointed out by a biographer of Thomas, that the general favored the Constitutional Union Party and its candidate, John Bell. This group was for upholding the Union, and the Constitution. Freeman Cleaves, Rock of Chickamauga, The Life of General George H. Thomas, 64-65. Hereafter, this work will be cited as Cleaves, Life of Thomas.

Thomas, a native of New York, was instrumental in keeping her husband from following Virginia. In regard to this belief, Mrs. Thomas later wrote on November 9, 1864, to a friend that "There was never a word passed between General Thomas and myself, or any one of the family, upon the subject of his remaining loyal to the United States Government." He would do what he thought was correct.  

George S. Boutwell, a prominent politician of the period, stated that "General Thomas and General Lee were alike in personal appearance, and they resembled each other in their mental characteristics." But, the former was quite different from the latter, especially on the issue of states' rights. "Thomas had no respect" for this doctrine.  

The guiding principle or motive of General Thomas can be observed in his remarks to Governor Brownlow of Tennessee on December 15, 1866. The state official had just presented him with a gold medal commemorating the great battle of Nashville in December of 1864. Upon obtaining his commission in the army, he stated, "I took an oath to

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9Henry Coppée, General Thomas, 27-28. See the Southern Historical Society Papers, X (Jan.-Dec. 1882, 52-25), XII (Jan.-Dec. 1884, 568-70). These deal with the claim that Thomas had decided to follow Virginia then changed his mind. To a friend in Kentucky, on Aug. 11, 1866, Thomas claimed "No one can truthfully say that I ever belonged to the States Rights Party, or that I ever expressed more than the usual disapproval [sic] of such conduct as John Brown was guilty of...., or that I threatened to resign my commission in the Army and join Gov. Wise to take Virginia out of the Union." Thomas Papers (HM 2338h) (Henry E. Huntington Library, San Marino, Calif.) (Microfilm copy of the Thomas Papers 1865-1870 in Ohio State Univ. Library). Hereafter, these papers will be cited as Thomas Papers (Henry E. Huntington Library).

10Reminiscences, II, 86.
sustain the Constitution of the United States, and the Government, and
to obey all officers. . . placed over me. I have faithfully endeavored
to keep that oath." After all, he pointed out that he had received an
education at the academy and in return owed the government his ser-

vices.11 "Thomas was a soldier. He never was anything else." From
1836, when he commenced his training at the academy, to the day he died
in March, 1870, he was completely dedicated "to the military profes-
sion."12

Southern resentment over General Thomas' decision to remain with
the Union was very noticeable right in his own family. In 1890 when
General Howard desired some personal information on the Southerner,
he wrote to the sister of the general. She replied simply, "he was as
all other boys are well born and well reared." The Thomas family had
taken the general's resolution to stay with the Federal government as
a severe blow. In later years, he appeared to be on speaking terms
only with his brother in Mississippi.13

After the Civil War was over the general was placed in command
of the Military Division of the Tennessee in June 1865.14 This

Van Horne, Life of Thomas, 416.

12Stone, "General Thomas," 507.

13Cleaves, Life of Thomas, 3-4.

14Gamaliel Bradford, Union Portraits, 98. On June 12, 1865 the
Tennessee Legislature "adopted a resolution expressing their sincere
pleasure at the appointment of General Thomas" to command this divi-
sion. They even "adopted him as a citizen of Tennessee." Henry
Coppée, General Thomas, 294.
division, after some modification, was composed of Kentucky, Ten­
nessee, Mississippi, Alabama, and Georgia. The headquarters of this command were to be at Nashville. Thus he was placed in an area which was familiar to him and he would remain in charge of this section until June 1869.

As was true of the other commanders in the South after the war, Thomas had to deal with the problem of the Negro. He was always interested in improving the position of the colored people. This was true, as has already been pointed out, even during his youthful days. "When the enlistment of colored men as soldiers was authorized, he heartily aided the scheme," and during the conflict he never failed to give credit where credit was due. In the spring of 1863 Sherman commented to his wife that "General Thomas is... raising negro brigades. I would prefer to have this a white man's war and provide for the negroes" later. However, Thomas was of the opinion that military service would aid the Negro in his step from servitude to independence. As a soldier he would learn to take care of himself.

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15 Van Horne, Life of Thomas, 399-400.


17 Home Letters of Sherman, 252.

18 Cleaves, Life of Thomas, 204, quoting Thomas' letter of Nov. 18, 1863, Historical Society of Pennsylvania.
During hostilities, Thomas gave the blacks ample opportunity to earn a mark for themselves. The general was convinced that these people could not become complete citizens immediately. "It will take time for the regeneration of the Negro..." Thomas did not increase his popularity by putting blacks on lands which had been deserted by Southerners. A murmur of objection greeted this procedure. The commander saw to it that these new real estate holders "legally acquired" their holdings.19

As Commander of the Military Division of the Tennessee, Thomas had his "patience and endurance" severely tried. An interesting story is related by a biographer of the general. At his residence in Nashville, the general was in the habit of sitting on the porch in the evenings. Other occupants of the same building did likewise. One of these was a known rebel who, however, "did not have the courage to fight for his" views. For quite some time he was within hand-shaking distance of the general, but ignored him completely. This did not worry Thomas. One evening, after several months of this peculiar situation, the "highborn Southern gentleman advanced very patronizingly to shake hands," but the general motioned him back with the statement, "Too late, too late, sir; you have sinned away your day of grace."20

Whereas, the action of the above mentioned rebel would have bothered perhaps a Sheridan, it did not disturb Thomas. There was no bitterness in his heart toward his former Southern neighbors. It has been reported that he met his former adversary, Gen. John Hood, at the Louisville Hotel. There they "exchanged cordial greetings, and breakfasted together." Good and moderate advice was given to the "Citizens of Morgan, Marshall and Lawrence Counties" in Alabama on April 12, 1865. "I hereby... authorize and injoin upon you to reestablish civil law in your counties according to the Alabama code before the rebellion at as early a day as possible."

Then the general concluded:

Through your courts I invite the citizens of your neighboring Counties to do likewise, and thereby relieve the suffering and distressed of the communities in which they live - and give early assurance to the United States Government that your rebellion was forced upon you, and was not a premeditated act on your part.

General Thomas would do all he could to help former Confederates or their relatives obtain pardons. In fact, the conflict had not ended when he interceded in behalf of Mrs. Richard S. Ewell, widow of the rebel general. Stanton on April 21, 1865 had ordered Thomas "to arrest" her as she was reported "to be in Nashville." Mrs. Ewell was "to be removed immediately to St. Louis." The general then wrote to the Secretary of War, on April 23, that Mrs. Ewell had

21 Van Horne, Life of Thomas, 406.

22 Thomas Papers (HM 23323) (Henry E. Huntington Library).
already subscribed to the amnesty oath in March while in St. Louis. Thomas explained further that she thought it was alright for her to come to Nashville to care for "her private affairs." The business was almost completed by her and she had planned to return to St. Louis "quietly & inoffensively." She had conducted herself as a true supporter of the United States since taking the oath. Mrs. Ewell felt that she should be able to return to Missouri "without military surveillance. . ." Then Thomas recommended that this lady be allowed to stay in Nashville for just a few more days and be "permitted to return to St. Louis free from military surveillance en route." On the same day Stanton replied briskly, "You will please execute order heretofore given in reference to Mrs. General Ewell, without unnecessary delay." On April 21, Thomas explained everything to the widow. He had no other choice except to comply with the directive from Stanton. She would be "subjected to as little inconvenience & annoyance as possible" on her journey. An officer of the commander's staff would accompany her to St. Louis.  

While Thomas was very cooperative to those who sought his help, he did not hesitate to caution or restrict the recalcitrants within his division. He sent a telegram to President Johnson on July 20, 1865 asking for permission to "authorize the publication of your telegram of the sixteenth. . . to Governor Brownlow advising him to adopt

23 Thomas-Stanton Correspondence, April 21-24, 1865 Richard S. Ewell Papers (Library of Congress).
strenuous measures to have laws passed by the last legislature forced. The general figured that "its publication will do much good in satisfying many obtuse minds in this state. . . the Rebel element in some portions of this state is very restive under the present state of affairs."^2h

General Orders No. 9, issued on July 21, 1865, dealt with the suspension of local officials who discriminated against Negroes. It was related that the Headquarters had received recently a complaint from Mayor Andrews and a Justice of the Peace of Columbia, Tennessee. This was done on "behalf of the Board of Mayor and Aldermen of the city of Columbia, and the Court of Maury County, in which the military authorities of the United States are accused of unwarrantable and unjustifiable interference with the civil authorities. . . ."

After a careful examination of all the facts, the following points were established. About the 24th of June, two Negro girls who attended "the colored school in Columbia were arrested" on a trespassing and an "assault and battery" charge. Bail was set at five hundred dollars apiece. Unable to furnish this money they were incarcerated "in solitary confinement." They were to remain in jail until their trial in the Circuit Court of Maury County. This body was not to "sit for several months." The trespassing consisted of taking some fruit "from a tree growing on a common," which belonged "to a citizen of Columbia." This tree, however, was not inclosed. The second charge was really "the repelling of an assault made upon

^2h Papers of Andrew Johnson, Vol. 71.
the girls by a white woman, who threw 'rocks' at them." The Negroes responded with one ineffective boulder. "The bail... was exorbitant and illegal." According to law only two hundred and fifty dollars could have been set. The Justice of the Peace, advised of this fact by the Attorney General, "released one of the girls" and lowered the "bail of the other to two hundred and fifty dollars. The Justice of the Peace Welsh "alleged that he had acted upon" the mayor's advice.

Thomas in addition pointed out that there has been a systematic course of persecution practiced by the civil authorities and disloyal people of Columbia towards the freedmen, and especially towards the colored school, which has been lately established there; and this, to the disgust and dissatisfaction of the truly loyal citizens of the place, who would prefer a strictly military rule to leaving all authority in the hands of their present officers.

Additional investigation revealed that Andrews had had a Negro scourged, in 1864, "for the crime of teaching a class of colored children to read." Thomas was of the viewpoint therefore that the mayor was attempting to break up the school. Justice Welsh also had rendered earlier a decision, involving ownership of property, favorable to a rebel. This Southerner, William Galloway, had refused to make application to Washington for the return of his property and had forced the present holder of the property, a union man (under lease from the United States), to vacate. The justice ruled that rent "for the time he had occupied under the lease from the United States" had to be paid to the rebel. William Galloway, the rebel,
was aided by an attorney who was "a malignant rebel" and who had conducted the prosecution of the two Negro girls.

The general decided that Galloway, Andrews, the attorney and Welsh were a coalition which had "set itself up in defiance of the authority of the United States. . . ." These men of "malignant, rebellious spirit" were considered "dangerous to the peace of the community. . . ." It was consequently ordered that Andrews and Welsh "be suspended. . . as civil officers until further orders." These would be given when they showed that "they possess some little humanity" and were willing to obey the laws of their state and the United States. Galloway and the attorney were to "be arrested" and confined by the Provost Marshal of the division. They were to be held until a decision was made as to what should be done with "rebels who still maintain an attitude of defiance to the United States. . . ." 25

General Orders No. 24, September 11, 1865, gave the results of a special board of officers appointed to study the charges brought forth by the mayor. This investigating board "substantially" confirmed "the statements set forth in General Orders No. 9. . . ." Thomas concluded that no "injustice was done to the civil authorities or citizens of Columbia by that order." 26


26 Ibid.
Governor Brownlow had "called upon General Thomas to send troops in the various counties, to preserve order and the purity of the ballot box." On July 28, 1865, Thomas sent a letter to him explaining that the "State of Tennessee is under martial law, but the military authority will not be resorted to unless the civil authority fails to act, either from inability or indisposition." Again we can obtain Thomas' attitude toward interference in the internal affairs of a state by noticing the rest of this communication:

Even in the event of the failure of the civil authorities to do their duty the military should refrain from interfering in all minor cases, because the military should, so far as possible, sustain the civil government, and never assume its functions except in cases in which prompt action is necessary to insure public safety. In conclusion, the Governor may be assured that he will be fully sustained in carrying out the policy of the State and General Government so long as the troops are on duty in this State.27

Thomas was not one to interfere rapidly with military authority and commissions in the affairs of the states under his command. He appears to be closer to General Schofield in his approach to the Southern question than to General Sheridan.

The garrisoning of black soldiers in Thomas' Military Division of the Tennessee led to violence at times. Some of the ex-Confederates objected to having order maintained by the use of Negro troops. Stanton had wondered whether there would be "an insurrection" among

27 Daily Morning Chronicle, July 29, 1865.
the blacks and if this took place, would "the negro troops... attempt to commit violence." Thomas did not believe that either of these eventualities would occur. "As a general rule the Negro Soldiers are under good discipline." Then it was stated by him, "I believe in the majority of cases of collision between whites and negro soldiers that the white man has attempted to bully the negro, for it is exceedingly repugnant to the Southerners to have Negro Soldiers in their midst & some are so foolish as to vent their anger upon the negro because he is a Soldier." Thomas also mentioned that he would have preferred white troops to garrison the main places in each state until they were restored to the Union. They were not available, however, and he had "to use negro troops." The division commander concluded:

I have always endeavored to observe a just & conciliatory course towards the people of the States within my command & believe they are as a mass Satisfied [sic], but there are always, in every community evil minded persons to whom nothing seems right except when they can have all their whims & caprices satisfied - These I find are always ready to misrepresent and exaggerate every event... that does not in some manner benefit them -

Thomas informed the Secretary of War that Georgia and Alabama, after they were organized, would only need Federal troops "to hold the fortifications on the Sea Coast." Only a force of five or six thousand well-trained black or white troops would be necessary in Atlanta, for example, "to ensure the Supremacy of the Government."28

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28 Papers of Andrew Johnson, Vol. 76.
General Orders No. 25, issued by Thomas on September 13, 1865, laid down strict regulations for the soldiers in his command. "The persons and property of all citizens will be scrupulously respected, and no unnecessary or improper intercourse with them will be permitted. . . ." No "interference with or arrests of any citizen will be allowed, unless upon proper authority from the District Commander." He would first have to have a "well supported complaint" before he acted. When investigation showed that a charge was valid against a soldier or an officer, they would "be held to a rigid accountability" and a punishment administered to them.29

General Thomas used his commander's powers when he entered into a clerical argument in Georgia. Rev. John H. Caldwell, of the Methodist Episcopal Church South had been "a loyal minister of the Gospel of the State of Georgia." He sent a complaint against John B. M Geehee who was the "Presiding Elder" of that church. He and "other disloyal persons" were charged by Reverend Caldwell for ill treating and persecuting him and finally bringing about his transfer.30 Thomas in Special Orders No. 79, September 13, 1865, gave a summary of the problem and his decision in the case. First of all, Reverend Caldwell had been "duly and lawfully appointed" to his post "according to rules and discipline of that church." The Presiding Elder, "in violation of the laws and customs of the church," ordered Caldwell to


30 This case is discussed in Van Horne, Life of Thomas, 410-14.
take his family and leave the parsonage of his church. On June 11, 1865 he had preached a sermon which portrayed "the abuses of the institution of slavery." He had likewise suggested that the people accept the Presidential amnesty proclamation and "become good and loyal citizens." M Geehee placed a former rebel chaplain, Reverend Kimble, in Caldwell's churches, and ordered the loyal minister to a remote place in Missouri. Major General Thomas ordered the reinstatement of Reverend Caldwell and that he and his family should be protected, by the military authorities of the United States, "until the expiration of the regular term for which he was appointed to officiate in those Churches." If the Presiding Elder or Reverend Kimble "attempt in any way to prevent the execution of this order or to interfere with... Caldwell in the discharge of his pastoral duties in his proper churches they will be placed in arrest." 31

General Thomas was requested by Johnson to make a tour in the South, in 1865, to discover the feelings and aims of the inhabitants. On December 12, 1865 he sent the report, in the form of a letter, to Secretary of War Stanton. He had visited ten cities within the states of Mississippi, Alabama and Georgia. "The prevailing sentiment seems to be a desire to restore the rebel States to their old relations and functions..." Thomas was quick to mention, however, that "many of the people are unfriendly to the people of the loyal

States, and to those who have continued loyal to the Government of the United States in the South." He also found that the inhabitants of Alabama were "either more practical or more loyal than the Mississippians." The commander then reported that the "last symptom of open rebellion in Alabama is exhibited by the self-styled Bishop of Alabama and the women. I hope to be able to settle the bishop case in a few days." 32

General Woods, commander of the Department of Alabama, and a subordinate of Thomas, had taken action against the Episcopal clergy in his state. They were not allowed to perform religious services and to preach until they showed "a sincere return to their allegiance to the Government of the United States." 33 Bishop Richard H. Wilmer of the Protestant Episcopal Church of Alabama had instructed the members of his clergy to act in a way which displeased the commander and Thomas. The Right Reverend Wilmer later had been accepted at an Episcopal Convention as the Bishop of the diocese of Alabama in the fall of 1865. A Washington paper at the time remarked, that this bishop was the one who advised "the clergymen of his diocese not to use the form of prayer for the President of the United States, because he upheld martial law, among other things." 34

32 Van Horne, Life of Thomas, 401-402.
33 Ibid., 409.
34 Daily Morning Chronicle, Oct. 11, 1865.
This unreconstructed individual therefore was the subject of the Division Commander's General Orders No. 40 of December 22, 1865. This order proceeded to review the whole episode. Thomas recalled how the President had offered his Proclamation of Amnesty on May 29, and had invited the former rebels "to reconstruct and restore civil authority." The "magnanimity of our Government towards all" was proclaimed thereby. To arrest, "if possible, the spread of popular approbation and grateful appreciation" for this "policy of the President," Bishop Wilmer requested on June 20, that his clergy "omit the usual and customary prayer for the President... and all others in authority, until the troops of the United States had been removed from the limits of Alabama." This was termed "treasonable" by the commander for it attempted to inform the inhabitants that civil authority not having yet been restored in Alabama there was no occasion for the use of said prayer, as such prayer was intended for the civil authority alone, and as the Military was the only authority in Alabama, it was manifestly improper to pray for the continuance of military rule.

Thomas said this minister, who should have been frank and free "from all cunning," had taken "advantage of the sanctity of his position, to mislead the minds of those who naturally regarded him as a teacher in whom they could trust, and attempted to lead them back into the labyrinths of treason." For this deed, Thomas remarked, "he was deprived of the privileges of citizenship, in so far as the right to officiate as a minister of the Gospel" was concerned. He simply could not be trusted, and would not "confine his teachings to matters
of religion alone. . . . " He had been using the church for the "dissemination of his treasonable sentiments." But now it was obvious that the people of Alabama were not holding the "same political views" of Wilmer, they were making every effort to reconstruct their state according to the Constitution. They were accepting "the magnanimous terms offered them by the President." Thomas completed the order by stating:

therefore the restrictions heretofore imposed upon
the Episcopal clergy of Alabama are hereby removed,
and Bishop Wilmer is left to that remorse of conscience consequent to the exposure and failure of the diabolical schemes of designing and corrupt minds.35

By the time that Johnson was in disagreement with the Congressional Radicals, The Right Reverend Wilmer requested his clergy and lay people to once again make use of the prayer for the President.36

In commenting upon this episode, Samuel S. Cox was convinced that it was an illustration of "the danger of intrusting despotic power to any man dressed in authority." It was a church law to pray for the President, but Cox could not see how the Constitution of the United States permitted its officers "to require the Episcopal, or any clergy to observe their own church canons."37


36 Cleaves, Life of Thomas, 290.

37 Three Decades of Federal Legislation, 1855 to 1885, 409.
A Tennessee newspaper thought that Thomas' remarks, in Orders No. 40, about the people of Alabama were similar to Grant's views in his report on the South. This sheet then commented:

Military men, who fought the rebellion to some purpose, and who have no ends to accomplish to build up party or section, are more liberal than the politico-shoulder-straps, and partisans, who look at things in the late rebellious States through "glass eyes."38

If the need arose, General Thomas did not hesitate to exert his powers against troublemakers and recalcitrant individuals under his command. A Washington paper reported that the "citizens of Tullahoma," Tennessee who had played a part "in the destruction of the freedmen's school house some time since, were ordered by... Thomas to rebuild the same." However, nothing was done about it. The commander then "sent directions to enforce the order, and to put every citizen under guard until the requirements of the order were complied with."39 Thomas' desire not to see the Negroes discriminated against is clearly seen in this procedure.

Early in 1866, the Congressional Committee on Reconstruction had Thomas give testimony on the condition of affairs in the states under his command. This committee wanted information on sentiment toward the Negroes and on the "re-establishment of civil government in the States" formerly in rebellion.40

38 The Nashville Daily Union, Jan. 4, 1866.

39 Daily Morning Chronicle, Nov. 15, 1865.

40 Boutwell, Reminiscences, II, 86.
On January 29, 1866, Thomas gave answers to questions dealing with Tennessee. "The Union sentiment" in that state was "sufficient to place... in its present favorable condition towards the government..." A "small Union force" was needed there to protect and encourage this sentiment. The general did not feel that the time had arrived as yet to remove the soldiers and to "withdraw martial law," or to fully "restore the writ of habeas corpus." There was less loyalty in Western Tennessee than in the other sections. The inhabitants of the state "desire very much... to be back in the government of the United States." It was reported by Thomas that Northern men were liked more than the Southerners who had fought for the Union.

"What is the condition of the freedmen in Tennessee?" Their condition was "very favorable at this time," reflected the commander. He was of the opinion that, if the Freedmen's Bureau could carry on for another year, as it already had, "mutual confidence would be restored between the whites and the blacks." It was hoped that the freedmen could then "be left to the protection of the civil authorities of the State." The administration of the bureau met with General Thomas' approval. Both whites and blacks upheld their labor contracts well. The officer was then asked, if the "admission into Congress of the representatives from Tennessee would tend to encourage the loyal people of Tennessee, and strengthen the feeling of loyalty in that State?" The reply came, "I think it would very much." The state delegation should be admitted by Congress because Tennessee "has complied with every instruction of the President," and had tried
to do everything in order to gain readmission. The rebel debt had been repudiated, slavery had been abolished, the thirteenth amendment had been accepted, and no rebel participant in the war would be allowed to vote, according to a franchise law. Thomas also thought that a law had just been passed "giving the negro the right to testify in the courts." Those elected to Congress could take the test oath, and if they were admitted it "will be a precedent for all the southern States." If they would follow in the footsteps of Tennessee they could then be readmitted to the Union. Thomas felt the admission of the state would be an excellent example for the other Southern states to imitate. In reply to another point which was raised, the general ventured the opinion that even if the delegation were admitted in Congress, martial law and the Freedmen's Bureau still could not be terminated.11

On January 30, Congressman Boutwell questioned the general on a number of topics. When asked about the loyalty or disloyalty of the people of Alabama he replied that they were "anxious to be under the Constitution of the United States, and to have that State in its regular position in the Union." However, "they are not yet personally friendly to Union men." They wanted to live under the United States government and "have attempted to pass laws as judicious as they could at the time to regulate the affairs of the freedmen." In response to another query, on personal safety, the officer stated

that the presence of Federal soldiers and officials of the Freedmen's Bureau "have been sufficient to put down any demonstrations of hostility." There had been some "few instances" of violence already reported. A question on the withdrawal of Federal forces from Alabama brought this reply:

I do not think it would be expedient to remove the troops until the people show that they are... willing and determined to execute the civil law with impartial justice to all parties.

When discussing the removal of Federal troops, Thomas concluded that "the freedmen would be thrown back into a condition of virtual slavery; that is, they would be compelled by legislative enactments to labor for little or no wages." The blacks also probably would be afraid to "leave their employers for fear of punishment." Injustices also would torment the loyal whites. Unless they had real friends "they could not live" in Alabama. "They would be annoyed so much in various ways that they could not live there in any peace and comfort."12

Next Thomas gave a number of his views on the Negro problem. He was asked whether the blacks would like to be removed to a territory. He was not certain on this point; however, from his own knowledge of the colored people, it was felt "they would object to it. I think that the mass of them desire very much to continue to live in their old neighborhoods, and with their old masters" where they had

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been treated well. When queried on their disposition toward education, the general ventured the opinion that Negroes, especially the younger ones, have a desire "to acquire education." He felt that "the second generation can be instructed much more easily and... thoroughly than the present generation...." The "mind of the negro is entirely undeveloped at present, except in the matter of practical observation." An inquiry was raised on the willingness of the blacks to labor. Thomas affirmed that they had "gone to work willingly" when promised "fair wages" and that they continued to labor as long as the employers kept the contracts. In responding to other questions Thomas pointed out that there was "somewhat more personal hatred towards the negro" in Georgia as a freedman. Mississippi was considered the "least promising" of the various States. "People of that State do not listen to arguments and discussion with as much calmness as the people of Alabama do."  

On February 2, 1866, Thomas again was questioned on the states under his command with the exception of Tennessee. It was pointed out that secret organizations were being organized "To embarrass the government of the United States in the proper administration of the affairs of the country, by endeavoring or making strong efforts to gain very important concessions to the people of the south." This was to be done

if possible, to repudiate the national debt... or to gain such an ascendancy in Congress as to make

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provision for the assumption by Congress of the debt incurred by the rebel government; also, in case the United States government can be involved in a foreign war, to watch their opportunity and take advantage of the first that occurs to strike for the independence of the States lately in rebellion.

When Congressman Boutwell asked if any "persons of influence" were active in the move, Thomas stated that "As yet" no leading individuals "are implicated in it." In all fairness he had to declare that he knew many "prominent" Confederate soldiers who were "trying to become good citizens. . . ." They "have applied to the President. . . . for pardon, and are awaiting his decision." This Congressman decided that the testimony of Thomas gave "a fair exposition of the condition of public sentiment in the Confederate States with the exception in a degree of the border States." He concluded that it was "apparent also that General Thomas had not the degree of confidence in the good purposes of those who had been in the rebellion that was entertained by Northern officers including Grant, Sherman, and Sheridan."45

A Kentucky paper reported that the enemies of Johnson's reconstruction policy were happy over Thomas' testimony. "Yet in reality the General has given them but cold comfort. They did not so receive General Grant's report. That provoked a low, sullen growl of discontent and rage; but General Thomas does not differ much" from Grant's views. This sheet recalled that the former favored the admission of


45 Boutwell, Reminiscences, II, 88.
Tennessee, and also desired the admittance of "representatives from all the States, on the same terms." It was hoped that Congress would act as "the old hero of Nashville has wisely and patriotically suggested." One writer, commenting upon Thomas' testimony, stated that it showed "his fairness and impartiality. One looks in vain for any trace of bitterness or hostility toward" the Southerners.

On February 21, 1866, General Thomas demonstrated that he was capable of being strict in his dealings with the people of his division. General Orders No. 6 demanded that "hereafter any, and all persons neglecting or refusing to pay the proper officers such just dues as are herein specified, shall be liable to arrest and trial before a Military Commission." It was explained that this was brought on by the refusal of some to "cancel their just indebtedness to the Government. . . ." Officers of the Treasury Department, "charged with the collection of Direct Taxes and Internal Revenues," had had to call for assistance from the military forces.

Governor Brownlow had requested, in June, that the Tennessee General Assembly act upon the Fourteenth Amendment which was pending. He asked Thomas to help to bring in, by force, members who were

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16 The Frankfort Commonwealth, March 13, 1866. There is no evidence that Grant, early in 1866, would have approved Tennessee's procedure for the other rebel states.


preventing a quorum from meeting.\textsuperscript{49} The general was uncertain as to whether he could act, so on July 11, 1866 he sent a telegraph to General Grant. Thomas was hesitant at times to make his own decisions. Grant was told that some members of the assembly were conducting "themselves in a very refractory manner. . . ." Since no quorum could be obtained, business was obstructed. The governor was unable to cope with the situation. Thomas wanted to know whether he could furnish military assistance.\textsuperscript{50} Two members, who had prevented a quorum, were arrested and the amendment was ratified on July 19.

On the seventeenth, the President saw the telegram and promptly got in touch with Stanton. The latter informed Grant, on July 17, to notify Thomas that the facts mentioned in his communication did "not warrant the interference of military authority." The state officials should see to the "administration of the law and the preservation of the peace in Nashville." Federal forces should not be used "to interfere in any controversy between the political authorities of the State. . . ."\textsuperscript{51} On July 18, Thomas was instructed by Grant not to use the military. The very day that the assembly ratified the amendment, Thomas recalled the detail of soldiers,\textsuperscript{52} but Tennessee had


\textsuperscript{50} Papers of Andrew Johnson, Vol. 97.

\textsuperscript{51} Papers of Edwin M. Stanton, Vol. 30, 56007.

\textsuperscript{52} Van Horne, \textit{Life of Thomas}, 408-409.
given an affirmative vote on the constitutional proposal. A recent biographer of Thomas is of the opinion that the Secretary of War "may have ordered the action sub rosa without consulting the President..."53 Johnson advised Orville Browning on September 20, 1866 that "Genl Thomas' management of affairs in Tennessee had not been satisfactory or advantageous - that he had favored Brownlow. ..." The President felt that both Thomas and Grant were "looking to the Presidency."54

The Department of Tennessee was established on August 6, 1866, and it was composed of the same states that had made up the division. The headquarters of General Thomas were transferred to Louisville in November.55

On January 19, 1867, Confederate flags were displayed in Rome, Georgia to mark the anniversary of that state's secession from the Union.56 This resulted in the arrest of some citizens with the approval of Major General Tillson, commander of the sub district of Georgia. Mayor Smith and a Council member sent Tillson and Thomas letters on the twenty-seventh asking for the release of the prisoners.

53 Cleaves, Life of Thomas, 290.
54 The Diary of Orville Hickman Browning, II, 94.
55 Van Horne, Life of Thomas, 418, 420.
56 Cleaves, Life of Thomas, 293.
The city officials received a communication from Thomas' headquarters dated February 9, 1867. The episode was not considered an innocent affair, it merely showed that there were some in the South who did not look upon the Civil War as a rebellion. But, "history will so record it." Rebellion was considered treason, "and treason is a crime..." Because the victor has been magnanimous no traitors have been punished. Friends of the prisoners had pointed out that those arrested did not believe it was wrong to act in such a way. Therefore, the release of those individuals would be ordered, but, "with the understanding that no act of treason will be passed unnoticed when detected, and may they, and others who think like them, profit by the lesson they have received."57

After the passage of the Reconstruction Act of March 2, 1867, over the veto of the President, Johnson assigned General Thomas to command the Third Military District. This command was made up of the states of Georgia, Florida and Alabama.58 However, at his own request, Thomas was assigned to the Department of the Cumberland, which comprised Kentucky, West Virginia and Tennessee.59 This department had been created on March 12.


58 March 11, Richardson, Messages and Papers, VI, 551.

59 March 15, Van Horne, Life of Thomas, 418. See also Richardson, Messages and Papers, VI, 552.
When Johnson decided to remove Sheridan from the Fifth Military District, he ordered General Thomas to take over that command. The President looked with favor upon him. Had not the general consulted with officials in Washington before taking action on different occasions? Johnson, however, again had to change his plans. In an Executive Order of August 26, the President directed that "In consequence of the unfavorable condition of the health of Major-General George H. Thomas," Hancock would take command of that district and Thomas would "remain in command of the Department of the Cumberland." In an editorial dealing with the removal of Sheridan and his replacement by Thomas, a partisan New York paper agreed with Johnson that Thomas had "not failed... to enforce the laws, to preserve peace and order, to encourage the restoration of civil authority, and to promote, as far as possible, a spirit of reconciliation." Then the President referred to the "disturbed condition" and ill feeling that was obvious in Sheridan's district because of his rule. The paper went on to state that Louisiana was actually more calm "for the year past than Tennessee..." Why was one commander "disgraced" and the other "commended?"

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60 Aug. 17, 1867, Richardson, Messages and Papers, VI, 556.
61 Cleaves, Life of Thomas, 295.
62 Richardson, Messages and Papers, VI, 557.
63 New York Tribune, Aug. 27, 1867. It is interesting to note here that Gideon Welles thought "Thomas inclines to the Radicals. At the beginning of the rebellion he inclined to the secessionists." MS. Diary, box 8, Sept. 27, 1867.
Col. R. A. Ramsey, of Pennsylvania, received a letter from Thomas dated September 7, 1867. The general related that his doctor had notified the War Department that he should not be sent to that district "in the yellow fever season, because of what he knew of my condition." Earlier in the note, he mentioned that he had a liver condition. Thomas had heard of the order when he was in West Virginia and had written to Grant objecting to the transfer. The latter was informed that the objection was brought on not by bad health, "but because of the hostility of the people toward me, making it impossible for me to be of any service in endeavoring to reconstruct the Southern States." Thomas admitted that he gave the same reasons for not wishing to go to the Third Military District earlier. The health factor was referred to, by the President, probably in order to make the change easier. 64

There had been some trouble in Tennessee with masked men terrorizing parts of the state. Radical Governor Brownlow did not have an aversion to requesting aid in the form of Federal troops. 65 This was done even after Tennessee had been restored to the Union for quite some time. On one such occasion Thomas notified the Adjutant General of his decision not to act. First of all, the commander felt that the "resistance to the laws" of Tennessee was "an outgrowth of the rebellion." It meant "oppression and hostility to

64 Letter quoted in Henry Coppée, General Thomas, 296-97.

everything representing patriotism. . . " Still it was as yet not "open resistance to the U. S. Government." Thomas then remarked:

As Tennessee is a fully constructed state I consider that the state authorities should deal with and suppress this organization of lawless desperate men and I have not to the present time considered myself authorized to take active measures against them. I shall be glad to receive any orders or instructions you may see fit to give. . . .

Johnson explained to Grant on March 11, 1868 that "As the Legislature of Tennessee is now in session, and as no application for Federal aid" had come from it, or any information from the governor, "it is not at this time deemed within the province of the Executive to give any instructions upon the subject. . . ."

General Thomas gave his annual report for the year ending on September 30, 1868 and dealt at some length on the Ku-Klux Klan. The history and growth of this secret organization was discussed. The main purpose of this group was "to establish a nucleus around which the adherents of the late rebellion, active and passive, might safely rally, thus establishing a grand political society. . . ." The "inability, unwillingness and apathy of the local authorities" tended to encourage the activity of this organization. The "unsettled condition of affairs" in his command had been brought about by the "defeated insurgents" who had proclaimed the "idea that the cause of
liberty, justice, humanity, equality" was defiled "when the effort for southern independence failed." The report continued:

This is... intended as a species of political cant, whereby the crime of treason might be covered with a counterfeit varnish of patriotism, so that the precipitators of the rebellion might go down in history hand in hand with the defenders of the government, thus wiping out with their own hands their own stains; a species of self-forgiveness amazing in its effrontery, when it is considered that life and property—justly forfeited by the laws of the country, of war, and of nations, through the magnanimity of the government and people—was not exacted from them. 68

This report showed that the situation in his department was as yet unsettled and that he displayed an intense dislike for such an organization as the Ku-Klux Klan.

General Thomas remained as commander of the Department of the Cumberland, with his headquarters at Louisville until May 15, 1869. Then a shift in command occurred and he assumed direction of the Military Division of the Pacific on June 1, 1869. 69 Within a year on March 28, 1870, the Southern general, who had remained in the Federal service in 1861, passed away.

One biographer of the general has decided that "His arrangement" of the department "during the early years of reconstruction was marked with great ability in grasping the difficult questions which constantly arose..." His administration was distinguished "by moderation which commanded respect from the conquered, but, at the

69 Van Horn, Life of Thomas, 420, 436.
same time, by vigor and justice in his rule in which there was no 'variableness or shadow of turning.' Another writer was of the opinion that Thomas "gave himself with all zeal to the restoration of civil administration." During the turbulent period, "he stood as a bulwark for law and order in the threatened anarchy of" his disturbed area. Before the commander died he saw the states which had been directed by him "restored to their proper relations to the general government." Still another author has concluded that "His decisions and orders during the period of reconstruction evinced wisdom, justice and legal exactness."

Thomas had sympathy for his defeated countrymen and was friendly to former Confederate Generals Hood and Longstreet. Even though he had a warm spot in his heart for Southerners he could not tolerate such a movement as the Ku Klux Klan. He realized there was still resentment against him in the South because of the decision which he had made in 1861. The preservation of peace and the Union which he loved so much, was his desire as an officer and citizen of the United States. He was not as radical toward the South as General Sheridan, but on the other hand, he was not as lenient as General Hancock.

70 Henry V. Boynton wrote the concluding chapter in Donn Piatt, General George H. Thomas, A Critical Biography, 647-648.

71 Stone, "General Thomas," 513.

72 Van Horne, Life of Thomas, 660.

Nathaniel P. Banks, the first of the non-West Point officers to be considered by the writer, was largely a self-educated citizen of Waltham, Massachusetts. The nickname, "Bobbin Boy of Massachusetts" was acquired due to his connection and employment with a local cotton mill. At the age of 23 the bar exam was passed and he became an inspector in the customs house at Boston. The New Englander was elected to the state legislature in 1849. As a Democrat, Banks made his entrance into Congress in 1853, and voted to reject the famous Kansas-Nebraska Bill. It called for the revocation of the Missouri Compromise and this action was believed to be dishonest. Early in 1858, he was picked to be the Speaker of the House, and in the following year the "Bobbin Boy" became the governor of Massachusetts. This position was retained until he became a director of the Illinois Central Railroad in January 1861.1

During the discussions on the Kansas-Nebraska proposal, Banks opposed the further extension of slavery. It should not "be stripped of its local character and invested with attributes of universality." However, the Congressman pointed out that "We will recognize this institution where the Constitution covers it; we will give it the

protection that it has by covenant; we will yield to its representa-
tive power, though unjust..." Whatever was required by the
Constitution, would be done, "but we will go no further." In this
same speech it was stated that "a general system of slave labor is
incompatible with the labor of freemen. There may be occasions
where they may exist together for a time, but the perfect success
of one makes the other impossible." Banks' position on this bill
showed that while he was anti-slavery, he was not an abolitionist.
The peculiar institution should not be interfered with in the
Southern States.

When it was apparent that a breakup of the Union was imminent
Banks became compromising in his attitude. He reasoned that the
withdrawal of the Southern States would mean a lengthy, horrible
conflict. As a director of the railroad in Chicago, the "Bobbin
Boy" again pleaded for compromise. With the fall of Ft. Sumter,
and the beginning of the fratricidal conflict, Banks answered the
call of his country. On May 16, 1861 he was appointed a Major
General of the Volunteers. Thus, as an excellent biographer has

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2Congressional Globe, 33 Cong., 1 sess., May 18, 1854, app.
879. For a critical discussion of Banks' feelings on slavery before
the war, see F. H. Harrington, "Nathaniel Prentiss Banks, A Study in
1936).

3Fred H. Harrington, Fighting Politician, Major General N. P.
Banks, 51-52. Hereafter, this work will be cited as Harrington,
Fighting Politician.

4Private and Official Correspondence of Gen. Benjamin F.
Butler, During the Period of the Civil War, III, 67. Hereafter, this
work will be cited as Butler Private and Official Correspondence.
pointed out, the general would continue to combat the rebels who adhered to the theory of states' rights as well as the Northern "radicals," as he had in the period before hostilities.¹⁵

Banks, a leading politician from New England, was well thought of by Lincoln and a leading newspaper commented on this fact. Pressure was brought to bear on the officer "to accept the Quarter-master General's Department." In regard to accepting this post, the political general replied, "Detail me where you please it is my duty to obey orders." But Lincoln preferred to have him "in the field . . . ." Banks was admired also by General Scott, who spoke "of him as the Napoleonic representative of our army." The President's wishes prevailed and it "was finally settled" that the New Englander would "take the field at the head of a division."⁶ A letter dated October 21, ¹⁸⁶¹ was received by Mrs. Banks from her husband who was in Maryland. The writer, mentioning a personal visit which he had with the Chief Executive, stated that a congressman had related to him that Lincoln "was very much delighted with your husband — I was glad to hear that."⁷

Major General Banks saw service in the Department of Annapolis where he was active in the efforts to keep Maryland in the Union.

¹⁵ Harrington, Fighting Politician, 53.

⁶ The New York Herald, June 2, 1861.

⁷ Banks Papers (Letters of Mr. and Mrs. Banks).
The officer gained military knowledge in the Shenandoah Valley and later on August 9, 1862 at Cedar Mountain where Stonewall Jackson defeated him. By the fall of this year he was entrusted with the defenses of Washington D.C. Then on December 17, 1862, in "compliance with General Orders No. 181" from the War Department, Banks assumed command of the Department of the Gulf. He replaced another Massachusetts political general--Benjamin F. Butler. The "Bobbin Boy" was sent to New Orleans in reality to help open up the Mississippi River for commercial use by the West.

When the general went to New Orleans he would be in charge of a department, part of which was already under Union control. It would present a real challenge to him, for there were many still hoping for a Confederate victory. International problems would also have to be taken into consideration in such a city as New Orleans. Before the Mississippi was opened up a depression had grasped Louisiana. There was also a need in the North for cotton, which was produced in Banks' department. The cotton economy had been disrupted by the war, and the Negro presented another formidable problem for

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10 Ludwell H. Johnson, Red River Campaign, Politics and Cotton in the Civil War, 22. Success was achieved in this endeavor when Fort Hudson surrendered to Banks in the summer of 1863.
the general. On top of all of these problems he had to command an army and take an active role in the topic of reconstruction.\textsuperscript{11}

A conciliatory attitude was displayed by the commander in his proclamation of December 1862. It was stated that his duty required him "to assist in the restoration of the Government of the United States." Consequently, "It is my desire to secure to the people of every class all the privileges of possession and enjoyment consistent with public safety, or which, it is possible for a beneficent and just government to confer." To carry out his orders, the general relied "upon the cooperation and counsel of all loyal and well-disposed people. . . ." Banks remarked that he would be glad to "treat as friends those who are friends. No restrictions will be placed upon the freedom of individuals which is not imperatively demanded by considerations of public safety. . . ." It was warned that the South could not shut off the Mississippi River from the West. "This country cannot be permanently divided." Then in a direct appeal to the people of his department, Banks asked:

People of the Southwest, why not accept the conditions imposed by the imperious necessities of geographical configuration and commercial supremacy, and re-establish your ancient prosperity and renown? Why not become founders of States, which, as entrepots and depots of your own central and upper valleys, may stand in affluence of their resources without a superior, and in the privileges of the people without a peer among the nations of the earth?\textsuperscript{12}

\textsuperscript{11}Harrington, \textit{Fighting Politician}, 90-92.

\textsuperscript{12}Annual \textit{Cyclopaedia}, \textit{1862}, 653-54. See also Banks Papers (Scrapbook 1857-60).
As an evidence of his lenient approach to the people of his command, "a number of political prisoners," imprisoned by the strict General Butler, were released. But some of the inhabitants took part in demonstrations, which resulted in Banks warning them on December 21 not to circulate "publications, injurious to the character of soldiers of the United States. . . ." The officer remarked that the "troops . . . are instructed to observe a respectful deportment to all persons, and the same deference will be exacted from all persons in their favor." The most severe punishment would be handed those who might tend to excite passions or disturb "the public peace." The liberality of General Banks' policy could likewise be seen in his General Orders No. 118 of December 21, 1862 reopening churches which had been closed by Butler. Their pastors had omitted prayers for Lincoln. The clergymen were cautioned not to "excite hostility to the Government" or to "appeal to the passions or prejudices of the people. . . ."

This moderate policy introduced by the new commander did not rid the area of anti-Union feelings. They even became more pronounced, while some of the southern press did nothing to help Banks. On May 1, 1863, the department commander ruled that "all registered enemies" found in his district had to leave in about two weeks. Any

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13 Annual Cyclopaedia, 1862, 654. This was General Orders No. 114.


Harrington, Fighting Politician, 93-96.
individual who was not a "loyal citizen" of the nation could not be allowed to remain in the Department of the Gulf. Many left for security reasons to find shelter within the Confederate lines. During this same month numerous teachers were punished for having the "Stars and Bars" and for disseminating views that were felt to be of an "insulting and seditious character."  

Before continuing with the early reconstruction attitudes and policies of the general, it would be well to remember that the author is attempting to present only a summary account of the Louisiana situation during these difficult years. The history of that state will be used only to portray Banks' attitude toward the South. The general had to contend with three pro-Union groups in his command. One segment of these had been the favorites of General Butler and were Radicals. They tended in the direction of Negro suffrage. Conciliation was not a part of their creed. The second combination could be considered pro-Union only to secure their safety and welfare. They did little or nothing to help the Union cause along. In between these factions were the moderates of a conciliatory bent. Lincoln was sure of support from this clique, and Banks found this group to his liking. They also trod warily upon the issue of Negro rights. During the period under consideration these various groupings kept up

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a constant political agitation. The significant point in this strife was that Banks favored and supported the moderate segment.17

The "Commander-in-Chief of the U. S. Army," Major General Halleck, was informed by the department head that the "abuses committed by interested private parties" were checked. Banks claimed that he found the area "a disturbed and excited community" when he arrived. This was indeed an unfavorable commentary on Butler's rule. "Trade has been cut off altogether beyond the lines, and will be, so far as allowed, general, and not given to particular individuals." Lincoln's Emancipation Proclamation was published along with "explanations and orders as appeared to be necessary." A sentiment of conciliation was apparent when he said, "I have protected the people as far as possible from the plunder of their property for the benefit of private individuals, and have sought to reconcile them to the Government, so far as I could. . . ." No "permanent and irreconcilable elements of hostility to the Government" were observed by him.18

Various officers including Military Governor Shepley, who had been friendly with Butler, did not cooperate fully with Banks. The latter inquired of Lincoln who was in charge of reconstruction in the department. On December 24, 1863, the President notified him that he was the "master as well in regard to reorganizing a State

17 Harrington, Fighting Politician, 100-103.

government for Louisiana, as in regard to the military matters" of the command. The general was then instructed to "give us a free State reorganization of Louisiana in the shortest possible time."  

Banks proceeded to do this when he issued a proclamation on January 11, 1864. The general was positive that over "a tenth of the population desire the earliest possible restoration of Louisiana to the Union. . . ." The "loyal citizens" who were "qualified to vote" were to do so on February 22 for various state officials. After these were elected they were to "constitute the civil government of the State, under the constitution of 1853 and laws of Louisiana. . . ." However, those sections dealing with slavery were ruled "inoperative and void." This change was not "intended to ignore the right of property existing prior to the rebellion, nor to preclude the claim for compensation of loyal citizens for losses sustained by enlistments. . . ." The President's proclamation of amnesty on December 8, 1863 contained an oath of allegiance and it was to "constitute the qualification for voters in this election." The state constitution's requirements on the right of franchise were also to apply. Officers of the Confederacy of course were excluded from the suffrage right by the terms of the proclamation of Lincoln. The officials when elected were to take their positions on March 4. Banks also called for the election of delegates to a constitutional convention in April, 1864.  

This was included so that "the organic law of the State may be made to conform to the will of the people, and harmonize with the spirit of the age. . . ." Provisions would also be made for the "election of members" to Congress. 20

The people of the department were notified that the "fundamental law of the State is martial law." But it was correct for the government "to surrender to the people, at the earliest possible moment, so much of military power as may be consistent with the success of military" operations. The government should "prepare the way by prompt and wise measures for the restoration of the State to the Union and its power to the people; to restore their ancient and unsurpassed prosperity. . . ." 21 Agreeing with President Lincoln, Banks showed very clearly in this proclamation his leniency toward the South. 22

The mere issuance of the call for the state elections was not enough. The commander, in General Orders No. 23, February 3, reminded the people that it was their duty to aid in the "earliest possible restoration of civil government." Those able to do so were

20Official Records, Ser. 3, Vol. 4, 22-23. The call for an election of delegates to a convention was done to satisfy the Radicals. Harrington, Fighting Politician, 111.


22Banks wrote to his wife on Jan. 16, 1[86]3: that the "people are pleased with my course. . . . They say my proclamation about slavery is just--" Banks Papers (Mr. and Mrs. Banks Letters undated).
urged to take the oath of allegiance. "Men who refuse to defend their country with the ballot-box or cartridge-box have no just claim to the benefits of liberty regulated by law." The voters turned out well for the election and Michael Hahn, who was supported by the moderate Banks, defeated both the radical and conservative candidates for governor. On March 4, the Free State Governor Hahn took up his duties amid much display and glory.

On February 25, 1864, Banks wrote to Lincoln that "about 11,000" voted in the election, which number pleased the general very much. "There is no sounder basis for a State government in this country than is presented by this population, nor any place where the proportion of men hostile to the chief measures of the Government for the suppression of the rebellion will not be equal or greater." He pointed out that ordinarily less than 40,000 had voted in the past. The proportion which turned out "is nearly equal to the territory covered by our arms." The forthcoming convention would "confirm the absolute extinction of slavery. . . ." Extension of voting rights would be cared for to "meet the demands of the age." Banks felt that the people of the nation "will be satisfied with the results of the effort for reorganization of the State government when it is completed," but then a warning was sounded, that it could not "be rejected without throwing the power into the hands of the enemy North, if not South."

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24 *Samuel S. Cox, Three Decades of Federal Legislation. 1865 to 1885,* 127.

The Butlerite Radicals lost position with this turn of events, and consequently they showed little interest in the convention after they were defeated by the moderates. General Orders No. 35, March 11, 1861, set up the framework for the election of members to the convention. The white population of 1860 was used as the basis for the number of delegates selected from each parish. As was the case in the election of the state officers, only "free white" males who had resided in the state and parish for specified periods should "have the right to vote. . . ." The total vote cast for the delegates was small due to opposition and apathy on the part of the conservatives and even some of the moderates.27

The convention met from April to July 25, 1861, and brought forth a document which abolished the peculiar institution in Louisiana. Over the question of schools and the required taxes quite a debate developed. "Free public schools" were provided for and this applied to all children. There would be a general taxation and the schools had to be separate." The influence of Banks and Hahn was obvious in the final result. There was almost a unanimous feeling among the members against Negro suffrage. Again, as result of


27 Harrington, Fighting Politician, 147. Samuel Cox remarked that the "number of votes was never stated. This leads to the inference that it was not larger, if so large, as that cast on the 22d of February, for Governor." Three Decades of Federal Legislation, 1855 to 1885, 428.
official pressure, it was decided to permit the legislature to provide for Negro suffrage in the future. The general received a letter, dated August 9, 1861, from Lincoln, in which the President remarked, "I have just seen the new constitution... and I am anxious that it shall be ratified by the people. I will thank you to let the civil officers in Louisiana... know that this is my wish..."  

Supported by the influence of the President, Banks and the moderates worked hard to get this document ratified by the electorate. The voters decided on September 5, to approve the constitution. 8,402 votes were cast, and of this number 6,836 approved the efforts of the convention. Samuel S. Cox felt that in "a white population of 350,000, this vote was scarcely enough to give assurance of a stable government, or evidence of returning Republican rule to the state." General Banks was pleased over the acceptance of this state constitution. Earlier, he had written to Lincoln that "The constitution... is one of the best ever penned."  

28 Willie M. Caskey, Secession and Restoration of Louisiana, 125-31. See also Ficklen, Louisiana Reconstruction, 67-79.  
29 Abraham Lincoln, Complete Works, II (ed. by J. G. Nicolay and John Hay), 560. Hereafter, this work will be cited as Lincoln's Works.  
30 Three Decades of Federal Legislation. 1855 to 1885, 129. At this same election five Congressmen and a legislature were elected.  
31 Nicolay and Hay, Lincoln, VIII, 435. Banks gave a lengthy account of his reconstruction policy in The Reconstruction of States, Letter of Major-General Banks to Senator Lane /1865?/.
The lack of training in the military arts definitely handicapped Banks during his Red River Campaign in 1864.\(^2\) In May, he suffered a major defeat in this venture and returned to meet General E. R. S. Canby who had been appointed commander of the Military Division of West Mississippi,\(^3\) which included Banks' old command. The latter was left, however, in charge of the Department of the Gulf to manage civil affairs,\(^4\) while Canby was to take full control of the military situation.\(^5\) General Banks decided to visit the nation's capital and did so in the fall of 1864. He desired to be relieved of his command because of the modification which had occurred. On November 26, Lincoln informed his friend that it would "be best for all if you proceed to New Orleans and act there in obedience to your order" for at least a month. Seven days later the Chief Executive told the general that he, "of all men," could "best perform the part of advancing the new State government of Louisiana," so he should return and give it a try for another thirty days.\(^6\)

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\(^2\) For an excellent discussion of the unsuccessful campaign see Ludwell H. Johnson, *Red River Campaign, Politics and Cotton in the Civil War*.


\(^4\) Harrington, *Fighting Politician*, 159.


\(^6\) *Lincoln's Works*, II, 601-603.
Before returning to our discussion of Banks in Washington, it would be well to take notice of how he dealt with the Negro problem while in command of the Department of the Gulf. On December 21, 1862, he gave an explanation of Lincoln's preliminary emancipation proclamation to the people of occupied Louisiana. They were told that this declaration would not apply to them. The slaves were "advised to remain upon their plantations until their privileges shall have been definitely established." It was then pointed out that the conflict was "not waged by the Government for the overthrow of slavery." However, if the war continued, it would cease. "If it is to be preserved war must cease and the former constitutional relations be again established." The general displayed clearly in this announcement that he was no abolitionist.

Because the condition of the Negro fugitives was so deplorable, Banks issued his General Orders No. 12 on January 29, 1863. Public interest demanded that all persons had to support themselves. "Negroes are not exempt from this law." Next the general made a comment, expressed so often later by other officers, that "Under no circumstances whatever can they [the blacks] be maintained in idleness..." A "yearly system" of colored labor was to be set up which provided for the wants of the blacks plus a "just compensation" for their efforts. A share in the crops raised was considered

advisable under certain circumstances. Unemployed Negroes would be put to work on abandoned fields and estates under direction of the quartermaster department. A sequestration commission would meet "with planters and other parties" to work out the labor system. One goal of this order was "to impart self-supporting habits to the negroes. . . ." 38

On February 3, 1864, the general supplemented the above mentioned directive with General Orders No. 23. No longer could blacks be enlisted while on plantations. Section three called for the establishment of schools for colored children, and once set up were to "be placed under the direction of the superintendent of public education." Banks abolished "cruel or unusual punishments. . . ." The laborers were to work nine to ten hours a day, depending on the time of the year. They were to receive rations, clothing, quarters, etc. "Wages per month" were set at from three to eight dollars, or they could receive a percentage of the proceeds from the crops.

"Indolence, insolence, disobedience of orders. . . . will be suppressed by forfeiture of pay" and by appropriate army regulations. Laborers were permitted to select their own employers, but once an agreement was made it was binding for a year. A free-labor bank was set up for savings and an attempt would be made to connect it to the United States Treasury. "The transportation of negro families to other

countries" would "not be approved." The provost marshals were to regulate labor matters, they were to be the "balance between... labor and capital... "

General Banks was pleased with his efforts. His wife received a letter from him dated March 2 [1863?] in which it was stated that the slaves were "going back [to work] willingly and gladly. In a week or two we shall have them all at work." The colored people were satisfied and those that did not want to work on plantations labor "in the government gardens... " A little later he wrote to her again reporting that the "labor system is working admirably well. It is the solution of the negro question. The people of the north will think differently of it when they understand it." Secretary of the Treasury Salmon P. Chase's personal representative in New Orleans, George S. Denison, wrote on March 14, 1863 that the "plan for employing the negroes is working well, and the planters express much satisfaction." On February 5, 1864, this "special agent" notified his superior of General Orders No. 23, which the former thought "the best order issued by him." Denison was of the opinion

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40Banks Papers (Letter Box).

41March 29 [1863?], Banks Papers (Mr. and Mrs. Letters undated).
that Banks had "more influence," and stood "higher here to-day, than at any time heretofore."  

Actually everything was not as favorable as the above sentiments would indicate. The planters claimed that "insubordination was fostered among the negroes" and not enough produce raised to run the estates. Northern Radicals like Phillips and Greeley objected because "it kept the negro in subjection. . . ." Regardless of the "intention of the framer and however successful in individual cases, it must be admitted that General Banks' plan was not eminently satisfactory." It was a fair scheme, but in the actual operation of it the laborers were not always protected and neither were the planters. However, the number of indigents did decline.

When he urged education for the colored people, General Banks was typical of some other officers who were connected with the Negro question. The generals who actually came into contact with the freedmen realized their pressing need for training. On February 12, 1863, the commander informed the Adjutant-General that he was replacing "negro company officers," when vacancies occurred, with whites.

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42 Diary and Correspondence of Salmon P. Chase (Vol. 2 of the Annual Report of the American Historical Association for the Year 1902), 366, 430. Hereafter, this work will be cited as Diary and Correspondence of Chase.

43 Peirce, Freedmen's Bureau, 19. See also Harrington, Fighting Politician, 106-107. This author stated that the blacks did get more freedom than before, and that a better crop production also resulted since the land was not parcelled out to the Negroes. Some thought the wages were too low.
The opinion was voiced that "the appointment of colored officers is detrimental to the service."[14]

The moderate position of General Banks was obvious in his treatment of Negro rights. His proclamation of January 11, 1864[15] put an end to slavery in the territory controlled by the Federal troops. This area had been exempted by Lincoln's proclamation. Banks thought the slavery clauses of the Louisiana Constitution were "inconsistent with the present condition of public affairs..."[16] However, only "free white" males who could meet the residence requirements, and who had taken "the oath prescribed by the President" were permitted to vote in the February elections.[17] The general was satisfied with the Louisiana constitutional convention's disposal of the question of Negro suffrage.[18]


[18] See page 254. A colored paper later, noting that Banks favored suffrage for Negroes, asked why there should be delay in the matter? The general had pressured the convention to permit voting extensions to soldiers, educated men, and tax-payers in the future. Banks also cautioned the Negroes to be patient, but they replied "Patient, we do not want to be." New Orleans Tribune, April 25, 1865.
While the Commander of the Department of the Gulf was in Washington, he attempted to get Congress' approval of the Louisiana state government. The Radicals in the capital did not want to recognize this organization, for, in so doing, they would "sanction... the President's work." The Committee on the Conduct of the War questioned Banks in December 1864, and decided against the Lincoln-Banks government. The Radicals cared less for the general than any other conservative officer. It was remembered that as a Republican, a few years ago, he had opposed the extension of slavery. "They looked upon him as a traitor to the cause." Consequently, he never had the full support "of the stern Chieftains" in the approaching years.  

A New York paper remarked that even though Lincoln had "seconded the views of General Banks... they have been opposed at every step obstinately and factiously, by Senator Sumner and his clique of impracticables..."  

The general returned to Louisiana after he had heard of the death of his friend, Lincoln. There were some people anxious to have the officer come back. He had received a letter dated March 20,

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50 The New York Herald, March 10, 1865. Banks sent his wife a note on Feb. 25, 1865, in which he stated "Mr. Sumner's violence astonishes me somewhat. It is more offensive than the manners of any Southern men ever in Congress." Banks Papers (Mr. and Mrs. Banks Letters undated).
1865 from an admirer in New Orleans. The commander was told that "hundreds of your old friends; have been... hoping and praying almost; that Genl. Banks would return..." J. Madison Wells had become the governor and he was a "native-born citizen" who "had been a slaveholder." He was a conservative Unionist, and placed individuals of his leaning in different positions. This new state executive, selected by the voters, was favored by the President. Banks struggled to unite the radicals and moderates in the state. However, Johnson acted rather quickly, and by General Orders No. 95, May 17, 1865, General Canby was appointed to command the Department of the Gulf. This department replaced the old Military Division of West Mississippi. The same directive also "relieved" Major General Banks "from the command" but gave him no new assignment. The New Orleans Times in September, while reflecting upon the general's departure, remarked that many difficulties had beset Banks while he was in Louisiana. He had "met and surmounted" some of them "with statesmanlike adroitness," while others had to be left for future action. No man had ever been completely successful and this included the officer. The paper continued:

We must, however, give him credit for honesty of purpose, and though we have been obliged to differ with him on

51H. E. Lawrence to Banks, Banks Papers (Jan.-April '65).
53Harrington, Fighting Politician, 167-68.
questions of high moment, we felt sure at the time that his course was prompted by patriotic motives. In leaving us we wish him well. . . .55

To continue our discussion of the "Bobbin Boy" and his attitudes toward the South during reconstruction we must follow him to the House of Representatives in Washington. After the army discharged Banks, in the late summer, he returned to Waltham, Massachusetts where he was elected "almost immediately" as a Republican Congressman.56

On October 18, 1865, the "Bobbin Boy" delivered a lengthy lecture to the Mercantile Library Association. He let the citizens of Massachusetts know where he stood on the leading issues of the day. Sections of the speech would appeal to both radical and moderate elements. As far as paroles and Lee were concerned he felt every "paroled prisoner of war is without political power or the right to take the oath of amnesty except by the consent or upon a personal pardon by the President." Lee was not capable of entering into "a simple contract," or of taking "an oath, except by consent of the President. . . ." Even though in this situation, he pointed out that Lee had been selected "President of Washington University--on account of distinguished services to his native State. . . ." The speaker recalled that the general was inaugurated "in a full suit of bright grey cloth, which is as good as taking the rebel flag." Banks wanted the Chief Executive to "hold these paroled enemies until, upon examination, he accords to each a personal pardon."

55 Quoted in the Boston Morning Journal, Sept. 27, 1865.

In referring to "guarantees for the security of the future" he emphasized the need of liquidating the national debt. He then stated:

My belief is that we should provide by constitutional amendment for a duty on Southern exports, limited if need be to ten or twenty years, and appropriated exclusively to the payment of the national debt. Now it is demanded by the highest and most solemn exigencies of the nation.

He did not feel that an "export duty would be unjust to the exporting States, because it would be paid by consumers in foreign States." The politician then remarked that "The rebel States authorized a tax on exports, and they cannot object to a policy made necessary for the preservation of the nation which they themselves initiated for its destruction."

To please the Radicals in New England the orator said, "The right of suffrage should be extended at once to colored men. However much we may differ upon this subject it cannot be avoided."

A significant statement followed:

It may fail in Northern States where it is a question of theory only, and subject to the prejudices of men; but in the South, where it is a practical question and cannot be defeated, rebels and loyal men will ultimately concur in the measure as one necessary to the settlement of the affairs of the country.

The South depended upon "Four millions of people... for its labor" and they could not be refused for long the rights "they justly and persistently demand." Certainly "the addition of four million newly enfrancised people" would not affect the destiny of our nation if
"twenty-six million white people, with traditions and experience of two centuries in self-government, cannot preserve our liberties. . . ." 

A Boston paper reported that former general Banks objected to the "immediate return" of all the rebel states because it "would be full of danger, from the strength they would command in Congress." They disliked "payment of the national debt," and had "prejudices against the freedmen" among other unfavorable attitudes. Therefore, he decided that "we should dismiss the claims of Southern leaders to immediate and unrestricted political power as 'against decency, dignity and justice, against the safety of the country.'" 

Still in this same speech, moderation was apparent when he declared, "I am not the enemy of Southern men. I recognize them as brothers, as Americans." He would be happy to see them again prosperous and "I do not clamor for their punishment." 

Individuals in and around the halls of Congress had favorable or unfavorable opinions of the general. Gideon Wells had recorded

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57 Boston Morning Journal, Oct. 19, 1865. A question could be raised on the constitutionality of an export tax. While he was in command in New Orleans he never favored giving the suffrage privilege to all colored men at the same time. Harrington, Fighting Politician, 115.

58 Editorial in the Boston Morning Journal, Oct. 19, 1865. This view was expressed earlier to the Hon. J. W. Forney on May 6. "If the rebel States are admitted in a body... they will act as a unit, and coalesce with a sufficient number of the States of the North to give them a majority. This can be avoided by considering the admission of each State by itself. A part can thus be admitted, and a part excluded." Banks Papers (Letter Box, May 1865).

59 Springfield Weekly Republican, Oct. 21, 1865.
earlier in his diary that he was "not one of the admirers of Banks. He has a certain degree of off hand smartness. ... and [has a] command of language, ... but is not profound." The secretary further confided that he was "a pretender, not a statesman, a politician of a certain description--has great ambitions but little fixed principle."  

George Boutwell, a Massachusetts Congressman and friend of Banks, felt that the latter was "always hopeful of the future and in adversity he saw or fancied that he saw days of prosperity for himself, for his party. ... and for the country."  

Early in December, Banks still stood solidly on his restoration policies as developed in Louisiana. A New Orleans newspaper mentioned that he addressed a group of his Louisiana friends in Washington on December 6. In part he said, "although his. . . policy did not obtain the desired purpose, it was the best, and he knew that it had President's [sic] Lincoln's endorsement." The former general "endorsed the President's message" to Congress although it did "not quite please the Radicals. . . ."  

When the Thirty-Ninth Congress convened in December of 1865, the Congressman from Waltham, Massachusetts was faced with a choice which he had to make. A recent biographer of the general has decided that Banks had to line up either with the Stevens Radicals or the

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60 MS Diary, box 4, May 9, 1864.

61 Reminiscences, II, 237.

62 The New Orleans Times, Dec. 8, 1865.
Johnsonites on the reconstruction issue. He had been a moderate while in New Orleans, but how could he second the President's views. The latter was supported mostly by the Democrats and Banks was "a Republican from Republican Massachusetts." The old army officer was not liked by the Secretary of the Navy and Johnson was always close to Welles. Political expediency necessitated his joining with the Radicals. 63

Congressman Banks quickly moved in behind Stevens, Washburne, Boutwell and others on January 8, 1866. The occasion for this alignment was the introduction of a resolution which called for maintaining the Federal forces in the rebel states to keep "national authority" and to protect "the loyal citizens" of those states. The troops of "the Government should not be withdrawn... until the two Houses of Congress shall have ascertained and declared their future presence there no longer necessary." The statement was sanctioned 94 to 93. 64

While the Senate was sustaining Johnson's veto of the Freedmen's Bureau bill in February 1866, the House adopted a concurrent resolution which was supposed "to quiet the uncertainty" which permeated the former rebel states. It was also "to close agitation upon a question which seems likely to disturb the action of the Government..." The most significant section stated "no Senator or Representative shall be

63 Harrington, Fighting Politician, 171-73. The Secretary of the Navy clashed with Banks over patronage at the Charlestown Navy Yard.

64 Congressional Globe, 39 Cong., 1 sess., pt. 1, 137.
admitted into either branch of Congress from any of said States until Congress shall have declared such States entitled to such representa-
tions." The vote was 109 to 40, and while Banks joined the majority, he had nothing to say during the discussions.65

On March 13, 1866, the House Radicals carried forward their pro-
gram with the Civil Rights bill. This measure aimed at eliminating
discriminatory action, in accordance with state laws, against the
Negroes. In other words, the colored people were to have the same
civil rights and to be subject to the same penalties as whites. The
House voted 111 to 38 for this measure with Banks following the
leaders of his party. The President vetoed this proposal on March 27,
and on April 9, Banks cast his vote with the majority to override
the veto.66

Nathaniel P. Banks made a substantial contribution to the dis-
cussions on the proposed 14th amendment to the Constitution.
A matter of such importance deserved "the most mature consideration."
He felt that there had to be "a radical change in the basis of
political society" in the seceded states to bring about a "reorganiza-
tion of governments. . . ." This might be accomplished by two proce-
dures—"one extending the elective franchise to the negro; the other
by restrictions upon the political power of those heretofore invested

65 Congressional Globe, Feb. 20, 1866, 943-50.

66 Ibid., 39 Cong., 1 sess., pt. 2, 1367, 1861. Again Banks said
nothing, but merely cast his vote.
with the elective franchise. . ." The Congressman thought that the Federal government had "authority. . . under the Constitution" to extend the franchise to the blacks in those states. However, he did not feel they had "the power." Banks explained this as follows:

The distinction I make between authority and power is this: we have, in the nature of our Government, the right to do it; but the public opinion of the country is such at this precise moment as to make it impossible we should do it. It was therefore most wise on the part of the committee on reconstruction to waive this matter in deference to public opinion. The situation of opinion in these States compels us to look to another means to protect the Government against the enemy.67

In regard to the second section of the amendment dealing with apportionment of representatives in Congress, the politician reasoned that "it is entirely equitable," however, it was not figured to "exert any controlling influence upon the political character of those States." The states referred to were those that were affected by the amendment. It was considered just "that they should be restricted to a fair share of representative power."

Section three, which listed those classes of individuals who were disqualified from holding office, and which did not deal with voting rights, was approved of wholeheartedly by Banks. The disfranchisement of the nation's enemies was "right in principle. I think it necessary at this time." The members of the House were informed that it

67 For comment on these views see The New York Herald, May 11, 1866. The Little Rock Daily Gazette did not like his ideas of "a change in the basis of political society." Banks, it felt, wanted to "change the color of that basis." May 22, 1866.
was "impossible to organize a government in the insurgent States and have the enemies of the country in possession of political power in whole or in part, in the local governments or in representation here." If the rebels were "allowed to vote" there the blacks should also be given the privilege. The speaker found it difficult not to express his views on Negro suffrage. "I propose... to lose no opportunity to impress upon the country the necessity for the extension of suffrage to the colored men in the best and most effective way possible."

A considerable portion of these remarks dealt with alleged objections to the disfranchisement of the rebels. "It was intimated the other day that there had been some understanding" when the Southerners surrendered "that they were to return to power; an implication, if not an agreement, that we are to restore them to their full status as citizens of the United States..." Banks did "not agree to that at all." It was remembered how the government had rejected the Johnston-Sherman arrangements.

The Massachusetts Representative was convinced that Johnson's amnesty proclamation of May 29, 1865 presented "a plan of settlement that would be entirely satisfactory to the country, and enable us to reorganize these governments immediately without detriment or danger." The different classes, which were excepted in this proclamation, embraced "nearly all the influential people of the rebel States." Thus there was "no ground for the supposition that the

68 Richardson, Messages and Papers, VI, 310-12.
surrender of the rebels proceeded from any just expectation of being restored to power in the Government." Banks' approval of the President's proclamation again illustrated his basic moderation toward the South.

The non-Radical attitude was displayed when he said:

I do not believe that there is a State in this Union where at least a clear majority of the people were not from the beginning opposed to the war; and could you remove from the control of public opinion one or two thousand in each of these States, so as to let up from the foundations of political society the mass of common people, you would have a population in all these States as loyal and true to the Government as the people of any portion of the East or West.

Even though the inhabitants of the South were permeated at present "with prejudice against...the North," as soon as they experienced the good effects of the civilization of that section, through contacts "with our people...they will cordially and honestly fraternize with them. It requires a little time, but the result is inevitable."

Banks was of the opinion that "no public act...manifests more wisdom or a keener sense of justice than the exclusion by the President from the benefits of the charter of amnesty the rebels whose fortunes exceeded $20,000." Then he alleged that the "common people have no interest hostile to the United States." They, in a short time, "will become the truest and best friends of the Government."

Turning to the topic of the acceptance of the amendment, the former general did not think any damage would be done if some of the
Southern states accepted in 1866 and others took until 1870. The House passed the proposed amendment on June 13, 1866 by a sizable majority. Congressman Banks cast his vote with the majority.

After Johnson vetoed the bill which continued the Freedmen's Bureau, Congressman Chandler of New York offered a resolution praising that action. It also asked the House to repeal everything on that agency and call it unnecessary and unconstitutional. Banks voted against this resolution which was defeated by the count of 84 to 19. An act was passed finally by the House on July 16, which overrode the President's veto and continued the bureau. Again Banks lined up with the Radical majority in the 104 to 33 tally.

An account of the New Orleans Riot of 1866 which appeared in a Washington paper, The National Republican, was criticized by Banks. The representative told the editor that "The convention was the ostensible and not the latent cause of the outbreak. It was a peaceful and lawful assembly." He was positive that "one word" from the United States authorities, "in New Orleans, would have secured its adjournment."

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70 McPherson, History of the U. S. during Reconstruction, 102.
71 Congressional Globe, 39 Cong., 1 sess., pt. 3, May 14, 1866, 2572.
72 Ibid., pt. 5, 3850.
The writer pointed out the convention delegates "were and had been firm supporters of the government and decided opponents of its enemies. They were, therefore, marked men." The death of Banks' friend, Dr. Dostie, was deplored. "The mercenary hand that smote him was that... by which Lincoln fell. His blood will be avenged. The blood of the martyrs will become the... [seed] of the Church." Thus Banks seconded the later views of Sheridan as to responsibility for the riot.  

On August 25 Thomas H. Conway, who had once supervised the labor system for Banks in Louisiana, wrote the Congressman and requested him to come to New York and talk on the New Orleans Riot. It would be expected that the former general would explain his whole policy in that state. "It has now come to be generally believed that your plan of placing power only in the hands of loyal men was the only true one." Conway concluded:

I see how the troubles in New Orleans are the direct fruit of the opposite course adopted by President Johnson. It strikes your best friends here that this opportunity to vindicate your course in the Gulf Dept. is a rare one.  

Banks gained some prominence when he "crossed swords" with Thaddeus Stevens over the reconstruction bill in February 1867.  

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73 August 1, Newspaper clipping in the Banks Papers (Scrapbook 1857-60).  
74 See pages 157-58.  
75 Banks Papers (May-Aug. 1866).
This proposal "to provide for the more effectual government of the insurrectionary States" was being discussed on February 8, when Banks gained the floor. He pleaded for the members not to rush the measure through the House, and this plea also was addressed directly to Stevens. A "day or two devoted to a discussion of... reconstruction... will bring us to a solution, in which the two Houses of Congress will agree, in which the people of this country will sustain us, and in which the President of the United States will give us his support." Referring to the necessity for overriding Presidential vetoes, Banks told his colleagues that "we cannot long carry on the Government in that way." It was necessary "that we must have laws in which the Executive will cooperate, in order to make those laws effective." Then when Congress had acted on necessary laws, and the people had supported it, if the President refused cooperation, certainly "it is our duty... to lay aside... reconstruction... and proceed to the consideration of the position and purposes of the President himself." Again a moderation was discernible when he said a little later:

"all I desire in any plan of reconstruction... is that it shall embody all the measures necessary for the protection of the loyal people, and the preservation of the Government, and exclude all extraneous personal and hostile consideration."  

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76 Congressional Globe, 39 Cong., 2 sess., pt. 2, 1104-05.

77 Ibid., 1106.
On February 9, 1867, Banks entered into a lengthy comment on the problems of reconstruction. This was his big duel with Thaddeus Stevens, and he would never again buck the powerful, vindictive Congressman from Pennsylvania. After a thoughtful perusal of the radical military bill for the Southern states, he decided to change his policy of following the recommendations of the Committee on Reconstruction. First of all, he was of the opinion that "the States lately in rebellion are still States of the Union. They have not lost their legal character as States." There has been no consent by the Federal government to change their condition. The people in the rebel states had privileges, "more or less extensive, according to the will of the governing power, but without any absolute right of their own to control affairs." These people were being held in a condition of siege until "governments shall be established by the consent of Congress in which they shall participate."

What had been done already in the insurgent states had brought "the enemies of this country foremost into power." It had placed "under their jurisdiction and control all the loyal and well-disposed citizens of those States." The representative objected to "that result," and he would approve of any proposal

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78 Bill is printed in the Congressional Globe, 39 Cong., 2 sess., pt. 2, Feb. 6, 1037. This measure with modifications later became the Reconstruction Act of March 2.
which would "repress the enemies of the country, and elevate the well-disposed and loyal portion."

He did not disapprove of this bill because it placed the states "under military or martial law," but it went beyond and proposed "to do more, much more." It set up "a complete frame of civil government, to be administered by the regular Army without restriction or limitation of power except the discretion of its officers." This power was to be used by the Army "without responsibility to the Constitution, to Congress, or to the people." Responsibility was had "only to the Commander-in-Chief of the Army and Navy." Any misconduct which might happen could "be tried only by the officers, under its own rules and regulations of the Army."

The power to set up military commissions was "not qualified," and this worried Banks.

The former general objected again to the proposal under consideration for nowhere was there an indication of limits on the "duration of its operation." It was regretted that no future "establishment of any other governments," except the military one provided for, was indicated.\footnote{The future basis for the establishment of a government was provided for in the bill which became law on March 2. See McPherson, \textit{History of the U. S. during Reconstruction}, 191-92.} He admitted that the preamble called for this set up until "loyal and republican State governments can be legally established." Banks doubted that the "officers of the regular Army will tend to the reëstablishment of a loyal and republican government."
Next the Congressman from Massachusetts digressed into the topic of universal suffrage and amnesty. The latter would bring "the rebels in power." Even if Congress gave the "lower classes" suffrage those in power would not lose their position. The South had been "governed by force" not by "public opinion." Showing his preference for the common people and his disdain for the aristocracy he stated:

All aristocracies govern by force. The South will never allow the colored people or the white people to take from their hands the power they have wielded so long. . . . We can never expect the colored vote of the southern States to take the power out of the hands of the ruling classes when they have been restored to full power by the Government. . . . I do not oppose suffrage for the colored people. What I say is, we ought under no circumstances restore the ruling class to political power until the sovereignty of the Government has been firmly established. Universal amnesty and universal suffrage, in my opinion, will make the South a unit. It will be a unit now as when the institution of slavery existed. The North can never be united. The North is governed exclusively by public opinion; and there is not a State . . . where there is not more or less of division. On the contrary, in the South there is no difference of opinion tolerated, and whenever the ruling class is threatened in the exercise of power they resort to their legitimate engines of force and fraud to maintain their position and to sustain their power.

Banks felt Congress should make use of "the plain practical, . . . method of reconstruction, which does not depend upon the leading men of the South or upon any arrangement of a temporary character." The "political society of the South" must be reconstructed in a way to keep out all segments of "hostility to the existence of the
Government. And such a measure is presented in the constitutional amendment adopted by this Congress at its last session."

After this address was completed, a substitute proposal by Banks was ordered to be printed on February 9. A commission of three, one from the House, one from the Senate, and the other from the War Department were to go to the state and establish a civil government in a republican form. The three member board would register the loyal citizens, white and black, and also would call for an election of delegates to a state constitutional convention. The voters had to take the iron-clad oath. The Fourteenth Amendment had to be approved by the members of the convention before the constitution was drawn up. If this new frame of government was accepted by the legal voters in the state, it would then go to Congress for its approval. Since Stevens' harsh military plan was excluded, it would appear that Banks' proposal was milder; however, the former general still demanded an oppressive oath.

Gideon Welles, remarking on Stevens' steam-roller tactics in the House, wrote that a stand was taken by Banks against the Radical and his "vice-royalties" or military government proposal. The former general "appears to have been the leading man in

80 Congressional Globe, 39 Cong., 2 sess., pt. 3, 174-76.

81 Ibid., pt. 2, 1120.

82 Banks Papers (printed copy of the amendment to the Reconstruction Bill). This proposal was to be applied to Louisiana, and then probably to other Southern states.
opposition, but he had no plan, or policy to propose." The secretary then related that he was informed of the "rude scheme for a commission to take charge of each of the ten States. . . ." The diarist concluded that "there is neither wisdom, nor sense in the house [sic], but wild, vicious partisanship continues and is increasing." 83

The amended reconstruction bill, which later became the law of March 2, was passed by the House on February 20. The count was 126 to 116 and Banks voted with Stevens and the majority. After Johnson vetoed this measure, Banks again cast his ballot with the Pennsylvanian and the House to override the veto. 85 Welles had recorded earlier that those Republicans, who had hesitated or opposed Stevens' policies, had "neither the courage nor the ability to resist." It would seem obvious, in the instance just discussed, that this statement applied to the "Bobbin Boy." A Washington correspondent for a Massachusetts newspaper "was amused at Banks' tremendous 'flop.'" The readers were informed that "he was a docile follower of Thad Stevens." 87 No doubt Banks realized that

83 Diary, box 7, Feb. 9, 1867.
84 Congressional Globe, 39 Cong., 2 sess., pt. 2, 1400.
85 Ibid., pt. 3, 1733.
86 Diary of Gideon Welles, Secretary of the Navy under Lincoln and Johnson, III, Feb. 9, 1876, 41.
87 Springfield Weekly Republican, Feb. 23, 1867. Professor Harrington felt that Banks submitted because of political expediency. Fighting Politician, 172-73.
it was politically expedient to follow the Radicals. However, one should not forget that the reconstruction bill finally adopted was more palatable to Banks and did vary from the one which Stevens introduced early in February. The March 2 Act required the President to appoint the district commanders, and death sentences issued by military commissions were to be approved by the President instead of the district generals. Also section five looked forward to the establishment of state governments.

Banks received an interesting letter dated March 11, 1867 from C. Black in New Orleans. It was confided that the former's friends looked to him "for protection...and a helping hand." The Congressman was asked to "use your influence to have... 'Genl Sheridan' retained in this Department..." The removal of J. M. Wells as governor was requested also by the writer as that politician had disgraced his office. Black noted that he himself represented a number of men and women. This communication is of some significance for it showed that the former Commander of the Gulf still had followers in Louisiana. 88

As the months and years moved by, Banks did not play a leading role in reconstruction matters. He served as the Chairman of the Foreign Affairs Committee from 1865 to 1873, 89 and consequently much of his time was occupied with non-reconstruction problems.

88 Banks Papers (Letterbox Mar., April, May 1867).
89 Harrington, Fighting Politician, 175.
Outwardly, he appeared to be one of the regular Radical Republicans. He voted with Butler and Logan to override Johnson's vetoes of the two supplementary reconstruction bills on March 23, and July 19, 1867. The first of the "Force Acts" was approved by the Massachusetts politician, but he was listed as not voting on the other two. Banks informed the House he would have accepted the third measure, the Ku-Klux bill, but he had earlier agreed to pair his vote with Democratic Representative Garrett of Tennessee, who was opposed to it. On December 19, 1870 a Democratic Congressman from Kentucky, Thomas L. Jones, introduced a resolution which would have granted a "free, unqualified, and perfect pardon and amnesty to all political offenders" of the late conflict. But this was too much even for the basically moderate Massachusetts Representative, and he cast a negative vote with Benjamin F. Butler and the majority of the House.

In the elections of 1872, Banks refused to support Grant for re-election and ran as a "Liberal and Democratic candidate." He was

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91 See page: 360.

92 Congressional Globe, 42 Cong., 1 sess., pt. 2, April 19, 1871, 806.

defeated, and thus his period of membership in the House, which commenced on December 4, 1865 came to an end. On July 31, he wrote an explanatory letter to the Chairman of the Republican General Committee in Lynn, Massachusetts. The writer declined to speak there for he held a different view "in regard to the Presidential canvass." He was obliged to state "that the perpetuation of the present policy of the Government is not for the advantage of the country, and that it will not tend to establish its former peace and prosperity, nor to promote the interests of any class of citizens." It was avowed that no "personal feeling of any character enters into this judgment...." Banks was guided by "general principles and public interest alone...." He then continued:

The unity of the masses of the people of all parties, ... and races in support of the grand result of the war is indispensable to the permanent establishment and the common recognition of these results. It can be secured by no other means; we shall all be forced to this conclusion sooner or later. This united action upon this basis has been the hope of my life. I fervently desired it during the war, and in the re-construction of the State Governments subsequent to the war; I believe it is now tendered to us in good faith in the nomination of Mr. Greeley, and, for one, I cannot reject it.

Banks regretted very much the separation of himself from the old party. But, it was felt that this step was necessary in order to bring "peace and prosperity" to the nation. He wanted to "secure

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to every citizen the civil and political equality and freedom which
was won by the sacrifices of many... lives."

At Somerville, Massachusetts on October 17, the former
general told the audience that the "union between the Republicans and
the Democrats for the pacification of the country was made in good
faith, and must be ultimately successful." The orator informed them
that if "he had desired to keep his place in Congress, all he had to
do was to keep quiet, but he had higher motives in making the change."
It was pointed out that "Gen. Grant found the Republican party united
and now it is divided in every State. "

General Banks displayed a conciliatory attitude toward the
South during the war years when he was Commander of the Department of
the Gulf. The officer was of the opinion that his plan of recon­
struction in Louisiana was practical and in agreement with the thoughts
of Lincoln. Moderateness appeared in his proclamation of January 11,
1864 when it was stated that the military power would be surrendered
to the people as soon as possible. His approach to the Negro problem
was also a moderate one, and he associated himself with the middle
group of politicians in New Orleans. The conciliatory attitude toward
the South was quite evident in his famous duel with Stevens over the

95 Banks Papers (Scrapbook 1857-1860). Banks had hoped for a
Cabinet post or "foreign mission" from Grant, but was disappointed.
Harrington, Fighting Politician, 200-201.

96 New York Tribune, Oct. 18, 1872. In this speech, he took a
swing at the Republican leaders when he said that "he in common with
others had suffered injustice greater than death."
latter's severe military bill. However, he chose not to struggle any longer with the Radicals and became with each vote an apparent Radical himself. A man of temperate views did not seem to fit into the picture during those tragic years. Non-radical principles were retained quietly in mind while it was politically expedient to act in a different manner. In the election of 1872 when expediency was put aside, it cost him dearly.

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97 Late in the winter of 1870, Banks confided to his wife that the war had given the Radicals "temporary power." Harrington, *Fighting Politician*, 172, 212.
CHAPTER X
GENERAL BENJAMIN F. BUTLER

Although born in New Hampshire on November 5, 1818, Benjamin F. Butler was soon associated with Massachusetts. As was true of so many youths of that age, Butler studied law and was admitted to the bar in 1840. He practiced in Lowell, and in the 1850's was a member of the state legislature, first as a representative and later as a senator. As a Democrat, the lawyer-politician expressed some interesting views on slavery in 1855. He addressed a Chelsea Democratic meeting in the fall of that year. The question of slavery was indeed a "specious issue" which "the free-soilers were making." The speaker voiced the thought "that we had no more right to go out of our way to interfere with" the peculiar institution "in the new territories than we had to interfere with polygamy in Utah." Then turning to the Nebraska bill which was a controversial proposal, "he claimed for it that it reaffirmed the old democratic doctrine of the non-interference of congress in regard to slavery; and that it had the same right to interfere in Massachusetts as in Kansas." A friendly biographer felt that Butler had been wrong on some issues, one of which was the bondage question before the conflict. "The reason for this error was, that he never regarded it

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1Biographical Dictionary of Congress, 926.
2Boston Post, Nov. 5, 1855.
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as an abstract, but simply as a constitutional, question." Human bondage was recognized by the Constitution and since the latter is "the supreme law of the land," it had to be supported.\(^3\)

Butler was a delegate to the turbulent Democratic National Convention in 1860 when it met at Charleston, South Carolina. He agreed to support Douglas for the nomination, and voted seven times for the Illinois politician. Then he switched and cast his ballot many times for Jefferson Davis, who maintained "No ultra-notions as to the heresy of secession. . . ." This Southerner also had a good Mexican War record, and was "Statesmanlike in all his expressions. . . ." Davis' record as Secretary of War also was praised. When these fifty-seven ballots were cast for Davis, Butler later pointed out, neither the future Confederate President nor his fellow delegates from Mississippi had withdrawn from the convention. The Massachusetts delegate was convinced that he was voting "for Davis in 1860, with intent to preserve the Union. . . ." Later on March 10, 1868, Butler wrote that if Davis "or any other Southern man had

\(^3\)T. A. Bland, Life of Benjamin F. Butler, 20.

\(^1\)Benjamin F. Butler, Autobiography and Personal Reminiscences of Major-General Benj. F. Butler, /or/ Butler's Book, 134-142. Hereafter, this work will be cited as Butler's Book. In reality, Jefferson Davis was not at the convention, and the Mississippi delegation had withdrawn before balloting had begun.
been nominated and elected there would have been neither secession or war both of which I saw inevitable if the democratic party was broken in two. . . .5

Unable to agree on candidates, the convention adjourned to Baltimore where it met in June, and again a withdrawal of delegates occurred, Butler going along with them. He decided that he could not stay where the reopening of the slave trade "was advocated and applauded." This group of anti-Douglas Democrats nominated John C. Breckinridge for President. Butler, always interested in the Union and the Constitution, had talked with this individual and was satisfied that he stood for them. It was remarked by Butler that the Kentucky statesman "adhered fully to the Union down to the time when war became inevitable."6 The platform called for the Federal government to safeguard the peculiar institution in the territories.

In December 1860 Butler was in Washington and conversed with Southern politicians about the problem of secession. Butler was invited to come South but he refused. He said the action of the Southerners was treason and "the North will fight to prevent it." Then the politician from New England sounded a warning, "One thing you may do, you may ruin the Southern States, and extinguish your

5Letter to Orville Jones in the Papers of General Benjamin F. Butler (box 54) (Library of Congress). Hereafter, these papers will be referred to as the Butler Papers.

6Butler's Book, 11:3-41. For a good account of the Democratic convention troubles, see J. G. Randall, The Civil War and Reconstruction, 175-76.
institution of slavery." Before Mississippi seceded, Butler had an interview with Davis and the conversation reached the point where it was decided that they might meet again as enemies. They then parted company and the Northerner later reminisced:

and I never afterwards saw him, which was a piece of good fortune to him; for if we had met while I was in command in the... Army, he would have been saved a great deal of the discomfort which he suffered by being confined in prison.7

Benjamin F. Butler was a Brigadier General of the Massachusetts militia who had never attended West Point, and had no real military training. After Ft. Sumter was attacked, he gathered together his men and started for Washington in April, 1861. He occupied Baltimore on May 13 after he had been appointed as commander of the Department of Annapolis in the latter part of April.8 This politically important War Democrat had to be reckoned with by the government. During the emergency support for the administration from Democrats like Butler was needed and welcomed. On May 16, his "letter of appointment" as a Major General of Volunteers was issued. Four days later the political general "was assigned to the command of the Department of South Eastern Virginia..."9 Always one to attract

7Butler's Book, 151, 159.
9Butler Private and Official Correspondence, III, 67.
attention, the officer was a colorful figure. "Butler was, until
Grant took control, as much a newsitem as any man except Lincoln." 10

The "Bay State" commander had to deal with the pressing prob-
lem of fugitive slaves in his department. When asked by a Confederate
officer what he intended to do with these runaways, the reply came,
"I intend to hold them." Butler reasoned that the constitutional
obligation for their return was voided by the ordinance of secession
which Virginia had adopted. The general retained the blacks "as
contraband of war" since they had been used in the construction of
rebel armaments. 11 Supplies, food and work were given to these
Negroes. On May 30, 1861, Simon Cameron, Secretary of War, notified
the general that "Your action in respect to the negroes who came
within your lines from the service of the rebels is approved."
The "final disposition" of the fugitives "will be reserved for
further determination." 12 The expression "contraband of war" caught
the public's fancy and again Butler was in the limelight. 13 The
"contraband" incident is significant for it drew the attention of
the Republicans to Butler. The latter, a Democrat, was doing here

10 Dictionary of American Biography (ed. by Allen Johnson),
III, 357.

11 Butler's Book, 257.

12 Butler Private and Official Correspondence, I, 119.

13 Nicolay and Hay, Lincoln, IV, 389.
what some Republicans had wanted Lincoln to do—declare for
emancipation.  

Butler was removed from his command on August 8, after he
had displayed his lack of knowledge on the finer points of the art
of war. Authorization was given to him to proceed to New England
to recruit additional forces for the Union. The officer was
instructed next on February 23, 1862 to join an expedition to New
Orleans. The "land forces" were put under his command and he was
"to co-operate with the Navy in the attack. . . ." General Orders
No. 20, of the same date, placed Butler in charge of "The Depart­
ment of the Gulf." The city officials chose not to stand against
the Federal forces and on May 1, 1862 Major General Butler, U. S.
Volunteers, occupied New Orleans.

The Commander of the Department of the Gulf issued a procla­
mation on May 1, which showed that he was interested in rapidly
restoring the state. Butler notified the inhabitants that the
United States troops had come "to restore order, maintain public
tranquility, enforce peace and quiet under the laws and Constitution
of the United States. . . ." Until the "municipal authority" was

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work will be cited as Holzman, Stormy Butler.

15. Butler Private and Official Correspondence, I, 360. This
department comprised "the coast of the Gulf of Mexico west of
Pensacola Harbor, and so much of the Gulf States" as might be taken
by Butler.

16. Willie M. Caskey, Secession and Restoration of Louisiana,
45.
restored, the general would rule by martial law. He would not tolerate the display of any flag but that of the Federal government. The "foreign consulates" were excepted. "All persons well disposed toward the Government. . . , who shall renew their oath of allegiance, will receive the safeguard and protection. . . . of the United States." Everyone and all places of worship and business were to act and operate as they did in times of peace. Crimes of a serious nature, e.g., interfering with the Federal laws or forces, would be dealt with by military courts. The regular civilian tribunals were to be used for minor offenses. Neither newspapers nor publications were "to influence the public mind against the Government of the United States. . . ." They were not to reflect upon the soldiers or officers of the department. Butler told the people that the national forces had come "to restore order out of chaos and the government of laws in place of the passions of men." He called upon all "well disposed persons" to aid in the elimination of disorder. The commander desired to exercise authority in a mild manner, if possible.\footnote{Butler's Book, 379-82.} The various city officials were permitted to continue the operation of their government without disturbances. However, if the soldiers and citizens were put in jeopardy, the above permission would be suspended.\footnote{Willie M. Caskey, Secession and Restoration of Louisiana, 46.}
It is not the intention of the author to give a detailed account of General Butler in New Orleans, but to show his attitude toward the South as displayed by some significant deeds. Several words come to mind when dealing with the period of Butler's rule in New Orleans—corruption, graft and dishonesty. He was in command of the department only a short time, from May 1 to December 11. However, the general proceeded to establish himself as "the best hated man in the South."\(^{19}\)

The severity of Butler's rule was exemplified best by his action in the Mumford case. When New Orleans first succumbed to the Federal forces, Farragut arranged to have a United States flag atop the local mint. Even before the arrival of the general, William B. Mumford, the leading gambler of the city, disrespectfully ripped this ensign from its place and then disgraced it by unpatriotic actions. Butler heard of this and exclaimed "I will hang that fellow whenever I catch him" and then he reflected that "in such matters I always keep my intention."\(^{20}\) After some time passed the colorful gambler was seized and ordered to be executed. The citizens of the Crescent City did not believe the general would carry out his plan. Mumford's wife even begged the commander to be merciful, but the officer remained adamant. On June 7 he was hung in front of the mint and the large crowd, which had gathered, realized

\(^{19}\)Ficklen, Louisiana Reconstruction, 33.

\(^{20}\)Butler's Book, 371.
that Butler was dead serious in his aims. In later years Congress-
man Butler gave Mumford's widow financial assistance and helped to
secure for her clerical positions in the government. She claimed
that he had promised to assist her if the need arose. It was indeed
strange to see this "Radical of Radicals" aid the Southerner's widow
during the period of reconstruction.

Another instance when the general clearly indicated his feel-
ings toward the recalcitrant people of the South can be found in his
famous General Orders No. 28, May 15, 1862. This stern directive
was brought on by the insolence of the women of New Orleans toward
the Federal soldiers. Butler ordered that "when any female, shall,
by word, gesture... insult or show contempt for any... soldier
of the U.S., she shall be regarded and held liable to be treated as
a woman of the town plying her avocation."

This order stirred up resentment in no time at all. Mayor
John T. Monroe wrote to Butler on the day following the issuance of
the directive. The official could not "suffer it to be promul-
gated... without protesting against the threat it contains..."

The execution helped to cause Davis' "vindictive retaliatory order"
and also "the rewards for the assassination of Gen. Butler" which
appeared in papers of the South. Annual Cyclopaedia, 1862, 649.

22 Letters of thanks for assistance from Mrs. Mumford are to
be found in the Butler Papers (boxes 74, 103, 128).

23 Butler Private and Official Correspondence, I, 490. Annual
Cyclopaedia, 1862, 647.
The "passions of our people" had been severely aroused for fear the women would be insulted by the soldiers. Monroe felt that this amounted to "a war upon women and children" and criticized it as "a reproach to the civilization not to say the Christianity of the age in whose name I make this protest."\(^2\) The mayor was informed then that the language of his letter could not be tolerated. The order did not apply to "virtuous women" for they would not insult the Federal troops. Under threat to spend some time in "Fort Jackson," Monroe left a written apology with Butler.\(^2\) Later when the mayor had regained his courage, he again objected but was sent to jail along with some of his city officials.\(^2\) All of the South abhorred this order, and Confederate General Beauregard recited it to his soldiers "as an incitement to renewed efforts against the 'Northern hordes.'" Opposition to it was even noticeable abroad. In July 1862, Butler wrote that "these she adders . . . were at once shamed into propriety of conduct . . . and from that day no woman has either insulted or annoyed any line soldier or officer. . . ." It was concluded by the political general "I can only say, I would issue it again under like circumstances."\(^2\)

\(^2\)\textit{Butler Private and Official Correspondence, I, 497-98.}

\(^2\)\textit{Ibid., 488-99. See also the Annual Cyclopaedia, 1862, 618.}

\(^2\)\textit{Holzman, Stormy Butler, 86.}

\(^2\)\textit{Annual Cyclopaedia, 1862, 618. Mary Boykin Chesnut referred to Butler as the "hideous, cross-eyed beast . . ." She "hardly expected from a Massachusetts man behaviour to shame a Comanche." A Diary from Dixie (ed. by Ben Ames Williams), 224, 246.}
Churches were closed when the ministers refused to include the customary prayers for the President. On October 25, 1862, Butler informed Stanton that three Protestant Episcopal clergymen had been sent by steamer to the U. S. Marshal in New York. One of these men had preached a sermon in 1860 which was "highly incendiary in its nature." Many editions of this discourse had been published. One of the others had "been an active and violent secessionist." These three preachers had "refused to take the oath of allegiance" and, even though warned, had abstained from using the customary prayers for the Chief Executive. Butler ruled that they were "much more mischievous in this city than they would be as soldiers in arms in the Confederate Service." 28

Even though Butler's regime was marred by corruption of all sorts, no evidence has been unearthed to prove that he was dishonest. But, his brother "Colonel Butler" appeared to have been involved in many "shady" and "illegal" transactions. 29 The Confiscation Act of July 17, 1862, was used to the fullest extent by the commander. This had much to do with the "unsavory reputation." 30

28 Butler Private and Official Correspondence, II, 407-408.

29 Hans L. Trefousse, Ben Butler, The South Called him Beast! 122-23. Hereafter, this work will be cited as Trefousse, Ben Butler. Denison told Chase that it was too bad that the officer's brother "does business here, but I do not think the General is interested in his speculations." Diary and Correspondence of Chase, 316.

30 Willie M. Caskey, Secession and Restoration of Louisiana, 61.
that he acquired while in Louisiana. Property of enumerated classes was to be seized, according to the law, and sold or used for the benefit of the armed forces. Others who had not renewed their allegiance within sixty days were liable to have their property seized. It was reported that "considerable sums were realized" when the properties of disloyal people were sold.\(^{31}\)

In any discussion of Butler's rule in New Orleans one might have a tendency to overlook positive accomplishments. One month after he had arrived, a local journal reported that the "streets are filled with smiling faces, business attracts with open doors. . . property is secure. . . ." Advances were made in the city's treatment of the sanitation problem. To bring about these gains, however, numerous arrests had to be made "at the direction of the commander-in-chief. . . ." In mid June, "the first of a series of Union meetings was held" and there was a noticeable "increase of Union sentiment" among the people. The general helped the poor by levying a tax "on disloyal corporations and firms. . . ." In August the "Native Guards" were reorganized, and were to be equipped as were other Volunteer troops of the United States. These free Negroes had been "a colored corps of the Louisiana State militia. . . ."\(^{32}\)

\(^{31}\)Annual Cyclopaedia, 1862, 652.

\(^{32}\)Ibid., 648-49, 651. For Butler's comments on Negro soldiers see Butler Private and Official Correspondence, II, 211.
Rumors reached Butler already in the summer that he would be replaced. On August 2, 1862 he confided to his wife, "They have an absurd story here that Banks is to be sent down to take my place. I wish to heaven he would come!" General Butler later wrote that the order of his removal "was dated quite contemporaneously with the one relieving George B. McClellan from command, . . . a day after the November election." It seemed to the officer as "if the Republican administration had determined to put out of command all generals who had heretofore been Democrats" and replace them with "Republican generals." Many charges were laid at the doorstep of Butler—corruption, speculation, intemperate orders, unwise use of his troops, and too harsh a treatment of the foreign element in the department. The farewell address of Butler, to the people of New Orleans, was given in December and on the 24th of this month he sailed away from the Crescent City.

A public reception was held in New York on April 2, 1863 for Butler, whose speech attacked both the Copperheads of the North and the rebels of the South. A radical flavor was obvious at this early date. What would the United States do if the rebellious states refused to return to the Union? We would be "bound to

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32 Butner Private and Official Correspondence, II, 1149.
34 Butler's Book, 530.
35 Willie M. Caskey, Secession and Restoration of Louisiana, 66-68. See page 219 for Banks' opinion of Butler's reign.
36 Kolzman, Stormy Butler, 105.
subjugate them. What, then, do they become?" He responded, "Territories of the United States—acquired by force of arms—precisely as we acquired California..." He would see that South Carolina behaved herself better when she was ready to return and would "no longer be the firebrand of the Union." Then the general stated:

I am not for the reconstruction of the Union as it was. I have spent treasure and blood enough upon it, ... to make it a little better. I think we can have a little better Union the next time. It was good enough if it had been left alone.37

Although he was militarily inactive for a time, Butler was appointed to the command of the Department of Virginia and North Carolina" on November 2, 1863.38 While in command of the department, he drew up regulations for the freedmen and urged them to obtain land and build homes. The "educational facilities" for whites and Negroes were "systematized" and on the whole he helped to bring about order.39 Again his lack of sound military training hindered him and he was "bottled up" at Bermuda Hundreds. During this interval he was also the commissioner for the exchange of war prisoners. The South kept up its verbal attack on the "Beast," and Butler was undoubtedly affected by this. In the fall of 1864, the general was sent to New York to maintain order during the election

37 Benjamin F. Butler, Character and Results of the War. How to Prosecute and How to End It. (Loyal Publication Society, Pamphlet No. 7), 12, 10.
38 Butler's Book, 584.
39 Peirce, Freedmen's Bureau, 12.
riots. Early in January 1865 he was ordered to Lowell, Massachu-
setts after being removed from his command, and the political
general resigned his commission on October 28, 1865.

In commenting upon Butler's removal from command, by "Order
No. 1, new series, 1865" The New York Herald felt that the transfer
of the general to Lowell was indeed "a good beginning of the 'new
series.'" The officer's military record really "broke him down."
But the paper reasoned that he had performed well for the nation
in his role as "military dictator." He declared, defined and
enforced "the decrees deemed essential" for the re-establishment
of order and law. As a military leader he was a failure like other
civilian generals, with the exception of Generals Logan, Geary and
Sickles.

The colorful general delivered a speech at the Music Hall in
Boston on February 4, 1865. The Thirteenth Amendment had just been
proposed by Congress, so logically Butler's address dealt with

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\[h0\] When Butler bade farewell to his colored troops in the
department, he was high in his praise of them. "With the bayonet
you have unlocked the iron-barred gates of prejudice, opening new
fields of freedom, liberty, and equality of right to yourselves and
your race forever." Butler Private and Official Correspondence,
V, 176. General Order No. 1, Jan. 7, 1865 which removed Butler is
found in Butler's Book, 327-28.

\[h1\] Ibid., 677-78. See also the Biographical Dictionary of
Congress, 926.

\[h2\] Jan. 11, 1865.
emancipation and the Negro. Prejudices and "all predilections" had to be put aside and the color question had to be approached: "as one calling for prompt, active, and efficient justice; at least to make amends for former - long-continued wrongs." The "inexorable logic of equal rights" could not be understood by the South for its mind had been "warped and twisted by the influence of the system of slavery. . . ." Butler did not approve of Sherman's plan of enclosing the blacks in the cotton islands and rice fields away from contacts with the whites. Likewise the thought of sending these freed laborers abroad was abhorred by the speaker. He could see no freedom for them to be penned up "in a corner or to be shut up in a rice swamp," to see only white soldiers sent to guard them. The orator recalled for his audience how the blacks had served in the conflict to aid the country. The Negro should be able to select "his own place of labor; the person for whom he will labor," and to make his own work contract. Due to the peculiar position of the blacks, the government should see that they are taught, and brought "to a state of self-dependence," and independence. After the initial aid had been given, the governmental interference should be withdrawn and the Negroes should be left "severely ALONE." Then the opinion was expressed that the black "shall work, as every man must work, or become a vagabond."  

43 This speech appears in Speech of Maj.-Gen. Benj. F. Butler, upon the Campaign before Richmond, 1864, 80-87.
Butler was not completely despised by the Southerners, for he received a letter, dated May 12, 1865, from some "Friends, Neutrals & Foes." In part the communication read:

Come back! General, come back! Friends, Neutrals & Foes beg you to return! This People of N.O. [sic] have clamored against you, because it was the first time they were under the conqueror's rule. But you have been cruelly avenged by hypocrite Heartless [sic] Banks. . . . You alone can reconstruct the Union here - You alone can organize the freed negroes - You will have none but friends now. 

Although there would be isolated cases of a pro-Butler feeling in the South, as the letter from New Orleans just quoted, most Southerners continued to look upon him as worthy of the title - "Beast!"

In this study of a number of different Union generals toward the South, the attitude of this officer from Massachusetts was the most vindictive and repressive of them all. Butler's sojourn in New Orleans undoubtedly tended to mould his opinions as did the numerous threats which he received even after he left the service. A member of the Department of Agriculture informed him of a card which was found in a hotel in Parkersburg, on the day of Lincoln's death. "That humpt back, murdering nigger, Abe Lincoln . . . has met his just dues; and the other that murdered Mumford will have to follow if there is any justice." The writer merely wanted the general to know that "secession cutthroats are still thirsting for your
blood. The Ku-Klux Klan of Pennsylvania notified Butler, who in 1868 was a member of Congress, that he would be given a reception in Massachusetts by the Klan which his conduct merited. It was a terrible deed when he left the Democratic party and joined a party "made up of all the isms ever known to half-witted fads..."

When one adds these various threats to the earlier order of Jefferson Davis on December 23, 1862, which classed Butler as "a felon" and "as an outlaw and common enemy of mankind" subject to immediate execution, one can see how easy it was for the politician to become a Radical. As one biographer has commented, "hatred begets hatred."

The assassination of Lincoln helped to guide Butler along the path of severity. Shortly after this deed was committed, he addressed a crowd near the Custom House in New York City. "With that blind hate which has ever characterized its birth it has struck down the most forgiving, the most lenient... friend that the misguided men of the rebellion ever had..."

He then asked the audience if they should be satisfied "with simply crushing out the strength, the power, the material resources of the rebellion? Never, Never," they replied. This tragedy might

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15 J. R. Dodge to Butler, April 24, 1865, Butler Papers (box 1864-1870).

16 June 22, 1868, ibid. (box 55).

17 Butler's Book, 543-44.

18 Holzman, Stormy Butler, 109.
be considered as a lesson "that the spirit of rebellion has not been broken with the surrender of arms." Punishment for the offenders was demanded, but in a rather moderate tone he concluded, "not in a spirit of revenge, not in a spirit of vindictiveness." Actually while Lincoln's body was lying in state, Butler spoke to a gathering of Massachusetts men. In dealing with Lee, the orator deplored the fact that some had begun "to talk of the noble magnanimity of the rebel General." Butler recalled that Lee had been educated at "public expense - advanced to dignity and honor in the army - marrying into the estate of Washington - his case was worse than treason." He concluded by stating that Massachusetts would strive for "just retribution upon the authors of the rebellion and the aiders and abettors of the murder of Lincoln." A New England paper drew the attention of its readers to the vindictive and harsh views of Butler. The general had stated:

We should be warned by this [the assassination] that the time has not come for taking back these States. We have no relations with treason... but to punish it. No more talk of wayward sisters... Virginia knocks at the door for admission into the Union with the dagger... and throws her motto into our teeth.

49 The New York Herald, April 16, 1865.

50 Ben Perley Poore's Washington dispatch in the Boston Morning Journal, April 20, 1865. Five days later Butler informed Johnson by letter that the war had virtually ceased; therefore Lee and his officers might be set free. Since they would be no longer protected by their paroles, they might be subjected to trial for their deeds. Butler Papers (box 45).
when we talk of forgiveness. The time has not come for holding any relations with her, but that of the conqueror to the conquered, until there is complete submission, mind and soul, to the law.\textsuperscript{51}

It is significant to note that General Butler was friendly to Johnson in the period immediately after the death of Lincoln. This was verified when the President of the Senate Chamber of the Commonwealth of Massachusetts wrote to Butler that he was "gratified to hear, that you are on terms of intimacy with President Johnson."

Things would go well for the Chief Executive if he had a cabinet of men holding views similar to his own. The writer expressed the hope that Butler would be asked to join the advisory group.\textsuperscript{52} On July 20, 1865, the general answered Radical Wade's letter of the 19th. The Ohioan again had mentioned the desire of the Secretary of State position for Butler. The latter stated, "If we are to go on as we are now tending, I certainly do not desire to take part in the Government. All is wrong--" The writer hoped that the rebels would act so badly "as to awaken the Government and the North once more out of the dream of brotherly Union where brotherly love is not." Butler then pointed out that somehow in the past, and he trusted it would reoccur, when "our cause" looked dark, "something of outrage or

\textsuperscript{51} The Commonwealth [Boston], April 22, 1865.

\textsuperscript{52} J. E. Field to Butler, April 17, 1865, Butler Papers (box 45). Radical B. F. Wade wrote to Butler on May 9 that he had asked Johnson to place the general in the cabinet as Secretary of State. It was confided that the President had a high estimation of Butler. Wade asked the latter to "reside near the throne" while the great question of reconstruction was "pending."

Butler Papers (box 45).
extravagant pretentions have been put forth on the part of the South which has brought our people to their senses. 53

In the period immediately after Lincoln's assassination, while Wade was still a supporter of Johnson, the latter asked Butler how Jefferson Davis should be tried. The Massachusetts lawyer decided that a "military commission" should be called by the President to see what ought to be done. This body was to be made up of major generals, and since Butler was the senior major general, he might head this commission. The officers would hold a hearing with Davis and make recommendations to the President that the rebel leader be executed as "guilty of treasonable acts. . . ." However, the prisoner would be advised that he could seek redress from the Supreme Court. If that august body decided in favor of Davis, the Chief Executive should then be so informed. If deemed expedient, he also could be granted "executive clemency." Nothing was done about this scheme. 54

Gideon Welles recalled that on August 2, 1865, he had a talk with "Genl B. . . . [on] public affairs. . . ." Most of the time was spent in discussions on Lee and Davis, "both of whom he would have tried, convicted and executed." Butler was convinced that "Mild and lenient measures. . . will have no good effect on the rebels. Severity is necessary." 55

53 Butler Private and Official Correspondence, V, 611-42.
54 Butler's Book, 915-18.
55 MS. Diary, box 6. The secretary remembered that Butler also spoke of the rebel states as being dead, to which Welles disagreed. They were "suspended by a conspiracy and rebellion." In Butler's
When asked in July, 1865 to express his views on the Negro suffrage issue, Butler very readily responded. It had been claimed that the colored man would vote as his late master dictated, and thus the power of the Southerners would be increased. Butler felt this could happen, but did not see where it would affect adversely the country. "If the master votes right, let the negro vote with him. If the master votes wrong, then we gain the chance if the black has the suffrage right that the negro may not vote with the master. That chance is worth something." It was concluded that "we gain and can lose nothing" by giving the colored men the privilege of balloting.

The general addressed the Massachusetts Republican State Convention toward the end of the summer and again touched on the question of Negro equality and suffrage. He told the party members that he would have "no fear of a disloyal South" if the "nearly six millions of people... as loyal as they are black" were permitted to vote. Some had objected and pointed to the ignorance of the race, but Butler replied that the Negroes "knew more about Government than their masters—they knew enough to be loyal." The speaker was more likely to "trust loyal ignorance than disloyal intelligence." When asked if he was in favor of equality of the races, he commented, "I answer yes, equality of political rights."

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56 Butler Private and Official Correspondence, V, 638-39.
In reference to other equality, the orator felt that the white was superior to the black race, however, he was not apprehensive of a contest with the Negro "for that superiority, giving him fair play."

There followed a significant qualification on the issue of Negro suffrage:

Now, as I understand it, the true loyal Union men do not insist that every negro shall vote, more than that every white man shall vote. But what we do ask, in this name of justice and right, is that the qualification of voters shall be equal. Fix the standards where you please. If the black man comes up to it let him vote. If the white man comes up to it let him vote. If neither, neither.

It was satisfactory to Butler if the Massachusetts qualifications of writing and reading would "apply to all men, White and Black..." 57

Butler made clear that he was not opposed to the President's policy as he understood it. Johnson, after becoming the Chief Executive, called for "hostility to rebels and rebellion, and punishment to chief traitors with hanging. ..." Among other things the President had declared that "no rebel shall vote in the reconstruction of a State, whatever may have been his constitutional right of voting before the war." Johnson's actions seemed to be "in direct opposition to the theory that the rebels have forfeited none of their rights under the Constitution. ..." The orator then told the convention members that although they might differ with the President on whether it was then appropriate "to reinvest

57 Boston Morning Journal, Sept. 15, 1865. Butler was not quite as radical as Stevens for he did not demand universal suffrage for the Negroes. Trefousse, Ben Butler, 183.
rebels with political power and allow them to reorganize themselves. . . there is by no means a necessity that this difference should be a disagreement"; at least not until it is seen by results that some vital principle is involved, or some detriment to the Republic is produced. We look at the attempt to reconstruct the rebel States as we believe the President looks upon it, as experimental merely, but an experiment well enough to be tried.58

The Republicans assembled in their state convention also heard the well-known general expound on the status of the rebellious citizens and their states. After they had "severed their allegiance to the United States," had set up a new government, and had fought for years, "they lost, at least by capture, their rights and powers under our Constitution and laws, although they could not by their own illegal acts rid themselves of their duties and obligations of citizens and subjects of the government." He further explained that they "were not less subjects, because they were rebels; they were less citizens in their rights, because they were traitors." Those states "and their citizens" had forfeited "their rights under the Constitution. . . and are no longer entitled, as of right, to be represented in Congress. . . ." They had to remain in their present position until "acts of loyalty and fealty to the government, love of the flag and justice to the negro" were brought forth.59

59Boston Morning Journal, Sept. 15, 1865.
Benjamin F. Butler's new party affiliation was explained to the assembly. He notified them that he intended to act with the "loyal men of Massachusetts" in the approaching political canvass. "A life-long Democrat, by the disbandment of the Democratic party, I have nowhere else to go. (Laughter and applause)." He then soundly praised the Republican party for its excellent work.60

It was apparent that during the first months of the year 1866 that Butler hoped for an entente cordiale between the Radicals and Johnson. The former officer thought that "the breach between the President and Congress is widening but I think that he will yield."61 However, the expectation of harmony between the two branches of the government grew dimmer as the weeks went by. In April he related that a "collision will come between Congress and the President which if he is not a coward and I think he is not will result in revolution."62

On April 11, 1866, Butler addressed the Pennsylvania Legislature, which had invited him to come and speak to them. He was of the opinion that the country would have been better off if the President and Congress had gotten together on a policy of restoration after hostilities had ceased. Would not this have been accomplished

60 Boston Morning Journal, Sept. 15, 1865.
61 Butler to J. W. Shaffer, March 12, 1866, Butler Papers (box 18).
62 April 10, 1866, Butler Papers (box 18). Butler wondered how Grant would go. The latter was termed a "moral coward." Grant had given, in December, a military report which reflected unfavorably upon Butler. Trefousse, Ben Butler, 183.
if Davis had been tried and, if found guilty, punished, and if Lee likewise had been subjected to trial for treason and punished? This certainly would be an "example to all others in like cases offending hereafter." A proclamation should have been issued giving those who had left the service of the Federal government—Congressmen, soldiers, etc.—sixty days to leave the country. In fact he broadened this idea to include any in the Confederate services. They should have had "free passage," if they desired it, "to go and never return." Those wishing to remain could do so, but would be considered similar to foreigners until they were ready to once again have political rights. How could any one doubt that if these steps had been taken, that "peace, quietness, loyalty and justice to all men would now have reigned in every State in the South?" Butler regretted that Johnson had not done what he implied he would do after he became President.  

Now, the rebel states had asked to have their old positions in the government returned. The speaker thought that the leading question of the day, which divided Johnson from a majority who had supported him and also the nation, was whether these former rebels, "without any guarantee" against similar action in the future, should be allowed to return and make laws for the country? The orator then labored long to support his negative answer. Just because a representative from the South claimed to be loyal was no reason for

63 This referred to Johnson's insistence "that treason was a crime and that it should be punished, and that traitors should be made odious."
Congress to admit him without a thorough inquiry into the loyalty and disposition of his state.

The courts of the land held that the rebels were public enemies. Had anything "been done to alter the condition" of these persons, he asked? "We captured in public war all these enemies, all their lands, all their negroes, all their property; all became ours by the right of the conquerors." Did it not follow that the country captured "in war all their rights, constitutional and otherwise. . . ?" Butler could not comprehend why he was considered too "severe upon the South." He only asked for two representative men of that section to be tried by the laws of the nation.

The former general next discussed the Civil Rights Bill and its veto by Johnson. He asked, "Is there any man who will say that this proposal is not just and right?" Negroes should have the "same civil rights. . . that we give to every other man. . . ." It was admitted by the speaker that the President really had vetoed the "machinery by which these rights were to be preserved." 65

Butler worked out a plan to adjust "the differences between the President and Congress, and for the restoration of the relations of the lately rebellious States." His memorandum was dated April 24, 1866, and was similar to the Fourteenth Amendment which had not yet

64 Veto message in Richardson, Messages and Papers, VI, 105-13.

been passed by Congress. The first part of the proposal resembled the fourth section of the amendment as the National war debt was not subject to repudiation. Article two of Butler's scheme stated that "the qualification of electors appertains to the States," however, no state could set up standards which would "exclude a majority of her male citizens above the age of twenty one years from voting. . . ."

Qualifications had to "apply with equal effect to all such male citizens of the United States within the State." His recommendation varied with the actual amendment on the subject of apportionment of representatives to Congress. As those who had been disfranchised by the various states were freed from this restriction, the representation of the states would increase. Article four of Butler's design prevented from holding office or voting those rebels, who held offices in the Confederacy, or who had been educated at the expense of the government, and had aided "the late rebellion. . . ."

Once these regulations were accepted by the insurgent states they could be restored to the Union. All citizens in those states which approved were to have "full and complete amnesty for all acts. . . . during the late rebellion, with full restoration of all their rights save as above specified."66

On April 25, 1866, although it did not have the complete plan of Butler, The New York Herald commented on the reports of the scheme. It "commends itself to the more intelligent of the radi-

66 Butler's amendment can be found in the Butler Papers (box 48). See also Louis T. Merrill, "General Benjamin F. Butler as a Radical Leader During the Administration of President Johnson" (unpublished Ph.D. Dissertation, University of Chicago, 1936), 64-66. Hereafter, this work will be cited as Merrill, "Butler a Radical Leader."
One biographer of the general saw "elements of a compromise" in the proposal. It did not hold forth the idea of a long period of reconstruction. But the President considered this plan of restoration in an unfriendly way. 68 Another scholar decided that Butler's plan would have been more acceptable to the South than the Fourteenth Amendment. This writer thought that there was merit in the officer's suggestion, which was a part of the plan, that Congress should recess for three months while the Southern states acted upon the proposal. This might have furnished "a cooling-off period," but the Radicals and the committee on reconstruction rejected Butler's suggestions. Thus there was no opportunity provided to see if it could have brought the Congress and the President together. 69

When Johnson refused to adopt the restoration view and scheme of the former general, the latter drifted away from him. During the spring and summer of 1866 the rebel states commenced their reconstruction according to the Presidential proclamation of May 29, 1865. 70

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67 The full scheme of Butler is given in The New York Herald, April 30, 1866.

68 Trefousse, Ben Butler, 185.

69 Merrill, "Butler a Radical Leader," 66.

70 An excellent brief description of reconstruction according to Johnson's views is found in Dunning, Reconstruction, Political and Economic, 36-41.
Butler was critical of the President's opinions and told an audience at the Music Hall in Boston, on May 11, 1866, that it was difficult "to see the justice of the policy. . . ." The Chief Executive had appointed provisional governors for the states, and these bodies had proceeded to amend their constitutions to meet the existing situation. An oath, proposed by Johnson, had to be taken by the voters before they could vote and only those eligible under old state laws could exercise their suffrage rights. "This plan, which would be a good one if the people in the South were loyal, has this objection," Butler stated, "that those who have been fighting us for four years don't love us and don't love the Union. . . ." Even though they accepted the Thirteenth Amendment, unwillingly, he felt, mere acceptance did not "make them love us any better. . . ." He concluded that there was "an almost insuperable objection in the nature of things to the plan of the government." 71 Thus Butler, who had early evinced traits of radicalism, moved away from the path which the President was following. By the latter part of the summer of 1866, the Massachusetts politician was definitely active in the political canvass against Johnson. 72 This was apparent when Butler wrote to Johnson on August 10, that he could not accept a position from the President "and be true to the principles that led him into

71 The New York Herald, May 12, 1866.

72 Trefousse, Ben Butler, 186. This was easy for Butler to do for he had been friendly with some of the leading Radicals and had not received a cabinet post from Johnson.
the war." Events in the South, e.g. the New Orleans Riot, "wrongs to
the black men" referring to restrictive Black Codes passed by the
Southern legislatures, various murders committed on friends of the
North, prove that the right approach to that section had not been
followed. 73

Butler gave a speech at Gloucester on August 25, 1866, at which
time he questioned how a Northerner could walk with the perpetrators of
the deed at New Orleans. Eventually loyalists from the South and the
North would be able to walk together "through the streets of New
Orleans, without insult and dread." The speaker would then be ready
to welcome them, but until that time arrived, "I cannot call them
brothers, when they are ready to stab me under the fifth rib." The
Southerners had to be kept down until that period was reached. This
could be done "I have done it. [Applause]"

In this same address Butler again touched on the Negro suffrage
problem when he said, "I am in favor of anybody's voting that is now
fit to vote, and I don't think the question of color enters into the
question of fitness." Speaking to those who were afraid he was
"going to make the negro" his equal, the orator remarked, "I am not
going to make him anything. I am going to leave him to make himself.
[Applause] If he can really beat me fairly, I am willing he should." 74

73 Butler Papers (box 49). According to this letter, the writer
had been offered the position of Post Master of Salem, Mass.

74 Boston Daily Advertiser, Aug. 27, 1866.
Butler was continually encouraged in his radical role by the response which he received. A writer from Richmond, before the election of 1866, informed him that "Southern Union men & negroes" had little to which to look forward. "In fact," he continued, "it is not safe for a Union man to talk out loud." Again on December 5, he heard from a man who had traveled through Louisiana, Alabama and Mississippi. This person observed the rebels "cursing the D d Yankees and Niggers." They had done nothing "to cultivate or improve the Country," and were of the opinion that Johnson was going "to do something to help them ..." All the talk about the Negro's rights "to sue and give testimony" were lies. The colored men had no chance to stand "for their just rights ..." He pleaded with Butler to bring the Southerners to their senses.

A news report from Boston on September 4 stated that a considerable number of Republicans from the Fifth District requested Butler to accept the nomination to be a member of Congress. He accepted and in turn remarked:

The political opinions upon which I shall act have been very recently declared, so that it can hardly be necessary to recapitulate them here. They may be summed up in a few words: To all men justice, equality of rights and equality of protection under the laws; that is, the Government of loyal and not of disloyal men.  

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75 B. Wardell to Butler, Feb. 26, 1866, Butler Papers (box 48).
76 Levi Blossom to Butler, Butler Papers (box 1864-1870).
Butler, as was true of other Republicans, wondered where General Grant stood in regard to the disputes between the Congress and the President. Butler inquired of Horace Greeley whether it would not be wise to "smoke Grant out so that we may know where he is. . . ." The New Yorker was notified that the writer had "no cause to love Grant" yet, however, "The influence of his name ought not be against the republican party. . . ." The cross country jaunt of Grant with Johnson irked Butler, who considered the general was acting "as an appendage to the President's tail. . . ."  

During the campaign Butler voiced his opinions on the issues of the day. At Toledo, Ohio on October 1, 1866, the view was expressed that those who had fought for their country should vote. He would "rather have a shiny faced black man standing with a minnie rifle pointing towards my enemy than a lean, lank rebel with a rifle pointing at me." He was for universal suffrage for anyone who had "fought for the country. . . ." This was his "personal platform."  

The former general easily won election to the Fortieth Congress which would meet on March 4, 1867. As a member of the House he was one of the leading Radicals and had much to say about reconstruction matters. One needs only to leaf through the Congressional

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78. Sept. 20, Butler Papers (box 49).
80. Trefousse, Ben Butler, 188.
Globe to see how active Butler was. Since it would be impractical to
deal with all his speeches, parliamentary maneuvers and views, only the
more significant ones will be treated.

James G. Blaine recalled that the general "came out of the war
with an extraordinary popularity in the loyal States." During the
election of 1866 "he went through the country, it may with truth be said,
at the head of a triumphal procession." The Maine politician was not
surprised that Butler associated closely with the radical wing of the
Republican party "because it never was General Butler's habit to be
moderate in the advocacy of any public policy." The Radical from
Massachusetts was the "understudy and ultimate successor of... Stevens
on the reconstruction committee.""81

An excellent opportunity arose on March 13, for the new Congress­
man to show his vindictive attitude toward the South. A Senate joint
resolution calling for the appropriation of $1,000,000 for the relief
of the destitute in the South was discussed in the House. He offered
a substitute proposal of a like sum to help "the widows and children
of Union soldiers starved to death in the rebel prisons of Anderson­
ville, Salisbury, Libby, Millen and Belle Isle." Butler related in
vivid detail to his colleagues the appearance of exchanged prisoners
as they passed through his command. The nation should "make... pro­
vision" for their relatives first and he was "not in favor of putting

81 Twenty Years of Congress: From Lincoln to Garfield, II, 289.
82 Dunning, Reconstruction, Political and Economic, 88.
my hand into the pocket of the already overtaxed North to be generous to the untaxed South." The Radical also criticized the Southern aristocracy for "misleading their humbler fellow-citizens into a great war..." Before he would be "generous to the southern people," Butler desired "to see an end... to such legislation" as was the case in Mississippi of "appropriating $20,000," not to feed the starving people, "but to defend Jefferson Davis..."\(^{83}\)

His hostility toward Southerners could be removed if they imitated the example of General Longstreet. He had written to a relative a letter in which he accepted "the results of the war..." Butler wrote to the Confederate officer, "If those who fought side by side with you would meet the end of the contest as you have done all difficulties in between the North and the South would at once vanish." The Massachusetts Congressman continued, "I held and do hold radical opinions and am proud of them." However, he would help the South regain her power and prosperity if her citizens were "inspired by the same just and loyal spirit of devotion to Unity which enobles your letter..."\(^{84}\)

When his book was written at a later period, Butler summed up his position on reconstruction while in Congress. The opinion was held along with other Radicals that "the rebel States should be held

\(^{83}\)Congressional Globe, 40 Cong., 1 sess., 86-87. For the House vote on the resolution see page 550.

\(^{84}\)Butler to Longstreet, June 19, 1867, Butler Papers (box 52). Compare with Logan's views on pages 553-54.
as Territories under military government until all possibility of a race war... should be obliterated." It was explained then that "those Territories might be admitted into the Union as States when the negro had learned how to be a citizen, and the white man had learned how to be a loyal one." 85

The Second Reconstruction Bill was reported to the House on March 11, 1867 and passed by the vote of 117 to 27. Butler cast his ballot for approval and then on March 23, helped to override Johnson's veto of the measure. 86 The law required the district commanders to conduct a registration of males in their states and an oath was included which had to be taken. Election of delegates to a state constitutional convention was provided for and the voters had the opportunity to reject the convocation of such a body. The Reconstruction Act of March 2, 1867, now had a supplement which set forth the actual process to be followed in the restoration of the Southern States.

Gideon Welles recalled a visit he had with General Butler on April 4. It was a "free and apparently unreserved conversation, though he is neither frank nor reliable." The Congressman told the secretary that Johnson should have consulted Congress before embarking upon reconstruction. When asked how he as "a democratic Republican" could approve the "military despotisms over the States," Butler retorted, "I had nothing to do with them. They were enacted before I took my

85 Butler's Book, 960.
86 Congressional Globe, 40 Cong., 1 sess., 62, 314.
The former officer then asked Welles why Johnson obeyed the reconstruction laws if he felt they were unconstitutional? "Why, he asked, does not the President test them?" A suit could be started "in Virginia and brought at once before the Supreme Court now in session." These remarks of Butler are very difficult to fathom, and lead one to wonder if perhaps he was attempting to further ensnare the Chief Executive. One must not lose sight of the bitter struggle going on at this time between Congress and Johnson.

The Presidential veto of the second Supplementary Reconstruction Bill was assailed by Butler. Johnson's wording and views were a "calumny of the Congress of the United States. . . ." The Chief Executive had felt that it was "impossible to conceive of any state of society more intolerable than this" in the South. This statement caused Butler's blood pressure to rise. He stated:

Either that is true or it is false. If true, we are unworthy of our places here; if false, the man who makes the charge ought not to hold his place a single hour longer than the necessary steps can be taken to remove him from it.

Butler refuted Johnson's claim "that no part of these southern States ever became the property of the United States by conquest." Furthermore, it was inaccurate "to say that title by conquest only pertains to personal property. . . ." Butler felt that the President's views ignored "the entire law of nations."

87 MS. Diary, box 7, April 5, 1867.
88 Congressional Globe, 40 Cong., 1 sess., July 19, 1867. Later when the impeachment proceedings were instituted against Johnson, Butler played a leading role in them. See Holzman, Stormy Butler, 164-66.
While the process of congressional reconstruction was under way in the South, a delegate to the South Carolina constitutional convention asked the former general whether it would be good to send Negroes to Congress? The right certainly existed to have them as representatives. Butler wrote on March 10, 1868, "If qualified and fit to represent the people I have little doubt of the policy." The delegate, A. J. Ransier, was then informed by Butler that "Fred Douglass... would make a better representative of people black or white than Brooks or... Morrissey, because better fitted by moral and political training always patriotic... clear headed and logical..." The letter was then concluded:

The only doubt I have is whether any such colored man can be found who has been a citizen of a Southern State for the period necessary to his qualification under the Constitution. Therefore I would hope the question may not be raised until seven years from the issuing of Lincoln's proclamation of Emancipation unless the candidates were born free. I would counsel the same as in case of the requisite age - 25 yrs.

This viewpoint showed that he was, as was true of other Northern generals, aware of the lack of preparation of the freedmen for complete participation in government. If they could meet the necessary qualifications, it would be acceptable to him.89

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89 Butler Papers (box 5h). Douglass recalled a meeting with Butler at the "National Loyalist's Convention" in Philadelphia in September 1866. Butler was one of the few to give him "cordial recognition. Almost everybody else... seemed to be ashamed or afraid of me." Life and Times of Frederick Douglass, Written by Himself. His Early Life as a Slave, his Escape from Bondage, and his Complete History to the Present Time, 378.
Another opinion, rather odd coming from one of the leading Radicals, was illustrated in Butler's letter to T. J. Mackey. This individual from South Carolina had wanted to know if Congress would "view with disfavor the election of any Southern Union man to that body." The question necessitated touching upon the subject of carpetbaggers by the Congressman. Butler thought that he spoke for all "true Union" men in the North when he stated "I should much prefer to see elected to office in the Southern States true men of long residence therein or born on the soil." It was admitted that numerous "good men & true" had left the North to aid the South, which was appreciated, "yet it is the part of wisdom for the South to choose as their leaders the true and tried men whose interest, fortunes... are identified with them, confirmed by long residence of birth." It would appear that Butler was interested in bringing forward the true Southern Union people in preference to carpetbaggers.

In the interests of party harmony Republicans attempted for some time to bring Butler again together with Grant. The former had become irked when the latter had removed him from "command of the Army of the James," and had sent him an invitation to attend a "grand party." Butler considered this invitation an insult. Grant, after negotiations had been under way for a while, stated he did not intend the invitation as such. Butler then withdrew his objection. Grant next attempted to reinterpret the expression "bottled up," which had been used in his military report on Butler's army. The general of the army claimed "he

90 June 3, 1868, Butler Papers (box 55).
had no intention of wronging anyone. . . ." The efforts of the mediators were successful in bringing these leading figures together for the important election of 1868.

Regardless of some of the milder views expressed to Southerners in private correspondence, mentioned above, Butler was very active waving the "bloody shirt" for the benefit of the Republican party. This attitude probably confused some persons below the Mason and Dixon line, but political expediency was a powerful factor to be reckoned with.\footnote{Clipping from the Boston Advertiser, June 21, 1868 in the Butler Papers (box 55).} In a speech at Salem, Massachusetts on September 18, 1868, Butler voiced the opinion that if "Seymour and Blair were elected the reconstruction act could only be set aside by the bayonet, and that meant war. Grant, however, said 'Let us have peace'. . . ." The campaign orator then alleged "We had dealt with the rebels without anger, as if they had erred but not sinned. If however, they want war, they would have such a war as they had never seen."\footnote{Merrill, "Butler a Radical Leader," 205.} Butler carried his district by a sizable majority over his Republican opponent, Richard H. Dana, who "ran a poor third." The election further helped to bring the two generals together, and they became more friendly as time went by.\footnote{Boston Morning Journal, Sept. 19, 1868.}
A Southern newspaper had an interesting comment to make on Butler's re-election. It felt "no regrets" since he isn't a whit too bad to be an appropriate representative of his district - not a whit too bad to be a Radical member of the present Congress. He goes into that body as a declared enemy of the in-coming administration. He will be a... thorn in each of the administration's sides. The two thorns will meet in the middle, and all of the administration's vitals will be mortally punctured. Bad agencies may subserve good purposes.  

A conciliatory tone was discernible again in a private letter which Butler sent to a Kentucky Democrat. "The South has no firmer friend than I am, and ever have been." He might "misjudge the best way" to help the South from its present predicament. Still, anything that would "tend to the prosperity, quiet and regeneration of the South" would be approved by him. Butler remarked that no hatred was had for the Southerners or their section, "as such, ... but I am opposed only to those who still war upon the best interests of the country, as I understand them." This friend of the former general retorted that if Butler would act according to those sentiments, the South's guns, which had been turned toward him, would "all be spiked."  

One of the leading Radicals had passed away during the summer of 1868 and a Boston paper commented toward the end of that year that "Gen. Butler has taken the seat in the House... left vacant by the death of the late Thaddeus Stevens, and in accordance with the wish of

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95 Louisville Courier-Journal, Nov. 14, 1868.

96 To Henry Watterson, Louisville Courier-Journal, Nov. 14, 1868.
the 'old commoner'.' In fact, Butler was a leading power in Congress during Grant's administration. He took over Stevens' post as chairman of the committee on reconstruction, and continued interest was shown toward the welfare of the freedmen and the problem of restoration. One biographer of the general is of the opinion that Butler was eager to make sure that there would be an invincible Republican party in the Southern states which would be an asset during elections, and which could protect "the civil rights of its members" regardless of race.

Butler participated in the House discussions of the Amendment which would later become the Fifteenth. He objected to the clause, "and hold office," which the Senate had added. It was felt by the Essex Representative "that the right to elect to office carries with it the inalienable and indissoluble and indefeasible right to be elected to office." He was tempted almost "not to vote" for it. All that was needed was a "provision that will leave beyond doubt the right to vote, and stop there, because there came with it the right to be voted for beyond all question." However, he informed his colleagues that he would go along "with the Senate, because if we do not take this I fear we shall get nothing. . . ." Finally when the conference committee

98 Trefousse, Ben Butler, 212; Merrill, "Butler a Radical Leader,"
236.
99 For more discussion of this point see pages 355-56.
determined upon the wording which did not include that clause, the House accepted the amendment, by the vote of 145 to 14. ¹⁰¹

Federal troops had been withdrawn from Georgia after this state had elected a Radical governor, a conservative legislature and members of Congress. After this, a number of Negro legislators were expelled and Southerners were given their seats. The background of this dispute was corruption, so typical of the reconstruction governments in the late 1860's. Butler worked hard to have the 1868 electoral vote of Georgia rejected. This state had cast its nine votes for Seymour and Blair. ¹⁰² The Massachusetts politician saw in Georgia's proceedings an attempt to overthrow the reconstruction efforts of the Congress. He was convinced that Georgia had acted in a rebellious manner. The state was once again put under military regulation and it was required, in December 1869, to ratify the pending Fifteenth Amendment. Finally in 1870, a new election was held in Georgia and the corrupt Radical regime left the state. ¹⁰³

Butler, the guardian of Radicalism in the South, displayed his suspicions of reform in Virginia. In December of 1869, a committee

¹⁰¹ Congressional Globe, pt. 3, Feb. 25, 1869, 1563-64. Banks, Butler and Logan were in the majority.

¹⁰² Edward Stanwood, A History of the Presidency from 1788 to 1897, I, 328.

from that state was in Washington pleading for her readmission to the Union. It met Butler personally, and he informed them that he did not want the Georgia affair to be re-enacted in Virginia. The memorial, which the committee was going to present to the appropriate House committee, was read to Butler. The latter replied that several additional lines, guarding against future trickery, were needed to assure acceptance by the Congress. Butler then told the Virginians "I am very desirous to have the vote in the House unanimous, and I hope there will not be any party vote about it." The former general really wanted to have Virginia back in the Union again. After the necessary addition was drawn up, Butler stated "Well, that settles Virginia's admission, and I am as delighted as any one else." 105

During the debates on the admission of Virginia, Butler pointed out that it was not the "old statesmen of Virginia" who had drawn up this state constitution, instead it was made by "the carpet-baggers, the scalawags, the negroes from the field. . . ." They have shown that they were "fit to govern the State. . . ." The politician also expressed the view to his colleagues that, after the state was admitted, it could be placed again under Federal control if it abrogated its constitution. This should be done if the situation arose, and Congressmen certainly should pledge themselves to such a procedure. 106

104 See pages 357-59 for additional detail and final settlement of this issue.


The Massachusetts representative wrote an interesting letter to Greeley on December 13, 1869. The former stated that he did not plan "to restore to the privileges of citizenship and give political power to every traitor and Rebel" that accepted the Fifteenth Amendment, if he was certain that they favored "it simply for the purpose of getting such restoration," and then planned "to turn around and abrogate" it. This had been done with the Fourteenth Amendment in the case of Georgia. Negroes and "loyal white men of the South" had been oppressed, and Butler felt "bound in honor... to protect" them. Any former rebel that would enforce the pending Fifteenth Amendment "from the heart, because he believes it a right and just measure," Butler would be "for him because of that motive..." 107

Partial and general amnesty for disfranchised Southerners had been discussed for some time but no bill had come forth from Congress. 108 Numerous proposals had been debated, and on April 10, 1871, the House passed a measure sponsored by Representative Hall. This provoked Butler who was not in the chamber at the time. He had been perfecting his own plan. A Massachusetts paper remarked that Hale's bill probably was "more generous, and much more in sympathy with the feeling of the country, than the one which Butler was to offer." The paper challenged the former general to "introduce a new bill, removing every disability without exception..." It was pointed out that

108 See page 361.
"Butler has been the apostle of hate and revenge long enough. Let him try the other role now, and see if it will not bring him a new acquisition of popularity."\textsuperscript{109}

James G. Blaine recalled that on May 13, 1872, Butler reported from the House Judiciary Committee a measure which removed the disabilities, imposed by the Fourteenth Amendment, from Southerners but which excepted some 750 individuals.\textsuperscript{110} The several classes excepted were: members of the 36th and 37th Congresses, diplomatic and judicial officers of the government, and those in the Navy and Army "who resigned and went into the rebellion." The House accepted this bill by the required two-thirds vote.\textsuperscript{111} One writer has expressed the view that Butler had gradually modified his views on amnesty and had realized that it also would "please Grant..."\textsuperscript{112}

Butler proceeded to explain to his fellow members why the committee did not approve of linking a civil rights bill to one for amnesty. They were of the opinion that such a bill would pass "by a majority," and "that we do not believe it is right to peril that bill by fastening it upon a bill which requires a two-thirds vote. It should

\textsuperscript{109} Springfield Daily Republican, April 13, 1871. This paper on April 15 felt there was little chance for Hale's bill in the Senate.

\textsuperscript{110} Twenty Years of Congress: From Lincoln to Garfield, II, 513. Butler claimed only 200 to 300 would be excepted.

\textsuperscript{111} Congressional Globe, 42 Cong., 2 sess., pt. 4, May 13, 3382.

\textsuperscript{112} Trefousse, Ben Butler, 215.
stand by itself, and for one, I propose to labor diligently to see that a civil rights bill is passed. . ."113

The Ku-Klux Klan and its activities held the interest of Butler during the early 1870's. Many outrages were visited upon the Negroes by this secret organization in order "to control the negro in the use of . . . the ballot. . . ." The congressman alleged that "the men of the South seemed to think themselves excused in those outrages because they wanted to insure a white man's government in their States." It was his opinion that "Congress should pass laws, which, with their punishments and modes of execution, would be sufficiently severe under the circumstances to prevent those outrages entirely, or at least to punish them."114

In the early part of April 1871, the House was occupied with debates on a proposal to enforce the Fourteenth Amendment. Butler expressed his views on the subject on April 4. He was certain that the "lately enfranchised negro, falsifying every prophecy to the contrary, became a willing and industrious laborer, and his rights were substantially respected. . . ." Grant had found the South quiet right after the war. What caused this? The rebellion had been overthrown by the Union forces and the rebels' "Democratic allies in the North" had been routed in the 1864 campaign. Johnson's expressions such as "treason was a crime to be punished, and traitors should take back seats" also had an effect upon the South.

113 Congressional Globe, 42 Cong., 2 sess., pt. 4, May 13, 3383.
114 Butler's Book, 961.
The situation began to change in the fall of 1865, according to Butler, when "Johnson, courting a nomination for the Presidency from the late rebels, issued pardons to traitors..." It thus appeared to the former Confederates that they were "not to be punished, but were to take again the high seats of power of the nation they had betrayed." Congress also found itself compelled by public pressure to remove disabilities on rebels from time to time, therefore Johnson was aided by the national legislature. Men "who had stood shoulder to shoulder" during hostilities found themselves divided on other issues, e.g., collection of revenue, financial measures, and "payment of the public debt..." These divisions gave hope to the Democratic party, along with Johnson's defection. "Whosoever studies the history of the time will find that as Democratic hopes of rule grew apace, so did disorder, outrage and murder with equal steps increase in the southern States." With the election of Grant things eased up as the "hordes of the Democracy" were beaten down, and Northern capital and men went South. The last two amendments "would insure the equality of right and equality of protection under the laws to all who bore allegiance to the flag of the Union."

Butler thought "the unhappy and... mistaken policy of Congress, in our haste to reconstruct the southern States and give to all her citizens, however disloyal, equal political power in the Government, still prevailed." He recalled that "wholesale relief from... disabilities" again was granted. With this turn of events, states "gave way, and permitted to their rebellious citizens equal share of power
with the most loyal and true." The battle for "political power" was started once more in the rebel states, and their whites "resorted to their favorite and oft-tried means of political success - fraud, coercion, and force." Secret organizations, quoting General Kershaw, were used "to retake by the midnight dagger of Brutus what they had lost' in the trenches before Richmond." Butler felt that it was Lee's absentee soldiers who were most prominent in the terroristic groups. The Democratic party in Congress assisted these organizations by refusing to recognize them and by objecting to legislation to suppress them. "It is evident," Butler stated, "that the lawlessness of the South. . . is now become organized in the service of a political party to crush its opponents. . . ."

There could be only one solution to this problem, "to pass strong and vigorous laws, to be promptly executed by a firm hand, armed when need be, with military power." That "the ordinary machinery of judicial tribunals is entirely inadequate to meet the great emergency which has arisen" Butler was thoroughly convinced. He concluded:

Surely, if ever the exigency can arise, it has now arisen for clothing the President with discretionary powers to use the armed force of the United States to enforce the laws and protect its citizens.115

Congressman Cox termed this "an extraordinary speech. It consisted of a philippic against the South, and a good deal of exaggeration about southern outrages." This Democratic representative decided that Butler was "the chartered libertine of debate in this

House. He has given us a speech in which there is not a single glimpse of benevolence to irradiate the gloom of its vindictive invective.\textsuperscript{116}

On May 8, 1871, Butler spoke to a gathering of colored people in Boston. The Negroes were told that their interests had never been more in jeopardy, nor had they "more at stake." Then the orator said:

\begin{quote}
A neglect to enforce the 15th amendment, which give\textsuperscript{sic} you the equal protection of the laws, involves the failure of rights and powers required by the 15th amendment, by which you can assert your manhood and citizenship. The ballot is no protection against the bullet, when he who holds the ballot is unarmed, homeless and landless.
\end{quote}

The former officer, a recognized friend of the Negro, claimed that "all men are equally entitled to the ballot as an inborn right." The speaker denied that the blacks of the South were ignorant. He also warned that if the government did not help the colored people in the South, these bedeviled men would take up arms and their "hooters" would "quail and flee before the determination" of their defense and battle.\textsuperscript{117}

A force bill later dubbed the "Ku-Klux Act," came forth from the conference committee and was adopted by the House on April 19 by a vote of 93 to 74 with a large number of abstentions. Benjamin F. Butler cast his ballot with the majority.\textsuperscript{118} Besides allowing the suspension

\begin{itemize}
\item[(116)]Congressional Globe, l2 Cong., 1 sess., pt. 1, April 4, l51.
\item[(117)]Springfield Daily Republican, May 9, 1871. See speech in General Benjamin F. Butler, The Negro in Politics. Review of Recent Legislation for his Protection. - Defence of the Colored Man against all Accusers.
\item[(118)]Edward McPherson, A Hand Book of Politics for 1872, 87. The law is given on pages 85-87.
\end{itemize}
of the writ of Habeas Corpus, the measure provided that disturbances could be reduced by either the militia or by the Federal forces. Also the Federal judiciary was enhanced in power to be able to deal with secret organizations.

Congressman Butler was always interested in the welfare of the Negroes and strove hard to secure a civil rights bill for them. They recognized him as their advocate in the House. In his address to the Negroes in Boston on May 8, 1871, he asked which really knew "most of the necessities of the South, the negro or the white man?" He alleged that the colored man "builds churches and school houses; the white man burns them. The negro works industriously; the white man refuses to labor. . . ." Some have stated that there were no colored philosophers, poets or statesmen, and to this Butler responded, "but it must be remembered that these are the growth of centuries of civilization, and that the colored man has but just come out of slavery." The blacks did not doubt that the politician from Massachusetts was their advocate. A Negress, in a letter to the congressman, referred to him "As one of the few friends of the colored people in congress. . . ." She related how she had been beaten by the Ku-Klux Klan and how members of her race could get no satisfaction "in the State courts" for the juries were composed of individuals belonging to the Klan. It was

119 Boston Morning Journal, May 9, 1871.
reported by this lady that the Negroes were "considered mean people and the whites... good people..." 120

During a civil rights debate in the House on January 7, 1874, Butler dealt with the subject of equality and admitted that, even though all men were not equal, "every man... should have the right to be the equal of every other man if he can." The measure then under discussion, he felt, "only removes all impediments to every man in making himself the equal of every other man if God has given him the power to become thus equal." The speaker then recalled for his colleagues how he had once ridden through a battlefield strewn with Negro dead. At that time he promised to defend the rights of those people. Very dramatically he stated:

From that hour all prejudice was gone, and an old-time States-right democrat became a lover of the negro race; and as long as their rights are not equal to the rights of other men under this Government I am with them against all comers, and when their rights are assured, as other men's rights are held sacred, then, I trust, we shall have what we sought to have, a united country North and South, white and black, under one glorious flag..." 121

The House finally passed a Civil Rights Bill on February 4, 1875 by the count of 162 to 99. 122 Even though Butler had lost his seat in the election of 1874, as a "lame-duck" member of Congress he had

120 Emma Hammack to Butler, May 2, 1874, Butler Papers (box 107).
121 Congressional Record, 43 Cong., 1 sess., pt. 1, 455-56, 458.
122 Ibid., 2 sess., pt. 2, 1011.
voted with his colleagues for a bill which was accepted by the Senate on February 27 and approved by President Grant.123

General Benjamin F. Butler was the most vindictive of the various generals considered in this paper. He felt that the South should be fully chastized and purged of its crime before rejoining the Union. It seemed as though the Radicalism of Butler was encouraged by the Johnson Administration's refusal to heed this general's views. Even though he was a Radical of Radicals, at times he expressed rather lenient sentiments especially when writing personal letters. The harshness of Butler toward the rebels and the South was constantly encouraged by correspondence which came to him from that section. As was mentioned before, after Butler left Louisiana in 1862, there was no question in his mind that the South hated him, "and hatred begets hatred."124 The fact that he had been "socially ostracized" by the haughty Southerners while in New Orleans probably left an indelible mark in his memory.125

Before he left the White House, Johnson made some significant remarks about Butler. This individual was considered "the most daring and unscrupulous demagogue I have ever known." Still the President was of the opinion that his war services to the nation could "never be overestimated." The Chief Executive explained further that "I can

123Equal rights were granted to the Negroes in places of amusement, inns, and public vehicles. Colored men as such also could not be prohibited from juries. Dunning, Reconstruction, Political and Economic, 255.


never thoroughly despise him on that account, although he even attempted to class me with Lincoln's assassins."\textsuperscript{126}

One biographer has concluded that, among other things, the various laws brought forth "to protect Negroes" constituted "a sufficient monument for" Butler.\textsuperscript{127} Although he did not espouse the idea of immediate suffrage to all Negroes, he certainly was one of the best proponents the blacks had in the halls of Congress. Samuel S. Cox pointed out that the "colored people regarded him as a deliverer and friend." An interesting toast once was given to Butler when he was in New Orleans—"Here's to General Butler. He has a white face, but he has a black heart."\textsuperscript{128}

\begin{footnotes}
\item[126] Truman, "Anecdotes of Andrew Johnson," 440.
\item[127] Trefousse, Ben Butler, 256.
\item[128] Three Decades of Federal Legislation. 1855 to 1885, 425.
\end{footnotes}
CHAPTER XI

GENERAL JOHN A. LOGAN

John A. Logan was born, on February 9, 1826, in Jackson County, Illinois. This county is found in the southern part of the state. As a youth he spent time studying law but was interrupted in this pursuit by service in the Mexican War. After this conflict was terminated, he returned to the study of law under his uncle, who was the Lieutenant Governor of Illinois. Upon the completion of his apprenticeship he practiced law, held some minor positions and was also elected to the state legislature.\(^1\) In 1856, Logan was selected as a Presidential elector on the Democratic ballot. When the Electoral College met, he cast his ballot for James Buchanan and John C. Breckinridge. The Illinois politician was considered "an uncompromising Democrat, always voting with his party." When asked about his politics, he said "I was born a Democrat; and all my life I have learned to believe that the Democratic party, in national convention, never does wrong."\(^2\)

In 1858 John A. Logan was elected to Congress as an "anti-Lecompton Democrat."\(^3\) This meant that he was opposed to the constituent

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\(^1\) Dictionary of American Biography (ed. by Dumas Malone), XI, 363.


\(^3\) Dictionary of American Biography (ed. by Dumas Malone), XI, 364.
tion brought forth by a convention in the territory of Kansas in 1857. Kansas was seeking admission into the Union, and a pro-slavery group controlled this gathering. The voters were not given a clear cut chance to reject or approve this pro-slavery document. The only choice they had was whether there would be any further admission of slaves into the state or not. Logan followed the lead of another Democrat, Stephen Douglas, on this issue. In 1860, the voters of his district, where there was a strong sympathy for the South, returned him to Congress. While many of his Democratic colleagues went back to their states in 1861, he remained to support the integrity of the Union. It has been claimed that Logan did not want to use force against the South and that he was for separating the southern part of Illinois from the state and connecting it to the South. Logan termed this claim a "lie."1

He raised a regiment of soldiers in his state, after the war session of Congress ended. He was immediately made a Colonel and rose to the rank of Major-General after Vicksburg. Logan gained fame as a volunteer officer during the terrible struggle. He displayed "more ability than the typical politician in uniform."5 It has been mentioned that Logan was the only one who "successively held command of a regiment, a brigade, a division, a corps, and an army, who was never

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5J. G. Randall, The Civil War and Reconstruction, 553.
defeated while leading them."  Logan, having "resigned his commission," returned to Illinois to take up again "his profession as a lawyer."  

It was apparent that General Logan supported Johnson's administration in the period immediately after the war. Morton, Trumbull, Bingham and John Sherman joined the general in his support of Johnson's policies, but then would oppose the President later. We will observe that Logan became "a Radical of Radicals."  

On May 31, 1865, General Logan visited Johnson and a correspondent of the Chicago Republican found out from "a gentleman," who attended this meeting, what was said. The President was congratulated "upon the conservative policy which he had initiated..." Peace and the quieting of passions should be encouraged by a "kindly and considerate, yet firm, action on the part of the Executive...." This, the Chief Executive was doing. When the conversation centered upon the question of suffrage, Johnson expressed the opinion that the tendency was "towards a restriction rather than an extension of the right," at the present time. Logan "seconded" this view and thought that "it might not be politic to give the rebels the right of suffrage immediately." It might be better "at first to hold them in a sort of

6George F. Dawson, Life and Services of John A. Logan as Soldier and Statesman, 103. Hereafter, this work will be cited as Dawson, Life of Logan. The New York Herald on Jan. 11, 1865 decided that among the "civilian generals" in the war who were "sterling soldiers" were Generals Logan, Sickles and Geary.

7Dawson, Life of Logan, 97.

pupillage by military force. As soon as they could be trusted, then
give them the same power they possessed before." When the word "recon­
struction" was mentioned, Johnson said, "General, there is no such
thing. . . . These States have not gone out of the Union, therefore
reconstruction is unnecessary. I do not mean," the President avowed,
"to treat them as inchoate States, but merely as existing under a
temporary suspension of their government, provided always they elect
loyal men." Johnson felt he was to see that these States were rehabil­
itated according to "the will of the people." The general then "res­
ponded 'That's so.'"

On June 7, 1865 there was a meeting held at Cooper Institute in
New York City. It was purported to be under the influence of Democrats,
with the aim of winning over Grant and Logan. A large portrait of
Johnson behind the speaker's stand displayed a fondness for and support
of the President. Grant declined to say more than a few words, but
the general from Illinois finally decided to lay bare some of his
viewpoints. He did not inquire of the object of the meeting, but was
told by General Blair, who was also there, that "it was for the purpose
of approving. . . . the administration of President Johnson." Cheers
greeted this statement. As far as his government had "developed
itself, I certainly have no fault to find with it," commented Logan.
Then he left a loophole for himself when he stated, "What there may be

9 Quoted in the Daily Morning Chronicle, [Wash.] July 1, 1865.
10 Dawson, Life of Logan, 105.
to object to in the future, I do not know. If there is that which is objectionable in the future, then as a matter of course, as the questions arise, the country has a right to decide for itself as to whether he is right or wrong."

Logan touched on the topic of reconstruction at this gathering. The nation would definitely discuss the problem of "reorganization of the States that had been in Rebellion against the Government." How was this to be accomplished? "How are we as a people... to act toward these of our subdued enemies?" How would the administration handle the problem? The general pointed out that some "wise and good men" felt that the government should exercise, over the former rebel states, the "same power" as they had over territories. There were others who disagreed with this premise. Logan reflected that the President had called upon the use of force "to suppress insurrection and rebellion against the laws and the Constitution of the land, not for the purpose of obliterating the Constitution..." Now that the question of secession was ended, and that of the "existence of this Constitution" finally determined, "let us stand by the Union." 

As far as Jefferson Davis was concerned, the orator stated "Now, I do not want to admit that Jeff Davis had a government... I do not want to admit that... [he] and the leaders of this rebellion should not be convicted of treason and punished as traitors." It was concluded that "if we desire to punish traitors we have got to keep our

11 The New York Herald, June 8, 1865.

12 New York Tribune, June 8, 1865.
own record straight; and as we want to maintain the law and the constitution, we have got to have the law and the constitution upon our side to do it."13

The views of Logan on suffrage also came up for discussion. Each state, according to the Constitution, "shall regulate the qualifications of its own voters." But it was felt by some that since the former Confederate states lost their position and had become territories, Johnson could say who could or could not vote. If the former rebel states were "not in a territorial condition, but States, as we maintain they were, in rebellion, then President Johnson has no right to make any such declaration." However, if he did it, he would be doing "it in the teeth of the constitution of the country that we have attempted to support and maintain here." Logan continued by stating:

So far as the discussion in reference to the question of suffrage is concerned it is of no concern to me. I have nothing to do with it. I do not care whether the people of Virginia, or North Carolina... or of any other State allow negroes to vote. It is not my business but theirs. (cheers) In Illinois, where I live, whenever they decide that the negroes shall vote, it is their decision. The constitution says they have a right to decide, and when they do so, I say amen to it. But until they do make such a decision, in their sovereign capacity as a State, no President has a right to decide for them. (cheers)14

It was quite obvious that when Logan spoke here, he had the attitudes of the southern section of his state in mind.


14. Ibid.
Logan agreed that Johnson had "a right to say that certain men have forfeited their rights in this country, by their acts of treason against it." It was correct for him to say that state officers, generals and other leading persons, who advised and engaged in the war, had "no right to vote, or hold office, . . . until the people shall grant it to them, on their showing themselves repentant. . . ."15

In July 1865, the general gave a speech at the courthouse in Louisville. There the evils of slavery were discussed. He felt that some of the lands which made up the "baronial estates" in the South might profitably be made use of by the freedmen. He was also of the opinion that the government could not leave the Negroes "where they now stand." They were found slaves and were freed. Their condition had been poor, overcome with ignorance and having no moral code. The question naturally follows, "is it not our solemn duty as Christians to enlighten them, to dip them at least seven times in the Jordan of civilization?" The general further related, "This duty, if recognized, implies the necessity of universal emancipation in all sections at the same time, that the legislation on this subject may be general and indiscriminate, thorough and universal."16

From the time when Logan supported the President, at the Cooper Institute, the former carefully analyzed the situation in the nation to ascertain which side would win, and he maintained a sort of middle

15 The New York Herald, June 8, 1865.
16 Dawson, Life of Logan, 109-10.
ground position. Openly he spoke on the "peculiar institution," the need for education of the blacks, and of course praised the veterans of the conflict. The various talks, however, "reveal nothing of his politics."  

A revealing letter from Logan to his wife on February 25, 1866 gave a good indication how the general trod the middle ground. Writing from Washington he stated, "They are all in a muss here now. Congress abusing Johnson and he abusing Congress so that nothing can be done." He hoped that they would not "keep on" until Copperheads were returned to power. "Johnson vetoed the Freedman's bill and then the devil was kicked up, they abused him & he them. Logan thought that bill "was wrong and so has Johnson been about some things and taking all together they are both wrong etc."  

In another communication to Mrs. Logan on May 2, 1866, he gave an indication that he might be veering away from the President and towards Congress. The general was convinced that too many rebels had come to Washington during the past winter. "Stevens of Georgia comes here Vice Pres. of Rebelcom and with the platform on which Johnson & his followers will soon stand. He determined that  

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18 John A. Logan Papers (J. A. Logan & Mrs. Logan 1866-75) (Library of Congress). All future references to these papers are to those in the Library of Congress.
the Fourteenth Amendment was "right and if Mr. Johnson opposes..." as I understand he will he is entirely over with the Copperheads."^{19}

A Johnson supporter in Illinois informed his chief on May 21, 1866 that, "...I have had an interview with... Logan and am perfectly satisfied that he will be an active worker against the radicals at the next election." A. J. Allen then wrote that Logan was "bitterly denounced by the extreme radicals as a traitor to his party."^{20} This informer would discover before too long that he had miscalculated on the general.

In 1866 Logan "was nominated by acclamation by the Republican State Convention of Illinois."^{21} He would run as a representative-at-large for the state. With the summer of 1866, the popular military hero joined the Radical camp. One scholar concluded that, although it was difficult to understand this shift, it perhaps was accomplished through "political ambition."^{22} Still another historian was of the opinion that the campaign of 1866 showed that Johnson's "policy could not win," and why would Logan want to place himself on the losing side?^{23} Logan's letter to his wife portrayed the general's displeasure

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^{19}Ibid. Again on April 29, he wrote to his wife that "Johnson seems determined to force the copperheads into power again and all things look gloomy..." John A. Logan Papers (J. A. Logan & Mrs. Logan 1866-75).

^{20}Papers of Andrew Johnson, Vol. 95 (Library of Congress).

^{21}Dawson, Life of Logan, 114.

^{22}Beale, The Critical Year, 111.

with the advent of rebels to Washington. His patriotism offended, this
may have caused him to turn to the Republicans since they were looked
upon "as the defenders and preservers of the Union..."24

Before Logan took his seat in the House of Representatives,
when the Fortieth Congress assembled, some interesting speeches were
delivered which clearly displayed his change of position. At
Springfield early in August, he stated "There is but one way to treat
with rebels. Take the torch in one hand and the sword in the other,
and march to the music of the Union, ... and sweep over their
territory." Logan had "no sympathy for the leading traitors..."
He simply could not forgive any individual "who had fought against"
the Union. "If elected to Congress he would carry out what he had
said. He could not forgive the South. There was no use in asking
him to do it." Then he promised the audience that "If he changed
his principles he would give his constituents due time and notice
to elect another man in his place." It certainly did not take Logan
long to learn how to wave the "bloody shirt."

In the first part of this speech, which was his acceptance
of the nomination, he defended Congress and bitterly assailed
Johnson. John W. Booth was considered the constituent who had made
him President. He expressed himself as being "in favor of making
negroes citizens." Equalization of representation in Congress was
recommended. "The South must have no more for its votes than the

North. Representation must be based on the actual voting population. . . . disfranchisement of rebel officials. . . . does not go far enough." Then he became very dramatic when he stated that he "was opposed to the repeal of the iron-clad oath, and would sit and starve in Congress before he would give his consent to its repeal."25

While Logan was in Washington, waiting to take his seat in the House of Representatives on March 4, he informed his wife that the Thirty-Ninth Congress "will put the Southern States under mil [sic] law I think and then what will follow I can not imagine, but have some fears of this precedent. I would rather force [sic] them to an organization on a loyal basis with the Mil. [sic] to support and sanction it."26 This would seem to indicate that he had some doubts about the reconstruction measure which would be passed on March 2, 1867. Once Logan took his seat, however, he followed the line laid down by the Radicals. On March 23, after Johnson had vetoed the Supplementary Reconstruction Bill, he voted with the Republicans to override the veto.27

On March 13, the House discussed a Senate joint resolution on relief for "the destitute in the southern and southwestern states." This aid was to be given through the Freedmen's Bureau under the


26 Feb. 17, 1867, John A. Logan Papers (J. A. Logan & Mrs. Logan 1866-75).

27 Congressional Globe, 40 Cong., 1 sess., 314.
direction of General Howard. Logan expressed his "entire confidence... in the integrity, as well as the good intentions" of this officer. "His generosity and philanthropy is coextensive with all suffering humanity." But the Congressman-at-large from Illinois wanted to know who it was that demanded "this unprecedented charity at the hands of Congress?" Would it be for the "poor white people" or the "down-trodden freedmen?" Or, was it for "the families of the leaders of the rebellion...?" He would gladly help the needy but he could not see putting his hand into the taxpayer's pockets, to the tune of $1,000,000 for aid to former rebel soldiers and their families. "This resolution... is nothing more than a dodge to make pensioners of rebels that can not be provided for in the usual way." He then proceeded to wave the "bloody shirt" again: "You do not put them on the United States pension-rolls, by the side of the wounded soldiers and widows and orphans of those who died in defense of their country, but by another mode you put them on the bounty of the Government." The House voted, on March 22, for the resolution 98 to 31, but Congressmen John A. Logan and Benjamin F. Butler were opposed to it, while Nathaniel P. Banks gave the measure his support.28

Congressman Logan delivered a major address in the House on July 12, 1867.29 At that time the second Supplementary Reconstruction Bill was pending. He blasted the Northern Copperheads because they

28 Congressional Globe, 40 Cong., 1 sess., 82, 87-88, 282.
29 Ibid., appendix, 13-16.
charged the Republican House with having "violated the Constitution" and with trampling "ruthlessly in the dust the liberties of the people." It was disclosed that the "prime, sole, and supreme object of the Republican party is to re-establish this Government upon a sure foundation of loyalty, against which the frothy waves of treason may fret forever in vain." In discussing Johnson's reconstruction views, Logan decided they meant simply "that treason was not a crime; that rebels were patriots." The President's scheme "proposed to invite the rebels to hold elections, and send to this Hall per se secessionists and traitors." The speech continued in the following manner:

In short, to construct a new party, in reconstructing the Government in which the secession rebels of the South might unite with the copperhead rebels of the North, capture the citadel of power here, make treason honorable and loyalty odious. There is nothing that to regain its lost power the Democratic party would not willingly do.

Logan voiced the opinion that "the only true plan" upon which the former rebel states could be reconstructed was the plan of "military governments." He then remarked that he would go along with the bill "pending before this House. . . ."30 The emotional orator stated that "when the fiery billows of war rolled over the South that they bore away into the broad ocean of chaos their laws and constitutions. . . ." It was determined, "according to the laws of war" that "they were subject to military rule at the hands of their conquerors, and so ought to

30Or July 19, Logan, Banks and Butler voted to override Johnson's veto of the Supplementary Reconstruction Bill. Congressional Globe, 40 Cong., 1 sess., 747.
remain until traitors shall learn to blush for their crimes," and turn
down office instead of trying to move forward to seize control of the
government. "I would put the rebels on probation, and make their
return to power depend upon the merits of their penitence."

It was not so important "when" these states would return, "but
how they" would come back. The representative avowed that "as long as
I have a vote here" he would vote to exclude them "until they come in
on the broad basis of loyalty to the Government. And when they can do
that, I am willing to receive their representatives to the Halls of
our national Legislature. . . ."

Jefferson Davis was dealt with also by Logan in this lengthy
speech. "Had I captured Jefferson Davis and his disposal have been
committed to my hands, I would have organized an able court-martial
and have given him a fair trial, just sentence, and prompt execution."
Davis and his cabinet were considered "criminals," and they "ought to
be tried; if tried, convicted; if convicted, executed; like all other
felons convicted of capital crimes." Logan pointed out that if he
were Chief Justice "no appeal for clemency in their cases could ever
reach me. . . ." 31

Logan continued his attacks against the South and President
Johnson during the fall of 1867. In October, he spoke in Cincinnati
and objected to the path the Chief Executive was taking. The Repub-
lican party was not considered "responsible for the rebellion, and if

31 Congressional Globe, 40 Cong., 1 sess., appendix, 16.
the rebels did not get back to Congress for forty years, it would not be the fault of the Republicans." The diatribe on Johnson continued:

He... was elected by Republicans, and claimed to be a Republican. He had said that all treason must be made odious, and had promised to be the Moses of the colored people. No sooner had he come to power, however, than he undertook to reconstruct the rebel States, and to do it in such a way as to leave loyal whites and blacks in the South at the mercy of the late rebels.32

As a Radical, Logan was very skeptical of granting amnesty to leading Southerners. In February 1868 a bill was introduced in the House which gave amnesty to several rebel leaders, one of whom was General Longstreet. A discussion took place on March 17, and Logan agreed that this Southerner had written "a letter accepting the situation." Probably every other rebel general also "would write one to be relieved from disability under the law." Logan felt that "there is nothing to show that Mr. Longstreet... has ever changed one opinion that he ever entertained" while struggling against the government. "He accepts the situation. He is willing now to go on and continue the Government, but he does not tell you he is satisfied that he was wrong when he was fighting against the Government." The Congressman then tersely stated, "Sir, the kind of repentance I want is an

32 National Anti-Slavery Standard, Oct. 5, 1867. In speaking of the different managers of the impeachment proceedings against Johnson, Logan was considered a Radical by Congressman Cox. The latter did not feel it was necessary to speak much about Stevens, Logan and Butler. "Their appearance was a sign that no omission would be made in the presentation of the case in all its salient and vindictive features." Three Decades of Federal Legislation. 1855 to 1885, 586.
acknowledgment of the wrong." The proposal was recommitted on March 17, 1868.33

John A. Logan was chosen Commander-in-Chief of the Grand Army of the Republic in 1868. To this former army officer went the "honor of putting into general practice"34 the strewing with flowers the graves of the soldiers once every year. General Orders No. 11 issued on May 5 by Logan, "Commander in Chief," started the Memorial Day practice.35 There was, however, nothing about forgiveness towards the former enemy in the order. But, this actually was the beginning of a custom or practice which has helped to bring the two sections together. Mutual suffering over past losses enabled people to understand each other better. Logan was probably unaware that such a thing would occur.36

By pursuing the Radical's vigorous policy toward the South, Logan was elected again to Congress in 1868.37 He was returned to the


34Russell H. Conwell, The Life and Public Services of James G. Blaine and Biography of General John A. Logan of Illinois, in Childhood, Manhood, Peace, and War, 491. Hereafter, this work will be cited as Conwell, Biography of Logan.

35John A. Logan Papers (box Vol. no. 3) (Library of Congress).

36For a discussion of the Memorial Day event see Paul H. Buck, The Road to Reunion 1865-1900, 116-21.

37He was re-elected in 1870, and in 1871 chosen as Senator from Illinois. As a Senator, Logan "was a stalwart Republican." Dictionary of American Biography (ed. by Dumas Malone), XI, 364.
House from which he had taken his departure a number of years before "never to return to political life until every Rebel had laid down his arms." A biographer of the general concluded, "He was fearless and persistent in his patriotic desire to have the States of the South restored in such a way as to make further opposition to the Government useless." 38

Because of "ruthless proceedings by the whites" in the South, Negroes found that their efforts to vote were nullified or suppressed. 39 This led to demands for Congress to act and the House received from the Senate an amendment which read: "The right of citizens of the United States to vote and hold office shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude." In the debates which took place in the House on February 20, 1869, Congressman Logan desired "to strike out the words 'and hold office,' so that the resolution shall be left in the precise language in which it was sustained by the House and went to the Senate." This phrase was not needed for the Constitution intended "to leave to the States" the determination of "what persons should hold office." To believe that it was necessary to add these words "to give the colored people the right to vote is all imagination. There is no law for it whatever." The only thing that was really required was "to give all men without regard to race or color the right of suffrage, and when we

38 Conwell, Biography of Logan, 190.
39 Dunning, Reconstruction, Political and Economic, 135.
give them the right to vote they will take care of the right to hold office." It would be up to the Senate to agree. The vote on Logan's amendment was unfavorable. The proposed amendment, as finally accepted, read: "The right of citizens of the United States to vote and hold office shall not be denied or abridged by any State on account of race, color, nativity, property, creed, or previous condition of servitude." The Senate would not agree to this and so a conference of the two houses met. Logan was one of three House members appointed to the conference committee on February 23. Two days later the committee reported that the House receded from its amendments and accepted the Senate's resolution with the following modification—elimination of the words "or hold office." The Senate agreed to this. On the same day the House voted favorably on the amendment as it now stands. Former Generals Logan, Butler and Banks concurred; thus John A. Logan's views prevailed.

Logan played a substantial role in Congress during the discussions over the readmission of Virginia into the Union. At the election in July 1869, this state had adopted its new constitution, but had voted down the proscriptive clauses. A moderate Republican was elected and a legislature chosen also. On October 8, 1869, the Fourteenth and

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Congressional Globe, 40 Cong., 3 sess., pt. 2, 1426.
Ibid., 1470.
Ibid., pt. 3, 1563-61.
Fifteenth Amendments were ratified by the legislature, and "Old Dominion" was ready for readmission.\textsuperscript{43}

In his first annual message on December 6, 1869, President Grant recommended that "her Senators and Representatives be promptly admitted to their seats, and that the State be fully restored to its place in the family of States."\textsuperscript{44} When Congress assembled in December it found in Washington a committee from Virginia pressing for the admittance of its state. This group planned to call upon the reconstruction committee, but saw its chairman first. The delegation was greeted with suspicion from Benjamin F. Butler. The former general really wondered whether the Virginians had reformed themselves.\textsuperscript{45} He was afraid the story of Georgia would be repeated again. After this state had been admitted, it "denied the right of colored members to hold seats in the Legislature." Butler said they should include in their memorial a pledge "that the provisions of the Constitution, as it now stands, will be faithfully carried out and no trickery done, as in the case of Georgia. . . ." This they agreed to do.\textsuperscript{46}

The reconstruction committee produced a bill which would require the members of the Virginia Legislature to subscribe to a test oath.

\textsuperscript{43}Eckenrode, Virginia During Reconstruction, 126-27.
\textsuperscript{44}Richardson, Messages and Papers, VII, 29.
\textsuperscript{45}William B. Hesseltine, Ulysses S. Grant, Politician, 187.
\textsuperscript{46}New York Tribune, Dec. 9, 1869.
It also would give assurance that there would be no disfranchisement of Negroes, and that they could serve on juries. Congressman Bingham disapproved of this procedure and introduced a substitute which would admit Virginia without conditions.

In discussing the conditions which would be placed upon Virginia's entrance into the Union, Logan argued that "it makes no difference what conditions you put in your act... she will have the same rights," once in the Union, "that any other State... has, and your conditions will amount to nothing whatever unless you have some power to enforce them" and in case of violation have penalties ready. On January 11, Logan admitted that Congress had "the power to affix certain conditions to the admission of a State into the Union." But, he wondered whether it was proper at times to do it. The Illinois Representative then stated that he was going to vote for Bingham's substitute "which imposes no further conditions. If I cannot get that, then I will take the next best thing for the purpose of accomplishing her admission." He reminded the members of the House that Virginia had followed every condition laid down by Congress, and that the President recommended her admittance. Logan questioned whether it was honorable for Congress "to say to Virginia that although she has complied with all the conditions imposed by us she must comply with other conditions before she shall be admitted?" He stated simply, "It is a

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17 Congressional Globe, 41 Cong., 2 sess., pt. 1, Jan. 11, 1870, 362.

18 Ibid., Jan. 12, 402.
question now whether Congress will do what it said it would do or not. It is a question whether the representatives of the people are honorable men or not." Grant, since he had given his message, had said nothing to Congress about further interrogation on Virginia's admission.  

Bingham's substitute was adopted by the House on January 14, 1870, 98 to 95. Former generals Logan and Banks voted for this sound and non-radical measure. Another former officer, Benjamin F. Butler, was not in the House when the vote occurred. The Senate refused to go along with the House and finally it was agreed to admit Virginia with conditions attached. Congressman Logan, Banks and Butler voted for this bill.

Before this final action, Logan recalled for his colleagues that he had voted "for the admission of Virginia without conditions. I did not so vote because I was voting with the Republican party or against the Republican party. I did it because I thought it was right. ..." Again he repeated his former arguments that Congress should uphold its part of the contract since Virginia had sustained hers. He did not feel that he was inconsistent now that he was going to vote for

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19 Congressional Globe, 492-93. See also the New York Tribune, Jan. 15, 1870.

50 Ibid., 41 Cong., 2 sess., pt. 1, 502.

51 William B. Hesseltine, Ulysses S. Grant, Politician, 187.

Virginia's admittance with conditions. He agreed with Butler that the conditions were simply nothing more "than a notice to Virginia that she had better behave herself." A summary of why he was to accept the amendments of the Senate followed:

... I shall vote to concur... not because I agree with the Senate in every particular, not because I agree that these conditions ought to be imposed, ... but I shall vote for it because I am in favor of the admission of the State at the earliest practicable moment so as to get these vexed questions that have been before Congress... for years past out of the way; that this strife may pass away from the Halls of Congress; that all the States may again take their positions here in the family of States... 53

In the entire debate over the admission of Virginia with or without conditions Logan displayed a somewhat conciliatory attitude toward the South.

The first of the well-known "Force Acts" was passed on May 31, 1870. Penalties were set up for any violations of the suffrage right as guaranteed by the Fifteenth Amendment. The Civil Rights Act of 1866 was brought forth again, and any violations of the Fourteenth Amendment would result in penalties being inflicted. 54 Former generals John A. Logan, Nathaniel P. Banks and Benjamin F. Butler voted for this measure. 55 Congressman Logan continued to follow the


54 Dunning, Reconstruction, Political and Economic, 184.

55 Congressional Globe, 41 Cong., 2 sess., pt. 5, May 27, 1870, 3884.
lead of the radical Republican Congress by voting with Butler for the
second of these proposals, an Act to Enforce the Right to Vote. This
was passed by the House on February 15, 1871.\textsuperscript{56} By that law the
national government would supervise Congressional elections. The last
of the three measures, the "Ku-Klux Act,"\textsuperscript{57} which became a law in
April 1871, was likewise supported by Senator Logan.\textsuperscript{58} He had been
chosen by the Illinois Legislature to be a Senator commencing March 4,
1871.\textsuperscript{59}

There had been interest for some time in a general amnesty for
those still burdened by the requirements of the Fourteenth Amendment.
In the Senate, Sumner was a block to the passage of such a bill. He
insisted that his civil rights views be coupled with amnesty. The
Massachusetts Senator wanted a Federal law to eliminate discrimination
against Negroes in hotels, schools, juries and railways.\textsuperscript{60} Benjamin
F. Butler's proposal removing political disabilities from all but 500
to 750 individuals passed in the House\textsuperscript{61} and was taken up by the

\textsuperscript{56}Congressional Globe, 41 Cong., 3 sess., pt. 2, 1285.
\textsuperscript{57}See pages 39, 334-35.
\textsuperscript{58}Congressional Globe, 42 Cong., 1 sess., pt. 2, April 19,
1871, 831. Logan's voice was noticeably silent during the discussions
in the Senate.
\textsuperscript{59}Dawson, Life of Logan, 197.
\textsuperscript{60}Dunning, Reconstruction, Political and Economic, 214.
\textsuperscript{61}Congressional Globe, 42 Cong., 2 sess., pt. 4, May 13, 1872,
3382.
Senate. This general amnesty bill was approved by Logan and the Senate on May 21, 1872. The vote was 38 to 2 with only Senators Sumner and Nye voting against it.\(^62\) The Senator from Massachusetts had tried once again to couple passage of such a measure with a civil rights amendment; however it failed 13 to 29.\(^63\) Logan voted with the majority against Sumner. The Senate was informed by the former general that he had "been for amnesty all the time." Then it was related that he had voted against adding a civil rights bill on "as an amendment" to the amnesty proposal "every time the vote was taken."\(^64\)

Logan expressed some significant opinions on amnesty and civil rights while in the upper chamber of Congress. On May 9, 1872, he had stated that he was "as good a friend to the colored race as any gentleman in this Senate Chamber" but he simply was not noisy about it. The Negroes "should have every right that I have. . . ." He objected to Sumner's attitude and pointed out how the civil rights bill was checking passage of an amnesty measure. Logan felt he should

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\(^62\) *Congressional Globe*, 42 Cong., 2 sess., pt. 5, 3738.

\(^63\) *Ibid.*, Sumner said he was "for amnesty, provided it can be associated with the equal rights of the colored race; but if not so associated, then, . . . I am against it." Logan voted for a civil rights plan in the Senate on May 21, which Sumner considered an "emasculated civil rights bill" since it said nothing about equal rights in schools and in the jury box. *Congressional Globe*, 42 Cong., 2 sess., pt. 5, 3735-37.

\(^64\) *Congressional Globe*, 42 Cong., 2 sess., pt. 5, May 21, 1872, 3732.
not link the two bills; it was, in fact, not in the best interest of the Republican party.\footnote{Congressional Globe, 42 Cong., 2 sess., pt. 4, 3260.}

In another discussion on civil rights in regard to schools, Logan remarked that Illinois had settled the question of common schools. It was related that he voted against a civil rights proposal "as an amendment to the amnesty bill, . . . on the ground that it interfered with State laws." The former military hero continued:

I was willing to vote for any proposition that would not have interfered with the laws of the States; but I find gentlemen who are not willing to be as accommodating on my side. I say that where you interfere with State laws you will do more injury to the colored people than you will by passing a law leaving that matter out to be regulated by the States to suit themselves, as has been done in nearly every . . . State.\footnote{Ibid., pt. 5, May 21, 1872, 3735.}

Senator Logan supported the Republican party and its Presidential candidate in 1872. In an October speech at El Paso, Illinois, he reviewed the accomplishments of the Republican party during reconstruction. He recalled how the freedmen were assisted and how finally the Fifteenth Amendment was adopted. The audience was then asked what fault could they as "Democrats and Republicans," find with the "Republican party, or . . . the government, or its administration of the affairs of the nation. . . ?" The orator concluded:

Let us go forward in the way we have been doing. Let us try to keep the laws just and pure as we have been doing. In voting for Grant you vote for prosperity, for peace,
for civilization, for Christianity, for the grandest glory that ever shone around a republic in the history of the world. 67

On September 29, 1874, the former general addressed a large crowd in Indianapolis. In referring to the civil rights bill, 68 it was pointed out that the Democratic party objected to it. The Democrats claimed that the measure allowed "colored men to go to school; ... to be buried; ... to go to the theatre; ... and to stop at a hotel." Logan then declared what the proposal did not allow. "It says in substance that the Legislatures of the States shall not deprive the people of those rights. It does not say that the colored man and the white man shall go to school together, but it says that you shall not deprive him of the same facilities for education that you give to others." 69 If any one listening to him desired

67 John A. Logan Papers (copies of speeches).

68 Logan probably had in mind Sumner's amended bill which had been passed by the Senate on May 22, 1874, but which had not been acted upon by the House.

69 The bill stated "That all citizens... shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances,..., theatres,... and also of common schools,... supported,... by general taxation, and of cemeteries so supported,... and applicable alike to citizens of every race and color, regardless of any previous condition of servitude." The measure provided penalties only for persons who violated these rights. Logan's interpretation of the bill was geared to satisfy, in all probability, individuals who objected to mixed schools. Congressional Record, 43 Cong., 1 sess., pt. 5, p175-76.
a law "to prohibit a poor colored man from enjoying the same rights of education" as himself, the speaker pitied that person. 70

Logan had some significant comments to make on General Hancock during the political campaign of 1880. On September 8 at Evansville, Indiana, the speaker refused to criticize the general's military record. However, doubts were raised about his experience "in civil affairs." The only time when his "statesmanship was tried" was in the Fifth Military District. There, the reconstruction laws were defied by him and General Sheridan's orders revoked. The latter's instructions had been obedient to those laws. "A nullifer is a proper candidate of a party," remarked the orator, "which has once rebelled against all laws, and which now obstructs the execution of all laws not made by itself." 71

In reflecting upon the reconstruction problem, Logan felt the South at first "seemed to reconcile itself in good faith to the legitimate results of the War." But not too long a period went by before the South's "old leaders and their successors" started to rebuild the "foundations" of the "Lost Cause." They were aided in their efforts by the "magnanimity of the Republican Party, in hastily

70 John A. Logan Papers (Vol. no. 5 box). A civil rights bill became a law on March 1, 1875, after Sumner's death. It was not as broad in its coverage as he had desired, and did not contain the school clause. This measure was passed by the Senate on Feb. 27. The vote was 38 to 26 with Logan casting an affirmative vote. Congressional Record, 43 Cong., 2 sess., pt. 3, 1870.

71 Speech appears in The Evansville Journal, John A. Logan Papers.
removing the political disabilities of those leaders." Disfranchise-
ment was removed "from class after class" through the years. Some of
the Southern leaders plotted for "a future triumph for the 'Lost
Cause,'" by overthrowing "Loyal governments of the Southern States,
by any and all means. . . ." A "new Confederation, or league" would
thereby be established, with its own unwritten constitution. This
"Solid South" would rebuild itself, gain strength, and develop
"practical autonomy and Sectional Independence within the Union."
Also "a practical re-enslavement of the Blacks" would occur. The
method used to gain their goal was that of "riding around the country
at dead of night, whipping prominent Republican whites and Negroes to
death, . . . or hanging them. . . ." The Southerners would thus gain
control of the polls and win the elections. The "old Rebel leaders"
found this approach worked well. When complaints were heard, they
were laughed "out of Court with the cry that such stories are not
ture. . . ." After reading this work one must conclude that Logan
certainly became a Radical of Radicals in regard to the Southern
question.

In his Cooper Institute speech in the late spring of 1865,
Logan appeared to be a moderate toward the South and favorable to
Johnson. But a loophole was left in his position so that he could
change if the need arose. As the months passed by and the split
between Congress and the President increased, the politician carefully

72John A. Logan, The Great Conspiracy: Its Origin and History,
652-57.
observed the situation. The writer feels that the influx of former
rebels into Washington helped to direct a very patriotic Logan along
the radical path. Perhaps he felt that politically it would be the
correct course to follow. As his antagonism toward Johnson mounted,
he became more severe toward the South. However, even with the pre-
dominence of radicalism, there were certain tendencies in the direc-
tion of leniency displayed by Logan. This was obvious when he
favored admitting Virginia with no additional conditions, and in his
support of the Amnesty Act of 1872.
We now have observed rather closely the attitudes of ten leading Union generals toward the South during the difficult and exasperating period of Reconstruction. Each one of these individuals had participated in and had witnessed thoroughly the horrors of warfare. They were extremely interested in preserving the Union and in varying degrees, they helped to guide the North to a successful conclusion of the fratricidal struggle. They also had acquired first hand experience in dealing with the enemy and could not have escaped from forming significant viewpoints in regard to the South. After the war was over, one might wonder whether these officers would be harsh and vindictive toward their fallen adversary.

After a careful examination of the pertinent facts, the writer feels that, with certain exceptions, the Northern military mind, exemplified by these ten men, was not vindictive, bitter or harsh toward the South. Generals Sherman, Hancock and Schofield were among the most lenient in their approach to the Southern question. The process of restoring the Union to its former condition would not have been a repressive drawn-out procedure if the views of Sherman had prevailed. He had acquired a keen understanding of the Southerners and their way of life. Hancock illustrated to a high degree the virtue of moderation. As far as the Southerners were concerned, much to the displeasure
of Northern Radicals, he executed the reconstruction laws in the least offensive manner. This was also true of Schofield who regretted that passions and feelings were rampant and that they were the controlling elements during the restoration period. As Secretary of War, he felt that Jefferson Davis should have been granted amnesty along with others. To have excepted the Confederate President would simply have drawn more attention to him. Even though he felt the Fourteenth Amendment to be unwise, he recommended that Virginia accept it to escape an even worse fate.

General Thomas was a soldier through and through and had a very strong attachment for the Union, his oath and his nation. This Southerner displayed a somewhat more strict attitude toward the South than those already mentioned. However, no bitterness was harbored in his heart for his native countrymen, even though he had been ostracized for remaining loyal to the North. Although he differed with Sherman on the use of blacks as soldiers, Thomas was of the opinion that they were in no condition to become citizens immediately. If any former rebel tried to take advantage of the Negroes, he would react in a summary fashion. On the whole, however, he sought information from Washington before he took an important step. The general interfered in local affairs when it was felt the situation demanded such action. This he did more often than did either Hancock or Schofield.

Like Thomas, the Commissioner of the Freedmen's Bureau was genuinely interested in the welfare of the freedmen. Since he was
continually striving for the betterment of the colored race, he was considered a Radical by many of the Southerners. Howard, in fact, classified himself a Radical, and he showed some tendencies toward that classification when he favored the Fourteenth Amendment. He and his agents also helped to gather information which was used by the Radicals in drawing up repressive legislation. Still his actions must be considered in the light of the fact that he was the bureau head and had a job to perform. However, he could not be considered as revengeful toward the defeated enemy as was Stevens, Sumner or Wade. The general was too much of an honest Christian to be a true Radical. As commissioner he attempted to bring about good will between the Negroes and their white neighbors. To the recalcitrants of the South, he would be firm yet Christian in his approach. A consideration for the sensitivity of Southern whites was obvious when he declined to use additional blacks as agents in the bureau. Howard's connection with the bureau brought about much of the conservative criticism directed against him.

Vindictiveness and harshness toward the South were portrayed by Sheridan. He was the most repressive of the regular army men considered by the author. But even in this case, definite traits of leniency were evinced in the period immediately after the conflict. This was apparent in his communication to Johnson in November 1865. Before that year had ended, the officer showed evidences of severity to his former opponent. Two factors must be
reckoned with in any analysis of Sheridan's vindictiveness. First, the area under his direction presented difficult problems to solve. Furthermore, the inflammable nature and temper of the general did not suit him for the position as a military commander in the South. Even as late as March 1866, he displayed no radical belief in regard to the Negro question. As little legislation as possible by the government would solve the problem, which would be worked out by the law of necessity. Sheridan commenced to veer away from Johnson when the latter deleted part of his report on the New Orleans Riot. In his dispute with the President the general certainly was supported and encouraged by his superior, Grant. The disagreement with Johnson then was a significant factor in the shift of Sheridan into the Radical camp. As Grant became more radical, at least apparently so, Sheridan followed in his footsteps.

There were a number of instances of early magnanimity toward the South exhibited by Grant. As late as the summer of the campaign year of 1866, some of the Radicals wondered whether he was for Johnson or Congress in their quarrel. However, as the months rolled by a gulf between the President and his general widened. Grant was undoubtedly influenced by his political advisers, who may have engineered the shift for political reasons. The Victor at Appomattox objected to Johnson's veto of the reconstruction bill in March 1867, and by August was of the opinion that Congress and not the President should direct restoration. Grant expressed the view that conditions in the South brought about his modified ideas
regarding the Southern problem. Other factors also played a major role in his turn from conservatism and leniency to apparent radicalism. The most important were his dissension with Johnson over the Secretary of War post and the removal of his very good friend Sheridan from command of the Fifth District. While outwardly appearing to be a Radical, as President, at times Grant showed signs of a conciliatory bent toward the South. This was especially true when he recommended that Virginia and Mississippi be permitted to vote separately on the restrictive clauses of their constitutions. To a certain extent, Grant must remain an enigma for it is exasperating to explain his matured views that much of the reconstruction legislation "was unconstitutional," and that the blacks were given too hastily "the responsibility of citizenship." Of course hindsight is easier to comprehend than foresight. The writer has come to the conclusion that basically he was a moderate who assumed the mantle of radicalism because of political necessity. He really was not vindictive or harsh by nature.

Nathaniel P. Banks, a political general, evinced a fundamental conciliatory attitude toward the Confederacy even while the war was in progress. He was definitely a believer in Lincoln's moderate approach to the Southern question. After the conflict had ended and he had turned to politics, more radical tones were discernible in his pronouncements, but at the same time he continued to defend his restoration policies in Louisiana. It is very likely that as a congressman he felt that it was politically
correct to join the Radicals. Even though Banks voted most of the
times with Stevens and company, it did not appear that he whole­
heartedly espoused their opinions. His basic leaning toward
moderation helped to guide him along into the Greeley bandstand,
and it cost him his seat in the House.

General Logan was similar in a way to Sheridan in that he
supported Johnson immediately after the war. Logan favored a con­
servative policy toward the South. But he did not like the struggle
which developed between Congress and the Chief Executive. By the
election year of 1866, Logan jumped aboard the radical bandwagon.
He may have felt that Johnson would be on the losing side, and the
influx of former rebels into Washington definitely disturbed him.
Waving the bloody shirt was indeed a very popular thing and Logan
became proficient in it. A certain inclination to revert to
moderation was noticeable when he voted to admit Virginia without
restrictions. By 1870, he was anxious, as others also were, to
eliminate the trying questions of reconstruction from the halls of
the nation's capital. But in this period he was essentially a
Radical and voted for the restrictive force acts.

The most thoroughly vindictive of the generals considered was
Benjamin F. Butler. The experiences he encountered in New Orleans
affected his attitude toward the South. After Johnson refused to
heed the advice which he offered, Butler drifted into active oppo­
tion to the President. Southern Negroes and loyalists continued
to besiege him with letters on conditions in the South and consequently
Butler became one of the foremost Radicals of the period. In spite of this rather thick repressive and harsh exterior, one could at times discern a moderate strain which was apparent in personal communications. Perhaps again political expediency was a factor to be considered in any analysis of the "Beast."

If reconstruction or restoration of the South had been directed completely by the Northern generals who had fought the war, the story of that period of United States history might have been quite different. A definite lenient and conciliatory attitude toward the South was evinced in the immediate postwar era by all these officers with the exception of Butler. He supported Johnson at first because he thought that the Chief Executive was going to be strict at least with the most treasonable Southerners. In this he was eventually disappointed. Political considerations largely, it would seem, weaned Logan, Banks and Grant, the latter two at least outwardly, away from their early moderate views. General Sheridan appears to be in a separate category. Antagonism toward Johnson, encouraged by Grant, was a significant factor in Sheridan's shift of position. The Northern military mind on the whole then, in spite of its several deviations, was fundamentally moderate and conciliatory in its approach to the Southern question.
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I, William John Ulrich, was born in Columbus, Ohio, November 1, 1920. I received my secondary school education in the parochial schools of Columbus, Ohio, and my undergraduate training at Ohio State University, which granted me the Bachelor of Arts degree in 1942. From the same university, I received the Master of Arts degree in 1948. While in residence there as a graduate student, I was a student assistant in the History Department from 1948 to 1950 and a graduate assistant from 1951 to 1953. I held an assistantship in the same department during the Spring Quarter of 1952. As an undergraduate I became a member of Phi Alpha Theta and as a graduate student I was President of Zeta Chapter from 1952 to 1953.