CIVIL WAR 150 • READER #6

The WAR at HOME

Introduction by Stephanie McCurry

CIVIL WAR 150: Exploring the War and Its Meaning Through the Words of Those Who Lived It

is a national public programming initiative designed to encourage public exploration of the transformative impact and contested meanings of the Civil War through primary documents and firsthand accounts.

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Introduction

THE WAR AT HOME

Addressing the Mississippi legislature in December 1862, Jefferson Davis expressed shock at the scale of the ongoing conflict. “I have been one of those,” he said, “who, from the beginning, looked forward to a long and bloody war; but I must frankly confess that its magnitude has exceeded my expectations.” Davis openly acknowledged that the Confederacy’s resort to conscription earlier in the year, and the subsequent decision to grant exemptions to men who owned twenty or more slaves, had fueled class conflict: “It has been said that it exempts the rich from military service, and forces the poor to fight the battles of the country.” The Confederate president also confessed surprise at the extent of the Union’s commitment to the successful prosecution of the war, admitting that the “enemy have displayed more power and energy and resources than I had attributed to them.”

That Davis failed to anticipate the extraordinary Union commitment of resources to the conflict is hardly surprising. But by the end of 1862 the terrible toll of Union battlefield casualties, continual military failure in the eastern theater, the controversial turn to slave emancipation, and the imminent prospect of a draft had many supporters of the Union cause worried about precisely the question addressed by Philadelphia lawyer Charles J. Stillé in his popular pamphlet How a Free People Conduct a Long War. The end of the year found both the people and the leadership of the Union and Confederacy alike struggling with a painful new recognition of the magnitude of the war. 1863 would be a year of reckoning in both societies: in the Confederacy, over the consequences of conscription in a rural slave-holding republic and the legitimacy of the government’s aggressively centralizing military policies; in the Union, over the explosive mixture of emancipation and conscription and the constitutionality of war measures so muscular they constituted, so critics said, a military despotism.
The parallels between the challenges faced by the two societies at war should not be exaggerated: the extent of the mobilization for war in the Confederacy and the extraordinary government efforts required to man, supply and feed its armies, created levels of social hardship that far exceeded anything experienced in the North. By 1863 the Confederate army virtually controlled the southern food supply, and with mobilization rates reaching 75–85 percent of military age males in some areas, the Confederate home front was stripped of white men. Even as slaveholding families refused to let the army requisition their slaves and used exemption laws to keep their sons and husbands at home, women and children from the Confederacy’s huge class of nonslaveholders (fully two-thirds of white households) were left to eke out subsistence alone on the region’s many small farms. In the spring of 1863, as the Confederate War Department warned of a food crisis so acute it threatened starvation, a wave of food riots swept across the Confederacy from Mobile, Alabama, to Richmond, Virginia. The riots were not the result of a Yankee conspiracy, as some asserted, but were organized by women drawn mostly from the ranks of impoverished soldiers’ wives. Combined with a peace movement that flourished in North Carolina in the summer of 1863, the food riots registered the dire conditions of everyday life in the Confederacy and an increasing level of political dissent that took on overtly class lines. With no formal party structure to channel opposition or rally support, the Davis administration held on, attempting to work with state governors (some openly hostile) to feed the population and impress slave labor for the military, all the while diverting scarce military manpower to the violent suppression of bands of deserters and unionist guerrillas. White men subject to seizure by conscription officers accused their government of treating them as if they were slaves, and, indeed, the level of centralized coercive power required to wage the Confederate war starkly contradicted the state rights’ principles on which the slaveholders’ republic had been built.

Matters were very different in the Union, where the Lincoln administration forged highly effective relationships with industrialists and Wall Street financiers, most people were spared real hardship, and a huge army was initially raised and sustained on a voluntary basis. But in early 1863 the Union was driven by
necessity to adopt a draft law, the provisions of which, including the exemption of persons who paid a $300 commutation fee, increased class conflict in the North. In July 1863 deadly rioting broke out in New York, a Democratic city, as white mobs lynched black men to protest forcing whites to serve in a war for slave emancipation. The violence revealed ethnic, racial, and political divisions in northern society. Like many Republicans, George Templeton Strong blamed the riots on Irish immigrants stirred up by anti-war Democrats, while Maria Lydig Daly, like many Democratic supporters of the war, decried the mob’s cruelty while denouncing free blacks as “insolent,” “immoral,” and “unbearable.”

Unlike in the Confederacy, political opposition to administration measures in the Union was channeled through (and thus contained by) party lines. The Democratic Party denounced the Emancipation Proclamation, the suspension of habeas corpus, and the draft as blatantly unconstitutional measures that infringed civil and political liberty and accused the Lincoln administration of establishing a military dictatorship. In February 1863 Democratic congressman Clement L. Vallandigham warned that under the draft bill “the freedom of the negro” would be purchased “at the sacrifice of every right of the white men of the United States.” Less than three months later Vallandigham was convicted by a military commission of “declaring disloyal sentiments and opinions” and expelled by presidential order into Confederate-held territory. Lincoln defended his treatment of civil liberty in wartime in a brilliantly written public letter and persisted in enforcing the draft after the New York riots. In both North and South there proved to be sufficient support for the war among soldiers and civilians for it to continue into 1864. How long that support could be maintained during a presidential election in the North and unprecedented Union offensives in the South remained an open question.

Stephanie McCurry
Christopher H. Browne Distinguished Professor of History, University of Pennsylvania
“Servile War” and “Despotism”: Maryland, September 1862

George B. McClellan to William H. Aspinwall

In a letter dated July 7, 1862, George B. McClellan, the commander of the Army of the Potomac, had advised President Lincoln that the “forcible abolition of slavery” should not “be contemplated for a minute” and that military arrests “should not be tolerated, except in places where active hostilities exist.” Any declaration of “radical views, especially upon slavery,” McClellan warned the President, “will rapidly disintegrate our present Armies.” Lincoln issued the preliminary Emancipation Proclamation on September 22, and two days later suspended the writ of habeas corpus nationwide while ordering military trials for persons aiding the rebellion, discouraging volunteer enlistments, or resisting militia drafts. McClellan wrote about the two proclamations to William H. Aspinwall, a wealthy New York businessman and financier active in Democratic politics.

Head-Quarters Army of the Potomac, Sharpsburg Sept 26, 1862

My dear Sir

I am very anxious to know how you and men like you regard the recent Proclamations of the Presdt inaugurating servile war, emancipating the slaves, & at one stroke of the pen changing our free institutions into a despotism—for such I regard as the natural effect of the last Proclamation suspending the Habeas Corpus throughout the land.

I shall probably be in this vicinity for some days &c, if you regard the matter as gravely as I do, would be glad to communicate with you.

In haste I am sincerely yours

Geo B McClellan

Wm H Aspinwall esq
New York City
Jefferson Davis: from Address to the Mississippi Legislature

December 26, 1862

Jefferson Davis addressed the Mississippi legislature in Jackson during an inspection tour of the western theater. In his speech Davis defended the conscription and exemption acts passed by the Confederate Congress in April, September, and October 1862, which had extended all one-year voluntary enlistments to three years, made white males between eighteen and thirty-five (extended in September to forty-five) liable to be drafted, and established a series of exempted occupations. The most controversial provision, adopted on October 11, exempted one white male from every plantation with twenty or more slaves.

You in Mississippi, have but little experienced as yet the horrors of the war. You have seen but little of the savage manner in which it is waged by your barbarous enemies. It has been my fortune to witness it in all its terrors; in a part of the country where old men have been torn from their homes, carried into captivity and immured in distant dungeons, and where delicate women have been insulted by a brutal soldiery and forced even to cook for the dirty Yankee invaders; where property has been wantonly destroyed, the country ravaged, and every outrage committed. And it is with these people that our fathers formed a union and a solemn compact. There is indeed a difference between the two peoples. Let no man hug the delusion that there can be renewed association between them. Our enemies are a traditionless and a homeless race; from the time of Cromwell to the present moment they have been disturbers of the peace of the world. Gathered together by Cromwell from the bogs and fens of the North of Ireland and of England, they commenced by disturbing the peace of their own country; they disturbed Holland, to which they fled,
and they disturbed England on their return. They persecuted Catholics in England, and they hung Quakers and witches in America. Having been hurried into a war with a people so devoid of every mark of civilization you have no doubt wondered that I have not carried out the policy, which I had intended should be our policy, of fighting our battles on the fields of the enemy instead of suffering him to fight them on ours. This was not the result of my will, but of the power of the enemy. They had at their command all the accumulated wealth of seventy years—the military stores which had been laid up during that time. They had grown rich from the taxes wrung from you for the establishing and supporting their manufacturing institutions. We have entered upon a conflict with a nation contiguous to us in territory, and vastly superior to us in numbers. In the face of these facts the wonder is not that we have done little, but that we have done so much. In the first year of the war our forces were sent into the field poorly armed, and were far inferior in number to the enemy. We were compelled even to arm ourselves by the capture of weapons taken from the foe on the battle-field. Thus in every battle we exchanged our arms for those of the invaders. At the end of twelve months of the war, it was still necessary for us to adopt some expedient to enable us to maintain our ground. The only expedient remaining to us was to call on those brave men who had entered the service of their country at the beginning of the war, supposing that the conflict was to last but a short time, and that they would not be long absent from their homes. The only expedient, I say, was to call on these gallant men; to ask them to maintain their position in front of the enemy, and to surrender for a time their hopes of soon returning to their families and their friends. And nobly did they respond to the call. They answered that they were willing to stay, that they were willing to maintain their position and to breast the tide of invasion. But it was not just that they should stand alone. They asked that the men who had stayed at home—who had thus far been sluggards in the cause—should be forced, likewise, to meet the enemy. From this, resulted the law of Congress, which is known as the conscription act, which declared all men, from the age of eighteen to the age of thirty-five, to be liable to enrolment in the Confederate service. I regret that there has
been some prejudice excited against that act, and that it has been subjected to harsher criticism than it deserves. And here I may say that an erroneous impression appears to prevail in regard to this act. It is no disgrace to be brought into the army by conscription. There is no more reason to expect from the citizen voluntary service in the army than to expect voluntary labor on the public roads or the voluntary payment of taxes. But these things we do not expect. We assess the property of the citizen, we appoint tax-gatherers; why should we not likewise distribute equally the labor, and enforce equally the obligation of defending the country from its enemies? I repeat that it is no disgrace to any one to be conscribed, but it is a glory for those who do not wait for the conscription. Thus resulted the conscription act; and thence arose the necessity for the exemption act. That necessity was met; but when it was found that under these acts enough men were not drawn into the ranks of the army to fulfill the purposes intended, it became necessary to pass another exemption act, and another conscription act. It is only of this latter that I desire now to speak. Its policy was to leave at home those men needed to conduct the administration, and those who might be required to support and maintain the industry of the country—in other words, to exempt from military service those whose labor, employed in other avocations, might be more profitable to the country and to the government, than in the ranks of the army.

I am told that this act has excited some discontent and that it has provoked censure, far more severe, I believe, than it deserves. It has been said that it exempts the rich from military service, and forces the poor to fight the battles of the country. The poor do, indeed, fight the battles of the country. It is the poor who save nations and make revolutions. But is it true that in this war the men of property have shrunk from the ordeal of the battle-field? Look through the army; cast your eyes upon the maimed heroes of the war whom you meet in your streets and in the hospitals; remember the martyrs of the conflict; and I am sure you will find among them more than a fair proportion drawn from the ranks of men of property. The object of that portion of the act which exempts those having charge of twenty or more negroes, was not to draw any distinction of classes, but simply to provide a force, in the nature of a police
force, sufficient to keep our negroes in control. This was the sole object of the clause. Had it been otherwise, it would never have received my signature. As I have already said, we have no cause to complain of the rich. All of our people have done well; and, while the poor have nobly discharged their duties, most of the wealthiest and most distinguished families of the South have representatives in the ranks. I take, as an example, the case of one of your own representatives in Congress, who was nominated for Congress and elected; but still did a sentinel’s duty until Congress met. Nor is this a solitary instance, for men of the largest fortune in Mississippi are now serving in the ranks.
On December 13, 1862, more than 100,000 Union troops launched a series of unsuccessful frontal assaults on the 72,000 Confederates deployed along the heights overlooking Fredericksburg, Virginia, that cost the Army of the Potomac 12,653 men killed, wounded, or missing. Founded in 1857, Harper’s Weekly was one of three major illustrated journals in the North, with a weekly circulation of more than 100,000 copies. Its editorial on Fredericksburg (which contained several factual errors) appeared as northern morale plunged to one of its lowest points of the war.

THE REVERSE AT FREDERICKSBURG.

We have again to report a disastrous reverse to our arms. Defeated with great slaughter in the battle of 13th, General Burnside has now withdrawn the army of the Potomac to the north side of Rappahannock, where the people congratulate themselves that it is at least in safety. And now, who is responsible for this terrible repulse?

General Burnside was appointed to the command of the army of the Potomac on 9th November, and began at once to prepare to shift the base and line of march of his army toward Fredericksburg. In view of such a movement General McClellan had, before his removal, suggested the propriety of rebuilding and occupying the railroad from Aquia Creek to Falmouth; but, for some reason not apparent, the War Department had not acted upon the suggestion. About 12th November General Burnside notified the Department that he would arrive at Fredericksburg in about a week, and that pontoons must be there by that time, in order to enable him to cross and
occupy the hills on the south side of the river. On the 21st General Sumner arrived at Fredericksburg, and found that there was not a pontoon there, and the railroad between Aquia Creek and Falmouth being out of order, there was no means of getting any, and no means of procuring supplies. It was absolutely impossible to cross the river, and the enemy were already arriving on the south side and throwing up earth-works.

General Burnside, on discovering this state of things, repaired instantly to Washington to ascertain why he was being sacrificed. What satisfaction he obtained no one knows. But a general officer, one of the most distinguished in the service, not in the army of the Potomac, as early as 23d November, made no secret of his opinion that the movement via Fredericksburg “was a failure,” because Burnside had been unable to occupy the south bank of the Rappahannock in time.

In the course of two weeks pontoons were furnished to the army, the railroad was repaired, and supplies were forthcoming. But, on the other hand, Lee, with 150,000 men, was strongly intrenched on the opposite side of the river, on two ranges of hills which command the slope at the foot of which the Rappahannock runs and Fredericksburg lies. The question was, what was to be done? A council of war was held on the night of 11th. At that council it is understood, that Generals Sumner, Franklin, Hooker, and all the corps commanders who had been invited were decidedly opposed to a movement across the river and up the slope. It is rumored that Burnside then said that he was ordered to cross the river and attack the batteries in front, and that we would do it, no matter what the cost. This of course closed the discussion, and the Generals made their preparations accordingly. On 12th the river was crossed without serious resistance. On 13th the rebel batteries were attacked in front by the bulk of Burnside’s army, and our troops were repulsed with a loss which is now variously estimated at from twelve to seventeen thousand men. The rebel loss is not known, but they can not have lost many score of men. On the night of 15–16th, General Burnside withdrew his army to the north side of the river.

We are indulging in no hyperbole when we say that these events are rapidly filling the heart of the loyal North with sickness, disgust, and despair. Party lines are becoming effaced by
such unequivocal evidences of administrative imbecility; it is
the men who have given and trusted the most, who now feel
most keenly that the Government is unfit for its office, and
that the most gallant efforts ever made by a cruelly tried people
are being neutralized by the obstinacy and incapacity of their
leaders. Where this will all end no one can see. But it must end
soon. The people have shown a patience, during the past year,
quite unexampled in history. They have borne, silently and
grimly, imbecility, treachery, failure, privation, loss of friends
and means, almost every suffering which can afflict a brave
people. But they can not be expected to suffer that such mas-
sacres as this at Fredericksburg shall be repeated. Matters are
rapidly ripening for a military dictatorship.
**DEBATING BLACK SOLDIERS:**
**WASHINGTON, D.C., FEBRUARY 1863**

*William Parker Cutler: Diary, February 2 and 9, 1863*

Congressman Thaddeus Stevens of Pennsylvania, a leading Radical Republican, introduced a bill on January 12, 1863, authorizing the enlistment of 150,000 black soldiers. After a debate in which opponents denounced the measure as “suicidal and seditious” and designed to “exterminate and drive out the white people” of the cotton states, the bill passed and was sent to the Senate. William Parker Cutler, a Republican congressman from Ohio, witnessed the final vote in the House and later discussed the issue of black soldiers with President Lincoln. The Stevens bill was withdrawn from consideration in the Senate after Henry Wilson, the Massachusetts Republican who chaired the Committee on Military Affairs, reported on February 13 that the president already had authority to enlist blacks under the Militia Act passed in July 1862.

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Feb 2  After a long contest over Mr Stevens bill to raise Negro regiments—it finally passed to day 83 to 54. The Democrats seemed determined to make capital out of the idea of putting a Negro on an equality with the white man—by making him a soldier. They have made every effort to rouse up the worst prejudices of the army & the people—& seem to glory & exult in the opportunity presented to degrade & tread down Gods image in the person of the Negro. Surely there is no solution to terrible complications of our situation except in power & strong arm of God himself. The Democrats claim a strong reaction in their favor—& seem intent only upon increasing the universal dissatisfaction & turning it all to their own account in building up a peace party. Political demagogues rule the hour—The people are bewildered & in the fog. The true friends of the govt & of the great principles which underlie this contest are groping around without a leader—absolutely no one to command entire confidence—& yet progress is
being made daily. This vote is a recognition of the Negros manhood—such as has never before been made by this nation. We say in the hour of peril—come save us. “Our God is marching on.”

Feb 9th  Called this morning on Pres. Lincoln to present him a petition signed by—say 30 members of Congress asking him to appoint Capt Carpenter of the famous Jessie Scouts as Col. of one of the Negro regiments—in case the bill passes the Senate. He said the great difficulty he feared was the treatment these Negroes would receive at first from the rebels in case they were captured. I remarked that it was the more important that the regiments should be of good material & well officered so as to take care of themselves in a fight. He assented quickly to this—But remarked that he was troubled to know what we should do with these people—Negroes—after peace came—I remarked that I supposed the same plantations that now required their labor would then need them just as much. He said that “Whatever you and me may think on these matters peoples opinions were every thing”—He seemed to be sticking in the bank because of the popular delusion that nothing can be done with the Negro if he is free. Interest will settle these questions—if land owners cant get the Negroes labor for nothing—he will pay him for it—that is all. Washburne of Ill. was in the room at the same time & read a letter from Grant at Vicksburg dated Jan 29th—in which he said the canal cut there was only 9 feet wide at the top & of course was of no account. He was trying a larger one—but thought he could take the place by getting a channel through into the Yazoo & operating from the Mississippi side. The Mississippi was then bank full. Lincoln said that Richmond papers stated that the gun boat which run the Vicksburg blockade was doing mischief below.
Ohio congressman Clement L. Vallandigham attended the final session of the 37th Congress as a lame duck after having been defeated for reelection in October 1862. A leader of the “Peace Democrats” who opposed emancipation and the continued prosecution of the war, Vallandigham gave a lengthy speech in the House on January 14 calling for an armistice, the withdrawal of Union troops from the seceded states, and negotiations aimed at peaceful reunion. He spoke again in February as the House debated the recently introduced conscription bill. Under its terms, male citizens (and immigrants applying for citizenship) between twenty and forty-five were subject to conscription if voluntary enlistments failed to fill the recruitment quota for their district. Men who were selected by lottery to be drafted could avoid service by hiring a substitute or by paying a $300 commutation fee. The bill passed the Senate, 35–11, and the House, 115–48, and was enacted on March 3, 1863.

I have already said that it is not my purpose to debate the general merits of this bill at large, and for the reason that I am satisfied that argument is of no avail here. I appeal, therefore, to the people. Before them I propose to try this great question—the question of constitutional power, and of the unwise and injudicious exercise of it in this bill. We have been compelled, repeatedly, since the 4th of March, 1861, to appeal to the same tribunal. We appealed to it at the recent election. And the people did pronounce judgment upon our appeal. The member from Pennsylvania ought to have heard their sentence, and I venture to say that he did hear it, on the night of the election. In Ohio they spoke as with the voice of many waters. The very question of summary and arbitrary arrests, now sanctioned in
this bill, was submitted, as a direct issue, to the people of that State, as also of other States, and their verdict was rendered upon it. The Democratic convention of Ohio assembled on the 4th of July, in the city of Columbus, the largest and best ever held in the State, among other resolutions of the same temper and spirit, adopted this without a dissenting voice:

“And we utterly condemn and denounce the repeated and gross violation, by the Executive of the United States, of the rights thus secured by the Constitution; and we also utterly repudiate and condemn the monstrous dogma, that in time of war the Constitution is suspended, or its power in any respect enlarged beyond the letter and true meaning of that instrument.

“And we view, also, with indignation and alarm, the illegal and unconstitutional seizure and imprisonment, for alleged political offenses, of our citizens, without judicial process, in States where such process is unobstructed, but by executive order by telegraph, or otherwise, and call upon all who uphold the Union, the Constitution, and the laws, to unite with us in denouncing and repelling such flagrant violation of the State and Federal Constitutions, and tyrannical infraction of the rights and liberties of American citizens; and that the people of this State CANNOT SAFELY AND WILL NOT SUBMIT to have the freedom of speech and freedom of the press, the two great and essential bulwarks of civil liberty, put down by unwarranted and despotic exertion of power.”

On that the judgment of the people was given at the October elections, and the party candidates nominated by the convention which adopted that resolution, were triumphantly elected. So, too, with the candidates of the same party in the States of Wisconsin, Illinois, Indiana, Pennsylvania, New Jersey, and New York. And, sir, that “healthy reaction,” recently, of which the member from Pennsylvania [Mr. Campbell] affected to boast, has escaped my keenest sense of vision. I see only that handwriting on the wall which the fingers of the people wrote against him and his party and this whole Administration, at the ballot-box, in October and November last. Talk to me, indeed, of the leniency of the Executive! too few arrests! too much forbearance by those in power! Sir, it is the people who have been too lenient. They have submitted to your oppressions and wrongs as no free people ought ever to submit. But the day of patient endurance has gone by at last.
Mistake them not. They will be lenient no longer. Abide by the Constitution, stand by the laws, restore the Union if you can restore it—not by force; you have tried that and failed. Try some other method now—the ancient, the approved, the reasonable way—the way in which the Union was first made. Surrender it not now—not yet—never. But unity is not Union; and attempt not, at your peril—I warn you—to coerce unity by the utter destruction of the Constitution and of the rights of the States and the liberties of the people. Union is liberty and consent; unity is despotism and force. For what was the Union ordained? As a splendid edifice, to attract the gaze and admiration of the world? As a magnificent temple—a stupendous superstructure of marble and iron, like this Capitol, upon whose lofty dome the bronzed image—hollow and inanimate—of freedom is soon to stand erect in colossal mockery, while the true spirit, the living goddess of liberty, veils her eyes and turns away her face in sorrow, because, upon the altar established here, and dedicated by our fathers to her worship, you, a false and most disloyal priesthood, offer up, night and morning, the mingled sacrifices of servitude and despotism? No, sir. It was for the sake of the altar, the service, the religion, the devotees, that the temple of the Union was first erected; and when these are all gone, let the edifice itself perish. Never—never—never—will the people consent to lose their own personal and political rights and liberties, to the end that you may delude and mock them with the splendid unity of despotism.

Sir, what are the bills which have passed, or are still before the House? The bill to give the President entire control of the currency—the purse—of the country. A tax bill to clothe him with power over the whole property of the country. A bill to put all power in his hands over the personal liberties of the people. A bill to indemnify him, and all under him, for every act of oppression and outrage already consummated. A bill to enable him to suspend the writ of habeas corpus, in order to justify or protect him, and every minion of his, in the arrests which he or they may choose to make—arrests, too, for mere opinions’ sake. Sir, some two hundred years ago, men were burned at the stake, subjected to the horrors of the Inquisition, to all the tortures that the devilish ingenuity of man could invent—for what? For opinions on questions of religion
—of man’s duty and relation to his God. And now, to-day, for opinions on questions political, under a free Government, in a country whose liberties were purchased by our fathers by seven years’ outpouring of blood, and expenditure of treasure—we have lived to see men, the born heirs of this precious inheritance, subjected to arrest and cruel imprisonment at the caprice of a President or a Secretary or a constable. And, as if that were not enough, a bill is introduced here to-day, and pressed forward to a vote, with the right of debate, indeed—extorted from you by the minority—but without the right to amend, with no more than the mere privilege of protest—a bill which enables the President to bring under his power, as Commander-in-Chief, every man in the United States between the ages of twenty and forty-five—three millions of men. And, as if not satisfied with that, this bill provides, further, that every other citizen, man, woman, and child, under twenty years of age and over forty-five, including those that may be exempt between these ages, shall be also at the mercy—so far as his personal liberty is concerned—of some miserable “provost marshal” with the rank of a captain of cavalry, who is never to see service in the field; and every congressional district in the United States is to be governed—yes, governed—by this petty satrap—this military eunuch—this Baba—and he even may be black—who is to do the bidding of your Sultan, or his Grand Vizier. Sir, you have but one step further to go—give him the symbols of his office—the Turkish bow-string and the sack.

What is it, sir, but a bill to abrogate the Constitution, to repeal all existing laws, to destroy all rights, to strike down the judiciary, and erect upon the ruins of civil and political liberty a stupendous superstructure of despotism. And for what? To enforce law? No, sir. It is admitted now by the legislation of Congress, and by the two proclamations of the President, it is admitted by common consent, that the war is for the abolition of negro slavery, to secure freedom to the black man. You tell me, some of you, I know, that it is so prosecuted because this is the only way to restore the Union; but others openly and candidly confess that the purpose of the prosecution of the war is to abolish slavery. And thus, sir, it is that the freedom of the negro is to be purchased, under this bill, at the sacrifice of every right of the white men of the United States.
Sir, I am opposed, earnestly, inexorably opposed, to this measure. If there were not another man in this House to vote against it, if there were none to raise his voice against it, I, at least, dare stand here alone in my place, as a Representative, undismayed, unsteduced, unterrified, and heedless of the miserable cry of “disloyalty,” of sympathy with the rebellion and with rebels, to denounce it as the very consummation of the conspiracy against the Constitution and the liberties of my country.

Sir, I yield to no man in devotion to the Union. I am for maintaining it upon the principles on which it was first formed; and I would have it, at every sacrifice, except of honor, which is “the life of the nation.” I have stood by it in boyhood and in manhood, to this hour; and I will not now consent to yield it up; nor am I to be driven from an earnest and persistent support of the only means by which it can be restored, either by the threats of the party of the Administration here, or because of affected sneers and contemptuous refusals to listen, now, to reunion, by the party of the administration at Richmond. I never was weak enough to cower before the reign of terror inaugurated by the men in power here, nor vain enough to expect favorable responses now, or terms of settlement, from the men in power, or the presses under their control, in the South. Neither will ever compromise this great quarrel, nor agree to peace on the basis of reunion; but, I repeat it—stop fighting, and let time and natural causes operate—uncontrolled by military influences—and the ballot there, as the ballot here, will do its work. I am for the Union of these States; and but for my profound conviction that it can never be restored by force and arms; or, if so restored, could not be maintained, and would not be worth maintaining, I would have united, at first—even now would unite, cordially—in giving, as I have acquiesced, silently, in your taking, all the men and all the money you have demanded. But I did not believe, and do not now believe, that the war could end in anything but final defeat; and if it should last long enough, then in disunion; or, if successful upon the principles now proclaimed, that it must and would end in the establishment of an imperial military despotism—not only in the South—but in the North and West. And to that I never will submit. No, rather, first I am ready to yield up property, and liberty—nay, life itself.
And yet, everywhere, it has been assumed that a suspension of the writ of habeas corpus is a suspension of the entire Constitution and of all laws, so far as the personal rights of the citizen are concerned, and that, therefore, the moment it is suspended, either by the President, as heretofore asserted, or by Congress, as now about to be authorized, arbitrary arrests, without sworn warrant or other due process of law, may be made at the sole pleasure or discretion of the Executive. I tell you no; and that, although we may not be able to take the body of the party arrested from the provost marshal by writ of habeas corpus, every other right and privilege of the Constitution and of the common law remains intact, including the right to resist the wrong-doer or trespasser, who, without due authority, would violate your person, or enter your house, which is your castle; and, after all this, the right also to prosecute on indictment or for damages, as the nature or aggravation of the case may demand. And yet, as claimed by you of the party in power, the suspension of this writ is a total abrogation of the Constitution and of the liberties of the citizen and the rights of the States. Why, then, sir, stop with arbitrary arrests and imprisonments? Does any man believe that it will end here? Not so have I learned history. The guillotine! the guillotine! the guillotine follows next.

Sir, when one of those earliest confined in Fort La Fayette—I had it from his own lips—made complaint to the Secretary of State of the injustice of his arrest, and the severity of the treatment to which he had been subjected in the exercise of arbitrary power, no offense being alleged against him, “why,” said the Secretary, with a smile of most significant complacency, “my dear sir, you ought not to complain; we might have gone further.” Light flashed upon the mind of the gentleman, and he replied: “Ah! that is true, sir; you had just the same right to behead as to arrest and imprison me.” And shall it come to this? Then, sir, let us see who is beheaded first. It is horrible enough to be imprisoned without crime, but when it becomes a question of life or death, remember the words of the book of Job—“All that a man hath will he give for his life.”
Sir, it is this which makes revolutions. A gentleman upon the other side asked this afternoon which party was to rise now in revolution. The answer of the able and gallant gentleman from Pennsylvania [Mr. Biddle] was pertinent and just—"No party, but an outraged people." It is not, let me tell you, the leaders of parties who begin revolutions. Never. Did any one of the distinguished characters of the Revolution of 1776 participate in the throwing of the tea into Boston harbor? Who was it? Who, to-day, can name the actors in that now historic scene? It was not Hancock, nor Samuel Adams, nor John Adams, nor Patrick Henry, nor Washington; but men unknown to fame. Good men agitate; obscure men begin real revolutions; great men finally direct and control them. And if, indeed, we are about to pass through the usual stages of revolution, it will not be the leaders of the Democratic party—not I, not the men with me here to-night—but some man among the people, now unknown and unnoted, who will hurl your tea into the harbor; and it may even be in Boston once again; for the love of liberty, I would fain believe, lingers still under the shadow of the monument on Bunker Hill. But, sir, we seek no revolution—except through the ballot-box. The conflict to which we challenge you, is not of arms but of argument. Do you believe in the virtue and intelligence of the people? Do you admit their capacity for self-government? Have they not intelligence enough to understand the right, and virtue enough to pursue it? Come then: meet us through the press, and with free speech, and before the assemblages of the people, and we will argue these questions, as we and our fathers have done from the beginning of the Government—"Are we right or you right, we wrong or you wrong?" And by the judgment of the people we will, one and all, abide.

Sir, I have done now with my objections to this bill. I have spoken as though the Constitution survived, and was still the supreme law of the land. But if, indeed, there be no Constitution any longer, limiting and restraining the men in power, then there is none binding upon the States or the people. God forbid. We have a Constitution yet, and laws yet. To them I appeal. Give us our rights; give us known and fixed laws; give us the judiciary; arrest us only upon due process of law; give us presentment or indictment by grand juries; speedy and public
trial; trial by jury, and at home; tell us the nature and cause of
the accusation; confront us with witnesses; allow us witnesses
in our behalf, and the assistance of counsel for our defense;
secure us in our persons, our houses, our papers, and our ef-
fec\-ts; leave us arms, not for resistance to law or against rightful
authority, but to defend ourselves from outrage and violence;
give us free speech and a free press; the right peaceably to as-
semble; and above all, free and undisturbed elections and the
ballot; take our sons, take our money, our property, take all
else; and we will wait a little, till at the time and in the manner
appointed by Constitution and law we shall eject you from the
trusts you have abused, and the seats of power you have dis-
honored, and other and better men shall reign in your stead.
By 1863 disaffection with the war and resistance to conscription had become widespread in many upland areas of the Confederacy, including western Virginia, eastern Tennessee, western North Carolina, northwestern Georgia, and northern Alabama. William Henry Harrison Clayton, a company clerk in the 19th Iowa Infantry, wrote from southwestern Missouri about Arkansas Unionists.

Forsyth MO.
March 26th, 1863

Dear Uncle & Aunt:

I take up my pen this evening for the purpose of writing a few lines to you. I have been thinking of writing for some time past, but not having anything of importance to communicate I neglected doing so.

You will see by the heading of my letter that we are still in the same old place, where we have been for the past two months. We have been holding the “post” here during the time mentioned, but once or twice have thought of “driving it in the ground” and leaving but have not done so as yet. In one of my letters home a short time ago I mentioned that our forage train was attacked by the rebels and although three times as many in number as our men, they retreated after our men gave them one volley.

The commander at Springfield hearing that there was a force marching upon this place sent down a reinforcement of about 200 men of the 13th Kansas infantry & 4 field pieces. They remained here a few days and then returned to Springfield, forage being so scarce in this part of the world that it is impossible to keep a battery here. Things quieted down until a few days ago, when a couple of suspicious looking fellows came around examining things and were caught in trying to get through the pickets after dark. They immediately were put
under guard, and one of our *Union* butternuts with them. During the night this fellow by playing secesh got out of them, that they were *spies* and were to get $300 apiece for coming here to find out our numbers and position and report them to the rebel commander at Yellville on the morning of the 24th and then it was their intention to attack us with 5000 men and some artillery. Nearly the whole regiment was set to work erecting breastworks. A number of log houses were torn down and the logs piled up and a long line of breastworks was put up in short order. We worked at them yesterday and the day before. Today the usual quiet reigns in camp, there being only a few men at work putting on the *finishing touch*.

I apprehend no attack here at the present time anyhow for we have reinforcements within a day or two’s march, and they will never attack us unless they have five or six times as many as we have.

A large number of Union refugees are here or have passed through here going north. Last Sunday 20 Union men came in. They are recruits for an Arkansas regiment being made up at Fayetteville, one of them an old man 57 years of age had been shot through the left shoulder by the bushwhackers a short time before they came away. The most of them had been lying out in mountains for a good while to escape being taken to the Confederate army. Several of them were *conscripts* and were with Hindman at Prairie Grove. Hindman’s army was completely demoralized at that fight. One of these men said that all in the regiment he belongs to deserted, except 3 men. They also say that Hindman had 32 regiments in that engagement. We fought them in that long-to-be-remembered fight from 10 o’clock A.M. until 4 P.M. with only 6 regiments. Blunt then came in with 3 or 4 more regiments and we cleaned them out.

We have witnessed some painful things here. Members of families have passed through going north. They generally have cattle yoked to their old rickety wagons, and often they are driven by women or very small boys, the father being either in some of the Missouri regiments, killed by the bushwhackers, or conscripted into the rebel army. To see women trudging along through the mud, poorly clad, and driving ox teams or as I saw in one instance when five women came from Arkansas
all walking, two or three of them carrying infants in their arms and several children beside about “knee high to a duck” (they were hardly old enough to walk). Some of the women carried a few articles such as tin buckets etc. and the balance of their property was packed on an old grey horse. The “secesh” had taken everything from these women because their husbands had enlisted in the Union Arkansas regiment. Such sights make the blood boil and to make a person come to the conclusion that there is no punishment severe enough for those scoundrels who have brought about the present state of affairs by their taking up arms against the best government that this world has ever seen. There is another thing that “kinder gits” us, that is the action of a set of men in the North who are blind to their own interests and are endeavoring to kick up a fuss in even our own state of Iowa. Would to God that some of the leading copperheads were compelled to come down to this region and if they had to live here six months I think it would cure them and they would be content to go home and stay there and let the government take its own course in putting down the rebellion. One consolation is that they find little sympathy in the army and I assure you that some of them would be roughly used if they were where the soldiers could get hold of them.

The 19th adopted a series of resolutions a short time ago assuring the people of Iowa and all others that we give the government our undivided support. We enlisted for the purpose of aiding in putting down this infernal rebellion and we intend to do so. I have heard a number of the regiment express their views in regard to these northern traitors for they are nothing else and always there is ten times the hatred towards the northern traitors there is to those who are in arms against us.

We have two new recruits in our company who came from Texas. They came in and desired to enlist and were taken in our company.

Today 5 more came in and have enlisted in another company. Part of them have been in the rebel service. The rebels are conscripting in Arkansas, and numbers will doubtless be compelled to go who would rather be on our side.

We have had excellent weather for 3 weeks past. Part of the time it was nearly warm enough for summertime, the ground
was dry and in good order for plowing but there is none of that kind of work going on in this vicinity. The grass is coming along nicely, and the woods are beginning to put on their coat of green.

Peach trees are out in blossom. There has been a few cold mornings lately but I think not cold enough to kill the peaches. The past winter has been very favorable as far as cold weather is concerned, to us soldiers. I have not seen the ground froze more than 2 or 3 inches during the winter. I believe I have scribbled enough for one time and will bring my letter to a close.

Uncle Nide, I know your dislike of writing but I want you to write me a letter if it is ever so short. If Uncle Sammy Clayton is at your house tell him to write also. I send my best respects to him. Tell the folks at home that I am all right. “Nincy” and Ab. Buckles are well.

Hoping this will find you as it leaves me, in the enjoyment of good health.

I remain ever your affectionate nephew,

Wm. H. H. Clayton

P.S. I suppose that Lt. Ferguson has reached home before this time. Tell him that Lt. Sommerville has been and is yet very sick. Disease typhoid fever. He was taken to a private residence about 3 miles up the river a week or two ago. Also that our devil Bill Hartson has come to the company. All quiet on White River at the present.
Food riots broke out in the spring of 1863 in Atlanta, Georgia; Salisbury, North Carolina; Mobile, Alabama; Petersburg, Virginia; and other southern cities as groups of women, many of them soldiers’ wives, invaded and looted shops they believed were charging unfair prices. The largest disturbance occurred in Richmond on April 2. John B. Jones, a clerk in the Confederate war department who witnessed the riot, had recorded in his diary three days earlier the rising cost of cornmeal and potatoes while observing that meat had almost disappeared and “none but the opulent can afford to pay $3.50 per pound for butter.”

April 2d.—This morning early a few hundred women and boys met as by concert in the Capitol Square, saying they were hungry, and must have food. The number continued to swell until there were more than a thousand. But few men were among them, and these were mostly foreign residents, with exemptions in their pockets. About nine a.m. the mob emerged from the western gates of the square, and proceeded down Ninth Street, passing the War Department, and crossing Main Street, increasing in magnitude at every step, but preserving silence and (so far) good order. Not knowing the meaning of such a procession, I asked a pale boy where they were going. A young woman, seemingly emaciated, but yet with a smile, answered that they were going to find something to eat. I could not, for the life of me, refrain from expressing the hope that they might be successful; and I remarked they were going in the right direction to find plenty in the hands of the extortioners. I did not follow, to see what they did; but I learned an hour after that they marched through Cary Street, and entered diverse stores of the speculators, which they proceeded to empty of their contents. They impressed all the carts and drays in the street, which were speedily laden with meal, flour, shoes,
etc. I did not learn whither these were driven; but probably they were rescued from those in charge of them. Nevertheless, an immense amount of provisions, and other articles, were borne by the mob, which continued to increase in numbers. An eye-witness says he saw a boy come out of a store with a hat full of money (notes); and I learned that when the mob turned up into Main Street, when all the shops were by this time closed, they broke in the plate-glass windows, demanding silks, jewelry, etc. Here they were incited to pillage valuables, not necessary for subsistence, by the class of residents (aliens) exempted from military duty by Judge Campbell, Assistant Secretary of War, in contravention of Judge Meredith's decision. Thus the work of spoliation went on, until the military appeared upon the scene, summoned by Gov. Letcher, whose term of service is near its close. He had the Riot Act read (by the mayor), and then threatened to fire on the mob. He gave them five minutes' time to disperse in, threatening to use military force (the city battalion being present) if they did not comply with the demand. The timid women fell back, and a pause was put to the devastation, though but few believed he would venture to put his threat in execution. If he had done so, he would have been hung, no doubt.

About this time the President appeared, and ascending a dray, spoke to the people. He urged them to return to their homes, so that the bayonets there menacing them might be sent against the common enemy. He told them that such acts would bring famine upon them in the only form which could not be provided against, as it would deter people from bringing food to the city. He said he was willing to share his last loaf with the suffering people (his best horse had been stolen the night before), and he trusted we would all bear our privations with fortitude, and continue united against the Northern invaders, who were the authors of all our sufferings. He seemed deeply moved; and indeed it was a frightful spectacle, and perhaps an ominous one, if the government does not remove some of the quartermasters who have contributed very much to bring about the evil of scarcity. I mean those who have allowed transportation to forestallers and extortioners.

Gen. Elzey and Gen. Winder waited upon the Secretary of War in the morning, asking permission to call the troops from
the camps near the city, to suppress the women and children by a summary process. But Mr. Seddon hesitated, and then declined authorizing any such absurdity. He said it was a municipal or State duty, and therefore he would not take the responsibility of interfering in the matter. Even in the moment of aspen consternation, he was still the politician.

I have not heard of any injuries sustained by the women and children. Nor have I heard how many stores the mob visited; and it must have been many.

All is quiet now (three p.m.); and I understand the government is issuing rice to the people.

April 3d.—Gen. D. H. Hill writes from North Carolina that the business of conscription is miserably mismanaged in that State. The whole business, it seems, has resolved itself into a machine for making money and putting pets in office.

No account of yesterday’s riot appeared in the papers to-day, for obvious reasons. The mob visited most of the shops, and the pillage was pretty extensive.

Crowds of women, Marylanders and foreigners, were standing at the street corners to-day, still demanding food; which, it is said, the government issued to them. About midday the City Battalion was marched down Main Street to disperse the crowd.

Congress has resolved to adjourn on the 20th April. The tax bill has not passed both Houses yet.

Gen. Blanchard has been relieved of his command in Louisiana. He was another general from Massachusetts.

April 4th.—It is the belief of some that the riot was a premeditated affair, stimulated from the North, and executed through the instrumentality of emissaries. Some of the women, and others, have been arrested.

We have news of the capture of another of the enemy’s gunboats, in Berwick Bay, Louisiana, with five guns. It is said to have been done by cavalry.

A dispatch just received from Charleston states that the enemy’s monitors were approaching the forts, seven in number, and that the attack was commencing. This is joyful news to our people, so confident are they that Gen. Beauregard will beat them.
Speaking at a Democratic rally in Mount Vernon, Ohio, on May 1, former congressman Clement L. Vallandigham declared that “a wicked, cruel and unnecessary” war was being waged “for the purpose of crushing out liberty and erecting a despotism; a war for the freedom of the blacks, and the enslavement of the whites.” He also denounced General Orders No. 38, issued on April 13 by Major General Ambrose Burnside, which warned that “declaring sympathies for the enemy will not be allowed” in the Department of the Ohio. Burnside had Vallandigham arrested at his home in Dayton on May 5 and tried by a military commission. Charged with violating General Orders No. 38 by publicly expressing “sympathy for those in arms against the United States, and declaring disloyal sentiments and opinions, with the object and purpose of weakening the power of the Government in its efforts to suppress an unlawful rebellion,” Vallandigham was convicted on May 7 and sentenced to imprisonment for the duration of the war. His application for a writ of habeas corpus was rejected by the U.S. circuit court in Cincinnati, which declined to issue a writ for a prisoner in military custody. The controversy drew the attention of Harper’s Weekly, an illustrated journal with a circulation of more than 100,000 copies. Its editorial went to press before it became known that President Lincoln had ordered Vallandigham expelled into Confederate-held territory.

It is known that Clement C. Vallandigham, late member of Congress from Dayton, Ohio, was lately arrested at his house by order of General Burnside, tried by court-martial, and convicted of inciting resistance to the Government in the prosecution of the war. And it is reported that he has been sentenced to imprisonment in a fortress during the war. The President enjoys the power of commuting or remitting this sentence altogether; and it is the unanimous hope of the loyal North that he will remit it.
For, whether the arrest of Vallandigham was or was not a wise step, there can be very little question but his imprisonment for months, and perhaps years, in a military fortress would make a martyr of him, and would rally to his side, for the sake of liberty and free speech, an immense number of sympathizers. It would probably make him Governor of Ohio, and would impart great strength to the rapidly-decaying Copperhead sentiment of the Northwest. Notwithstanding the new lessons taught by the war, and the new duties which it has devolved upon us, we have not yet learned to look with complacency on the methods which are familiar to Old World despotisms; and the spectacle of a man immured in a prison for opinion’s or words’ sake shocks our feelings and arouses our anger.

It is all very well to say, as General Burnside says in his noble and patriotic reply to the Cincinnati Court, that war involves a sacrifice of liberty, and that this man Vallandigham was a pernicious and malignant enemy of his country. This we all know, and if Vallandigham would go out of the country to the rebels or any where else, loyal people would heartily rejoice. But the question is not whether Vallandigham be a traitor, or whether war involve a suspension of individual rights; it is—shall we better ourselves and help the country by locking this man up in a fortress, instead of letting him prate his seditious trash to every one who will listen? To that question the reply must be in the negative.

The mistake which has all along been made in this war by the Government and many of its agents has been not trusting the people sufficiently. Arresting seditious talkers implies a fear that the people have not sense or strength of mind enough to resist the appeals of sedition; just as the suppression or retention for a time of intelligence of a defeat implies a doubt whether the people have courage enough to bear bad news. Let us assure Mr. Lincoln, and all in authority under him, that the people of the United States have quite courage enough to bear any amount of misfortunes, and quite sense enough to withstand any amount of seditious nonsense, be it uttered ever so glibly. The only effect thus far produced by such talkers as Vallandigham has been to kill off the Copperhead sentiment in the Northwest, to reduce Fernando Wood’s party to a mere
corporal’s guard, and to render the names of the Copperhead leaders a by-word and a reproach among honest men. Vallandigham was fast talking himself into the deepest political grave ever dug when Burnside resurrected him.

The people can be trusted to deal with traitors without any help from Washington, and those who suffer the penalty they inflict—ignominy and disgrace—never find sympathy anywhere. At the meeting held in this city on 18th to protest against Vallandigham’s arrest not one leading man, not a single man who commands general esteem, or who carries the least weight, ventured to be present, and the performance was, on the whole, the most wretched of all the wretched fizzes that have ever been enacted in this city in the way of political meetings. Not but that every body, including the leaders of all parties, and the editors of all leading journals, regret the arrest. But Copperheadism has become so odious, and the doom of every sympathizer with treason so obvious, that not a single man who has any future to risk will jeopard it by placing himself on the record as even indirectly sympathizing with a Copperhead. So long as the people are thus firm in their loyalty it is surely superfluous for Government to interpose for their protection against traitors.
The arrest and trial of former congressman Clement L. Vallandigham were widely criticized by Democrats and by some Republicans. In private President Lincoln and his cabinet regretted General Burnside’s actions, but, as Lincoln wrote Burnside, “being done, all were for seeing you through with it.” After commuting his prison sentence to banishment, the President wrote a public letter responding to resolutions protesting Vallandigham’s arrest adopted at a public meeting in Albany, New York. (The meeting was presided over by Erastus Corning, a Democratic congressman and president of the New York Central Railroad.) Lincoln’s letter appeared in the press on June 15, four days after the Ohio Democratic convention nominated Vallandigham for governor.

Executive Mansion
Washington. 
June 12, 1863.

Hon. Erastus Corning and others:
Gentlemen: Your letter of May 19, inclosing the resolutions of a public meeting held at Albany, N. Y., on the 16th of the same month, was received several days ago.

The resolutions, as I understand them, are resolvable into two propositions—first, the expression of a purpose to sustain the cause of the Union, to secure peace through victory, and to support the Administration in every constitutional and lawful measure to suppress the Rebellion; and secondly, a declaration of censure upon the Administration for supposed unconstitutional action, such as the making of military arrests. And, from the two propositions, a third is deduced, which is that the gentlemen composing the meeting are resolved on doing their part to maintain our common government and country, despite the folly or wickedness, as they may conceive,
of any Administration. This position is eminently patriotic, and as such I thank the meeting and congratulate the nation for it. My own purpose is the same; so that the meeting and myself have a common object, and can have no difference, except in the choice of means or measures for effecting that object.

And here I ought to close this paper, and would close it, if there were no apprehension that more injurious consequences than any merely personal to myself might follow the censures systematically cast upon me for doing what, in my view of duty, I could not forbear. The resolutions promise to support me in every constitutional and lawful measure to suppress the Rebellion; and I have not knowingly employed, nor shall knowingly employ, any other. But the meeting, by their resolutions, assert and argue that certain military arrests, and proceedings following them, for which I am ultimately responsible, are unconstitutional. I think they are not. The resolutions quote from the Constitution the definition of treason, and also the limiting safeguards and guarantees therein provided for the citizen on trials for treason, and on his being held to answer for capital or otherwise infamous crimes, and, in criminal prosecutions, his right to a speedy and public trial by an impartial jury. They proceed to resolve “that these safe-guards of the rights of the citizen against the pretensions of arbitrary power were intended more especially for his protection in times of civil commotion.” And, apparently to demonstrate the proposition, the resolutions proceed: “They were secured substantially to the English people after years of protracted civil war, and were adopted into our Constitution at the close of the Revolution.” Would not the demonstration have been better if it could have been truly said that these safeguards had been adopted and applied during the civil wars and during our Revolution, instead of after the one and at the close of the other? I, too, am devotedly for them after civil war, and before civil war, and at all times, “except when, in cases of rebellion or invasion, the public safety may require” their suspension. The resolutions proceed to tell us that these safeguards “have stood the test of seventy-six years of trial, under our republican system, under circumstances which show that, while they constitute the foundation of all free government, they are the elements of the enduring stability of the Republic.” No one
denies that they have so stood the test up to the beginning of the present Rebellion, if we except a certain occurrence at New-Orleans; nor does any one question that they will stand the same test much longer after the Rebellion closes. But these provisions of the Constitution have no application to the case we have in hand, because the arrests complained of were not made for treason—that is, not for the treason defined in the Constitution, and upon conviction of which the punishment is death—nor yet were they made to hold persons to answer for any capital or otherwise infamous crimes; nor were the proceedings following, in any constitutional or legal sense, “criminal prosecutions.” The arrests were made on totally different grounds, and the proceedings following accorded with the grounds of the arrests. Let us consider the real case with which we are dealing, and apply to it the parts of the Constitution plainly made for such cases.

Prior to my installation here, it had been inculcated that any State had a lawful right to secede from the national Union, and that it would be expedient to exercise the right whenever the devotees of the doctrine should fail to elect a President to their own liking. I was elected contrary to their liking; and, accordingly, so far as it was legally possible, they had taken seven States out of the Union, had seized many of the United States forts, and had fired upon the United States flag, all before I was inaugurated, and, of course, before I had done any official act whatever. The Rebellion thus began soon ran into the present Civil War; and, in certain respects, it began on very unequal terms between the parties. The insurgents had been preparing for it more than thirty years, while the Government had taken no steps to resist them. The former had carefully considered all the means which could be turned to their account. It undoubtedly was a well-pondered reliance with them that, in their own unrestricted efforts to destroy Union, Constitution, and law, all together, the Government would, in great degree, be restrained by the same Constitution and law from arresting their progress. Their sympathizers pervaded all departments of the Government and nearly all communities of the people. From this material, under cover of “liberty of speech,” “liberty of the press,” and “habeas corpus,” they hoped to keep on foot among us a most efficient corps of spies,
informers, suppliers, and aiders and abettors of their cause in a thousand ways. They knew that in times such as they were inaugurating, by the Constitution itself, the “habeas corpus” might be suspended; but they also knew they had friends who would make a question as to who was to suspend it; meanwhile, their spies and others might remain at large to help on their cause. Or, if, as has happened, the Executive should suspend the writ, without ruinous waste of time, instances of arresting innocent persons might occur, as are always likely to occur in such cases; and then a clamor could be raised in regard to this, which might be, at least, of some service to the insurgent cause. It needed no very keen perception to discover this part of the enemy’s programme, so soon as, by open hostilities, their machinery was fairly put in motion. Yet, thoroughly imbued with a reverence for the guaranteed rights of individuals, I was slow to adopt the strong measures which by degrees I have been forced to regard as being within the exceptions of the Constitution, and as indispensable to the public safety. Nothing is better known to history than that courts of justice are utterly incompetent to such cases. Civil courts are organized chiefly for trials of individuals, or, at most, a few individuals acting in concert; and this in quiet times, and on charges of crimes well defined in the law. Even in times of peace, bands of horse-thieves and robbers frequently grow too numerous and powerful for the ordinary courts of justice. But what comparison, in numbers have such bands ever borne to the insurgent sympathizers, even in many of the loyal States? Again: a jury too frequently has at least one member more ready to hang the panel than to hang the traitor. And yet, again, he who dissuades one man from volunteering, or induces one soldier to desert, weakens the Union cause as much as he who kills a Union soldier in battle. Yet this dissuasion or inducement may be so conducted as to be no defined crime of which any civil court would take cognizance.

Ours is a case of rebellion—so called by the resolutions before me—in fact, a clear, flagrant, and gigantic case of rebellion; and the provision of the Constitution that “the privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it,” is the provision which specially applies to our present case. This provi-
sion plainly attests the understanding of those who made the Constitution, that ordinary courts of justice are inadequate to “cases of rebellion”—attests their purpose that, in such cases, men may be held in custody whom the courts, acting on ordinary rules, would discharge. Habeas corpus does not discharge men who are proved to be guilty of defined crime; and its suspension is allowed by the Constitution on purpose that men may be arrested and held who cannot be proved to be guilty of defined crime, “when, in cases of rebellion or invasion, the public safety may require it.” This is precisely our present case—a case of rebellion, wherein the public safety does require the suspension. Indeed, arrests by process of courts, and arrests in cases of rebellion, do not proceed altogether upon the same basis. The former is directed at the small per centage of ordinary and continuous perpetration of crime; while the latter is directed at sudden and extensive uprisings against the Government, which at most, will succeed or fail in no great length of time. In the latter case, arrests are made, not so much for what has been done, as for what probably would be done. The latter is more for the preventive and less for the vindictive than the former. In such cases, the purposes of men are much more easily understood than in cases of ordinary crime. The man who stands by and says nothing when the peril of his Government is discussed, cannot be misunderstood. If not hindered, he is sure to help the enemy; much more, if he talks ambiguously—talks for his country with “buts” and “ifs” and “ands.” Of how little value the constitutional provisions I have quoted will be rendered, if arrests shall never be made until defined crimes shall have been committed, may be illustrated by a few notable examples. Gen. John C. Breckinridge, Gen. Robert E. Lee, Gen. Joseph E. Johnston, Gen. John B. Magruder, Gen. William B. Preston, Gen. Simon B. Buckner, and Commodore Franklin Buchanan, now occupying the very highest places in the Rebel war service, were all within the power of the Government since the Rebellion began, and were nearly as well known to be traitors then as now. Unquestionably if we had seized and held them, the insurgent cause would be much weaker. But no one of them had then committed any crime defined in the law. Every one of them, if arrested, would have been discharged on habeas corpus were the writ allowed to operate. In view of these and similar
cases, I think the time not unlikely to come when I shall be blamed for having made too few arrests rather than too many.

By the third resolution, the meeting indicate their opinion that military arrests may be constitutional in localities where rebellion actually exists, but that such arrests are unconstitutional in localities where rebellion or insurrection does not actually exist. They insist that such arrests shall not be made “outside of the lines of necessary military occupation, and the scenes of insurrection.” Inasmuch, however, as the Constitution itself makes no such distinction, I am unable to believe that there is any such constitutional distinction. I concede that the class of arrests complained of can be constitutional only when, in cases of rebellion or invasion, the public safety may require them; and I insist that in such cases they are constitutional wherever the public safety does require them; as well in places to which they may prevent the Rebellion extending as in those where it may be already prevailing; as well where they may restrain mischievous interference with the raising and supplying of armies to suppress the Rebellion, as where the Rebellion may actually be; as well where they may restrain the enticing men out of the army, as where they would prevent mutiny in the army; equally constitutional at all places where they will conduce to the public safety, as against the dangers of rebellion or invasion. Take the particular case mentioned by the meeting. It is asserted, in substance, that Mr. Vallandigham was, by a military commander, seized and tried “for no other reason than words addressed to a public meeting, in criticism of the course of the Administration, and in condemnation of the Military orders of the General.” Now, if there be no mistake about this; if this assertion is the truth and the whole truth; if there was no other reason for the arrest, then I concede that the arrest was wrong. But the arrest, as I understand, was made for a very different reason. Mr. Vallandigham avows his hostility to the War on the part of the Union; and his arrest was made because he was laboring, with some effect, to prevent the raising of troops; to encourage desertions from the army; and to leave the Rebellion without an adequate military force to suppress it. He was not arrested because he was damaging the political prospects of the Administration, or the personal interests of the Commanding General, but because
he was damaging the Army, upon the existence and vigor of which the life of the Nation depends. He was warring upon the Military, and this gave the Military constitutional jurisdiction to lay hands upon him. If Mr. Vallandigham was not damaging the military power of the country, then his arrest was made on mistake of fact, which I would be glad to correct on reasonably satisfactory evidence.

I understand the meeting, whose resolutions I am considering, to be in favor of suppressing the Rebellion by military force—by armies. Long experience has shown that armies cannot be maintained unless desertions shall be punished by the severe penalty of death. The case requires, and the law and the Constitution sanction, this punishment. Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? This is none the less injurious when effected by getting a father, or brother, or friend, into a public meeting, and there working upon his feelings till he is persuaded to write the soldier boy that he is fighting in a bad cause, for a wicked Administration of a contemptible Government, too weak to arrest and punish him if he shall desert. I think that in such a case to silence the agitator, and save the boy is not only constitutional, but withal a great mercy.

If I be wrong on this question of constitutional power, my error lies in believing that certain proceedings are constitutional when, in cases of rebellion or invasion, the public safety requires them, which would not be constitutional when, in the absence of rebellion or invasion, the public safety does not require them: in other words, that the Constitution is not, in its application, in all respects the same, in cases of rebellion or invasion involving the public safety, as it is in time of profound peace and public security. The Constitution itself makes the distinction; and I can no more be persuaded that the Government can constitutionally take no strong measures in time of rebellion, because it can be shown that the same could not be lawfully taken in time of peace, than I can be persuaded that a particular drug is not good medicine for a sick man, because it can be shown not to be good food for a well one. Nor am I able to appreciate the danger apprehended by the meeting that the American people will, by means of military arrests during
the Rebellion, lose the right of Public Discussion, the Liberty of Speech and the Press, the Law of Evidence, Trial by Jury, and Habeas Corpus, throughout the indefinite peaceful future, which I trust lies before them, any more than I am able to believe that a man could contract so strong an appetite for emetics during temporary illness as to persist in feeding upon them during the remainder of his healthful life.

In giving the resolutions that earnest consideration which you request of me, I cannot overlook the fact that the meeting speak as “Democrats.” Nor can I, with full respect for their known intelligence, and the fairly presumed deliberation with which they prepared their resolutions, be permitted to suppose that this occurred by accident, or in any way other than that they preferred to designate themselves “Democrats” rather than “American citizens.” In this time of national peril, I would have preferred to meet you upon a level one step higher than any party platform; because I am sure that, from such more elevated position, we could do better battle for the country we all love than we possibly can from those lower ones where, from the force of habit, the prejudices of the past, and selfish hopes of the future, we are sure to expend much of our ingenuity and strength in finding fault with, and aiming blows at each other. But, since you have denied me this, I will yet be thankful, for the country’s sake, that not all Democrats have done so. He on whose discretionary judgment Mr. Vallandigham was arrested and tried is a Democrat, having no old party affinity with me; and the judge who rejected the constitutional view expressed in these resolutions, by refusing to discharge Mr. Vallandigham on habeas corpus, is a Democrat of better days than these, having received his judicial mantle at the hands of President Jackson. And still more, of all those Democrats who are nobly exposing their lives and shedding their blood on the battle-field, I have learned that many approve the course taken with Mr. Vallandigham, while I have not heard of a single one condemning it. I cannot assert that there are none such. And the name of President Jackson recalls an instance of pertinent history: After the battle of New-Orleans, and while the fact that the treaty of peace had been concluded was well known in the city, but before official knowledge of it had arrived, Gen. Jackson still maintained martial or military law.
Now, that it could be said the war was over, the clamor against martial law, which had existed from the first, grew more furious. Among other things, a Mr. Louiallier published a denunciatory newspaper article. Gen. Jackson arrested him. A lawyer by the name of Morel procured the United States Judge Hall to issue a writ of habeas corpus to release Mr. Louiallier. Gen. Jackson arrested both the lawyer and the judge. A Mr. Hollander ventured to say of some part of the matter that “it was a dirty trick.” Gen. Jackson arrested him. When the officer undertook to serve the writ of habeas corpus, Gen. Jackson took it from him, and sent him away with a copy. Holding the judge in custody a few days, the General sent him beyond the limits of his encampment, and set him at liberty, with an order to remain till the ratification of peace should be regularly announced, or until the British should have left the Southern coast. A day or two more elapsed, the ratification of a treaty of peace was regularly announced, and the judge and others were fully liberated. A few days more, and the judge called Gen. Jackson into court and fined him $1,000 for having arrested him and the others named. The General paid the fine, and there the matter rested for nearly thirty years, when Congress refunded principal and interest. The late Senator Douglas, then in the House of Representatives, took a leading part in the debates, in which the constitutional question was much discussed. I am not prepared to say whom the journals would show to have voted for the measure.

It may be remarked: First, that we had the same Constitution then as now; secondly, that we then had a case of invasion, and now we have a case of rebellion; and, thirdly, that the permanent right of the People to Public Discussion, the Liberty of Speech and the Press, the Trial by Jury, the Law of Evidence, and the Habeas Corpus, suffered no detriment whatever by that conduct of Gen. Jackson, or its subsequent approval by the American Congress.

And yet, let me say that, in my own discretion, I do not know whether I would have ordered the arrest of Mr. Vallandigham. While I cannot shift the responsibility from myself, I hold that, as a general rule, the commander in the field is the better judge of the necessity in any particular case. Of course, I
must practice a general directory and revisory power in the matter.

One of the resolutions expresses the opinion of the meeting that arbitrary arrests will have the effect to divide and distract those who should be united in suppressing the Rebellion, and I am specifically called on to discharge Mr. Vallandigham. I regard this as, at least, a fair appeal to me on the expediency of exercising a Constitutional power which I think exists. In response to such appeal, I have to say, it gave me pain when I learned that Mr. Vallandigham had been arrested—that is, I was pained that there should have seemed to be a necessity for arresting him—and that it will afford me great pleasure to discharge him so soon as I can, by any means, believe the public safety will not suffer by it. I further say that, as the war progresses, it appears to me, opinion, and action, which were in great confusion at first, take shape, and fall into more regular channels, so that the necessity for strong dealing with them gradually decreases. I have every reason to desire that it should cease altogether, and far from the least is my regard for the opinions and wishes of those who, like the meeting at Albany, declare their purpose to sustain the Government in every constitutional and lawful measure to suppress the Rebellion. Still, I must continue to do so much as may seem to be required by the public safety.

A. Lincoln
The first draft lottery conducted in New York City under the 1863 conscription act was held on July 11. Two days later a mob attacked the draft office at Third Avenue and 46th Street, beginning five days of violence in which at least 105 people were killed, including at least eleven African American men. The riots were eventually suppressed by several regiments of Union troops, some of which had fought at Gettysburg. George Templeton Strong was a successful New York attorney who served as treasurer of the U.S. Sanitary Commission, a civilian organization that provided medical aid to the Union army. Strong recorded in his diary his attempts to persuade George Opdyke, the Republican mayor, and Major General John E. Wool, the army commander in New York, to take early and decisive action against the rioters. In his entry for July 16 Strong criticized Horatio Seymour, the Democratic governor of New York, who had repeatedly denounced the draft as unconstitutional.

July 13, Monday. A notable day. Stopped at the Sanitary Commission office on my way downtown to endorse a lot of checks that had accumulated during my absence, and heard there of rioting in the upper part of the city. As Charley is at Newport and Bidwell in Berkshire County, I went to Wall Street nevertheless; but the rumors grew more and more unpleasant, so I left it at once and took a Third Avenue car for uptown. At the Park were groups and small crowds in more or less excitement (which found relief afterwards, I hear, in hunting down and maltreating sundry unoffending niggers), but there was nothing to indicate serious trouble. The crowded car went slowly on its way, with its perspiring passengers, for the weather was still of this deadly muggy sort with a muddy sky and lifeless air. At Thirteenth Street the track was blocked by a long line of stationary cars that stretched indefinitely up the Avenue, and I took to the sidewalk. Above Twentieth Street all
shops were closed, and many people standing and staring or strolling uptown, not riotously disposed but eager and curious. Here and there a rough could be heard damning the draft. No policemen to be seen anywhere. Reached the seat of war at last, Forty-sixth Street and Third Avenue. Three houses on the Avenue and two or three on the street were burned down: engines playing on the ruins—more energetically, I’m told, than they did when their efforts would have been useful.

The crowd seemed just what one commonly sees at any fire, but its nucleus of riot was concealed by an outside layer of ordinary peaceable lookers-on. Was told they had beat off a squad of police and another of “regulars” (probably the Twelfth Militia). At last, it opened and out streamed a posse of perhaps five hundred, certainly less than one thousand, of the lowest Irish day laborers. The rabble was perfectly homogeneous. Every brute in the drove was pure Celtic—hod-carrier or loafer. They were unarmed. A few carried pieces of fence-paling and the like. They turned off west into Forty-fifth Street and gradually collected in front of two three-story dwelling houses on Lexington Avenue, just below that street, that stand alone together on a nearly vacant block. Nobody could tell why these houses were singled out. Some said a drafting officer lived in one of them, others that a damaged policeman had taken refuge there. The mob was in no hurry; they had no need to be; there was no one to molest them or make them afraid. The beastly ruffians were masters of the situation and of the city. After a while sporadic paving-stones began to fly at the windows, ladies and children emerged from the rear and had a rather hard scramble over a high board fence, and then scudded off across the open, Heaven knows whither. Then men and small boys appeared at rear windows and began smashing the sashes and the blinds and shied out light articles, such as books and crockery, and dropped chairs and mirrors into the back yard; the rear fence was demolished and loafers were seen marching off with portable articles of furniture. And at last a light smoke began to float out of the windows and I came away. I could endure the disgraceful, sickening sight no longer, and what could I do?

The fury of the low Irish women in that region was noteworthy. Stalwart young vixens and withered old hags were
swarming everywhere, all cursing the “bloody draft” and egging on their men to mischief.

Omnibussed down to No. 823, where is news that the Colored Half Orphan Asylum on Fifth Avenue, just above the reservoir, is burned. “Tribune office to be burned tonight.” Railroad rails torn up, telegraph wires cut, and so on. If a quarter one hears be true, this is an organized insurrection in the interest of the rebellion and Jefferson Davis rules New York today.

Attended to business. Then with Wolcott Gibbs to dinner at Maison Dorée. During our symposium, there was an alarm of a coming mob, and we went to the window to see. The “mob” was moving down Fourteenth Street and consisted of just thirty-four lousy, blackguardly Irishmen with a tail of small boys. Whither they went, I cannot say, nor can I guess what mischief the handful of canaille chose to do. A dozen policemen would have been more than a match for the whole crew, but there were no policemen in sight.

Walked uptown with Wolcott Gibbs. Large fire on Broadway and Twenty-eighth Street. Signs of another to the east, said to be on Second Avenue. Stopped awhile at Gibbs’s in Twenty-ninth Street, where was madame, frightened nearly to death, and then to St. Nicholas Hotel to see the mayor and General Wool. We found a lot of people with them. There were John Jay and George W. Blunt and Colonel Howe and John Austin Stevens, Jr., all urging strong measures. But the substantial and weighty and influential men were not represented; out of town, I suppose. Their absence emboldened Gibbs and myself to make pressure for instant action, but it was vain. We begged that martial law might be declared. Opdyke said that was Wool’s business, and Wool said it was Opdyke’s, and neither would act. “Then, Mr. Mayor, issue a proclamation calling on all loyal and law-abiding citizens to enroll themselves as a volunteer force for defense of life and property.” “Why,” quoth Opdyke, “that is civil war at once.” Long talk with Colonel Cram, Wool’s chief of staff, who professes to believe that everything is as it should be and sufficient force on the ground to prevent further mischief. Don’t believe it. Neither Opdyke nor General Wool is nearly equal to this crisis. Came off disgusted. Went to Union League Club awhile. No comfort there. Much
talk, but no one ready to do anything whatever, not even to telegraph to Washington.

We telegraphed, two or three of us, from General Wool’s rooms, to the President, begging that troops be sent on and stringent measures taken. The great misfortune is that nearly all our militia regiments have been despatched to Pennsylvania. All the military force I have seen or heard of today were in Fifth Avenue at about seven P.M. There were two or three feeble companies of infantry, a couple of howitzers, and a squadron or two of unhappy-looking “dragoons.”

These wretched rioters have been plundering freely, I hear. Their outbreak will either destroy the city or damage the Copperhead cause fatally. Could we but catch the scoundrels who have stirred them up, what a blessing it would be! God knows what tonight or tomorrow may bring forth. We may be thankful that it is now (quarter past twelve) raining briskly. Mobs have no taste for the effusion of cold water. I’m thankful, moreover, that Ellie and the children are out of town. I sent Johnny off to Cornwall this afternoon in charge of John the waiter.

July 14. Eleven P.M. Fire bells clanking, as they have clanked at intervals through the evening. Plenty of rumors throughout the day and evening, but nothing very precise or authentic. There have been sundry collisions between the rabble and the authorities, civil and military. Mob fired upon. It generally runs, but on one occasion appears to have rallied, charged the police and militia, and forced them back in disorder. The people are waking up, and by tomorrow there will be adequate organization to protect property and life. Many details come in of yesterday’s brutal, cowardly ruffianism and plunder. Shops were cleaned out and a black man hanged in Carmine Street, for no offence but that of Nigritude. Opdyke’s house again attacked this morning by a roaming handful of Irish blackguards. Two or three gentlemen who chanced to be passing saved it from sack by a vigorous charge and dispersed the popular uprising (as the Herald, World, and News call it), with their walking sticks and their fists.

Walked uptown perforce, for no cars and few omnibuses were running. They are suppressed by threats of burning railroad and omnibus stables, the drivers being wanted to reinforce the
mob. Tiffany’s shop, Ball & Black’s, and a few other Broadway establishments are closed. (Here I am interrupted by report of a fire near at hand, and a great glare on the houses across the Park. Sally forth, and find the Eighteenth Ward station house, Twenty-second Street, near First Avenue, in full blaze. A splendid blaze it made, but I did not venture below Second Avenue, finding myself in a crowd of Celtic spectators disgorged by the circumjacent tenement houses. They were exulting over the damage to “them bloody police,” and so on. I thought discretion the better part of curiosity. Distance lent enchantment to that view.)

At 823 with Bellows four to six; then home. At eight to Union League Club. Rumor it’s to be attacked tonight. Some say there is to be great mischief tonight and that the rabble is getting the upper hand. Home at ten and sent for by Dudley Field, Jr., to confer about an expected attack on his house and his father’s, which adjoin each other in this street just below Lexington Avenue. He has a party there with muskets and talks of fearful trouble before morning, but he is always a blower and a very poor devil. Fire bells again at twelve-fifteen. No light of conflagration is visible.

Bellows’s report from Gettysburg and from Meade’s headquarters very interesting. Thinks highly of Meade. Thinks the battle around Williamsport will be tolerably evenly matched, Lee having been decidedly beaten a week ago, but not at all demoralized. But there’s a despatch at the Union League Club tonight that Lee has moved his whole army safely across, except his rear guard, which we captured.

A good deal of yelling to the eastward just now. The Fields and their near neighbour, Colonel Frank Howe, are as likely to be attacked by this traitor-guided mob as any people I know. If they are, we shall see trouble in this quarter, and Gramercy Park will acquire historical associations. O, how tired I am! But I feel reluctant to go to bed. I believe I dozed off a minute or two. There came something like two reports of artillery, perhaps only falling walls. There go two jolly Celts along the street, singing a genuine Celtic howl, something about “Tim O’Laggerty,” with a refrain of pure Erse. Long live the sovereigns of New York, Brian Boroo redivivus and multiplied. Paddy has left his Egypt—Connaught—and reigns in this
promised land of milk and honey and perfect freedom. Hurrah, there goes a strong squad of police marching eastward down this street, followed by a company of infantry with gleaming bayonets. One a.m. Fire bells again, southeastward, “Swinging slow with sullen roar.” Now they are silent, and I shall go to bed, at least for a season.

**July 15.** Wednesday begins with heavy showers, and now (ten a.m.) cloudy, hot, and steaming. Morning papers report nothing specially grave as occurring since midnight. But there will be much trouble today. Rabbledom is not yet dethroned any more than its ally and instigator, Rebeldom.

News from the South is consolatory. Port Hudson surrendered. Sherman said to have beaten Joseph Johnston somewhere near Vicksburg. Operations commencing against Charleston. Bragg seems to be abandoning Chattanooga and retiring on Atlanta. *Per contra*, Lee has got safely off. I thought he would. . . . Lots of talk and rumors about attacks on the New York Custom-house (*ci-devant* Merchants’ Exchange) and the Treasury (late Custom-house). Went to see Cisco and found his establishment in military occupation—sentinels pacing, windows barricaded, and so on. He was as serene and bland as the loveliest May morning (“so cool, so calm, so bright”) and showed me the live shell ready to throw out of the window and the “battery” to project Assay Office oil-of-vitriol and the like. He’s all right. Then called on Collector Barney and had another long talk with him. Find him well prepared with shells, grenades, muskets, and men, but a little timid and anxious, “wanting counsel,” doubtful about his right to fire on the mob, and generally flaccid and tremulous—poor devil!

Walked uptown with Charley Strong and Hoppin, and after my cup of coffee, went to Union League Club. A delegation returned from police headquarters, having vainly asked for a squad of men to garrison the clubhouse. *None can be spared.* What is worse, we were badly repulsed in an attack on the mob in First Avenue, near Nineteenth Street, at about six p.m. Fired upon from houses, and had to leave sixteen wounded men and a Lieutenant Colonel Jardine in the hands of these brutes and devils. This is very bad indeed. But tonight is quieter than the last, though there seems to be a large fire downtown, and we hear occasional gun-shots.
At the club was George Biggs, full of the loudest and most emphatic jawing. “General Frémont’s house and Craven’s to be attacked tonight, Croton mains to be cut, and gas works destroyed,” and so on. By way of precaution, I had had the bathtubs filled, and also all the pots, kettles, and pails in the house. . . . Twelve-thirty: Light as of a large fire to the south.

July 16. Rather quiet downtown. No trustworthy accounts of riot on any large scale during the day. General talk downtown is that the trouble is over. We shall see. It will be as it pleases the scoundrels who are privily engineering the outbreak—agents of Jefferson Davis, permitted to work here in New York.

Omnibusses and railroad cars in full career again. Coming uptown tonight I find Gramercy Park in military occupation. Strong parties drawn up across Twentieth Street and Twenty-first Streets at the east end of the Square, by the G House, each with a flanking squad, forming an L. Occasional shots fired at them from the region of Second or First Avenue, which were replied to by volleys that seem to have done little execution. An unlucky cart-horse was knocked over, I hear. This force was relieved at seven by a company of regulars and a party of the Seventh with a couple of howitzers, and there has been but a stray shot or two since dark. The regulars do not look like steady men. I have just gone over to the hotel with John Robert-\n\nNever knew exasperation so intense, unqualified, and general as that which prevails against these rioters and the politic knaves who are supposed to have set them going, Governor Seymour not excepted. Men who voted for him mention the fact with contrition and self-abasement, and the Democratic Party is at a discount with all the people I meet. (Apropos of discount, gold fell to one hundred and twenty-six today, with the city in insurrection, a gunboat at the foot of Wall Street, the Custom-house and Treasury full of soldiers and live shells, and two howitzers in position to rake Nassau Street from Wall to Fulton!!!)

Every impression that’s made on our people passes away so soon, almost as if stamped on the sand of the sea-beach. Were our moods a little less fleeting, I should have great hope of
permanent good from the general wrath these outrages have provoked, and should put some faith in people’s prophesyings that Fernando Wood and McCunn, and the New York Herald, and the Brookses and others, are doomed henceforth to obscurity and contempt. But we shall forget all about it before next November. Perhaps the lesson of the last four days is to be taught us still more emphatically, and we have got to be worse before we are better. It is not clear that the resources of the conspiracy are yet exhausted. The rioters of yesterday were better armed and organized than those of Monday, and their inaction today may possibly be meant to throw us off our guard, or their time may be employed perfecting plans for a campaign of plundering and brutality in yet greater force. They are in full possession of the western and the eastern sides of the city, from Tenth Street upward, and of a good many districts beside. I could not walk four blocks eastward from this house this minute without peril. The outbreak is spreading by concerted action in many quarters. Albany, Troy, Yonkers, Hartford, Boston, and other cities have each their Irish anti-conscription Nigger-murdering mob, of the same type with ours. It is a grave business, a jacquerie that must be put down by heroic doses of lead and steel.

Dr. Peters and Charley Strong called at eleven p.m. They have been exploring and report things quiet except on First Avenue from Nineteenth to Thirtieth Street, where there is said to be trouble. A detachment of the Seventh Regiment, five hundred or six hundred strong, marched to that quarter from their armory an hour ago.

July 17. The Army of Gramercy Park has advanced its headquarters to Third Avenue, leaving only a picket guard in sight. Rain will keep the rabble quiet tonight. We are said to have fifteen thousand men under arms, and I incline to hope that this movement in aid of the rebellion is played out.
The daughter of a wealthy New York family of Dutch-German ancestry, Maria Lydig Daly supported the war effort through contributions to the Women’s Central Association for Relief and other charitable activities. Her husband, Charles P. Daly, was an Irish-American Catholic active in Democratic politics who served as chief judge of the New York City Court of Common Pleas (the highest court in the city). She wrote about the draft riots shortly after their suppression. In early August Horatio Seymour, the Democratic governor of New York, would ask that the draft be suspended in his state. Lincoln refused, and on August 19 conscription resumed in New York City under a heavy military guard.

July 23, 1863

At last the riot is quelled, but we had four days of great anxiety. Fighting went on constantly in the streets between the military and police and the mob, which was partially armed. The greatest atrocities have been perpetrated. Colonel O’Brian was murdered by the mob in such a brutal manner that nothing in the French Revolution exceeded it. Three or four Negroes were hung and burned; the women assisted and acted like furies by stimulating the men to greater ferocity. Father came into the city on Friday, being warned about his house, and found fifteen Negroes secreted in it by Rachel. They came from York Street, which the mob had attacked, with all their goods and chattels. Father had to order them out. We feared for our own block on account of the Negro tenements below MacDougal Street, where the Negroes were on the roof, singing psalms and having firearms.

One night, seeing a fire before the house, I thought the time had come, but it proved to be only a bonfire. The Judge sallied out with his pistol, telling me that if he were not at home in five minutes to call up the servants. This mob seems to have a curi-
ous sense of justice. They attacked and destroyed many disreputable houses and did not always spare secessionists. On Saturday (the fifth day) we went up to see Judge Hilton, who thought me very courageous, but I felt sorry for Mrs. Hilton upon hearing that she had been so terribly frightened. She gave me such details that I came home too nervous to sleep. In Lexington Avenue, houses were destroyed. One lady before whose house the mob paused with the intention of sacking it, saved her house by raising her window, smiling, and waving her handkerchief. Mr. Bosie's brother was seized by a rioter who asked him if he had $300.

"No," said he.

"Then come along with us," said the rioter, and they kept him two hours. Mrs. Hilton said she never saw such creatures, such gaunt-looking savage men and women and even little children armed with brickbats, stones, pokers, shovels and tongs, coal-scuttles, and even tin pans and bits of iron. They passed her house about four o'clock on Monday morning and continued on in a constant stream until nine o'clock. They looked to her, she said, like Germans, and her first thought was that it was some German festival. Whilst we sat there, we heard occasional pistol shots, and I was very glad that I had ordered a carriage to take us home. The carriage, it seems, was very unwillingly sent since the livery-stable keeper was so much afraid.

Every evening the Judge would go out near eleven o'clock, to my great distress. But he threatened to send me into the country if I objected (which I dreaded still more), so I kept quiet. Leonard, the Superintendent of Police in our neighborhood, said the draft could not be enforced; the firemen are against it, as well as all the working classes.

Among those killed or wounded have been found men with delicate hands and feet, and under their outward laborers’ clothes were fine cambric shirts and costly underclothing. A dressmaker says she saw from her window a gentleman whom she knows and has seen with young ladies, but whose name she could not remember, disguised in this way in the mob on Sixth Avenue.

On Sunday we went to see Mrs. Jarvis and Mr. James T. Brady, who had just arrived from Washington. I saw Susanna Brady, who talked in the most violent manner against the Irish
and in favor of the blacks. I feel quite differently, although very sorry and much outraged at the cruelties inflicted. I hope it will give the Negroes a lesson, for since the war commenced, they have been so insolent as to be unbearable. I cannot endure free blacks. They are immoral, with all their piety.

The principal actors in this mob were boys, and I think they were Americans. Catherine, my seamstress, tells me that the plundering was done by the people in the neighborhood who were looking on and who, as the mob broke the houses open, went in to steal. The police this morning found beds, bedding, and furniture in the house of a Scotch Presbyterian who was well off and owned two cows and two horses. The Catholic priests have done their duty as Christians ministers in denouncing these riotous proceedings. One of them remonstrated with a woman in the crowd who wanted to cut off the ears of a Negro who was hung. The priest told her that Negroes had souls. “Sure, your reverence,” said she, “I thought they only had gizzards.”

On Sunday evening, Mr. Dykes came in. He had seen Judge Pierrepont, who had gone to Washington with others to see what can be done. Mr. Dykes thinks that New York, being a Democratic city, may expect little indulgence from the Administration. The Judge went up to see General Dix, now in command here, who says that the government is determined to carry the draft measure through at all costs. Yesterday we went to the wedding of Lydia Watson in Westchester County. Mr. Adie told the Judge that there was a secessionist plot to burn all the houses in the neighborhood on Thursday night, that he had heard that his had been exempted by vote, and that the principal instigator and mover in it was one of the richest and most influential men in the neighborhood. The purpose of the plot was to intimidate the government and prevent conscription. Mrs. Harry Morris, who I hear has been very violent in her invectives against the North, wished to know if the soldiers could be relied upon. I told her entirely so, that they declared they would rather fight these traitors at home who made this fire in their rear whilst they were risking their life to preserve order and the laws than the rebels. For her comfort, I told her that the mob had destroyed the houses of secessionists. I frightened her, I think, not a little.
Between July and September 1863 about one hundred “peace meetings” were held in North Carolina, most of them in the central Piedmont region of the state. Some of the speakers at the rallies called for negotiations with the North resulting in Confederate independence, while others advocated reunion on terms that would preserve slavery. William H. Holden, the editor of the Raleigh North Carolina Standard and an opponent of secession in 1861, became the leader of the “Peace Party.” His support for an “honorable peace” caused a breach with his political ally, Governor Zebulon B. Vance, a critic of the Davis administration who supported continued prosecution of the war. A successful lawyer from the Piedmont region who had opposed secession, Jonathan Worth was elected state treasurer in 1862. He wrote about the peace movement to Jesse G. Henshaw, a farmer and mill owner in Randolph County. The peace meetings ended in early September after Confederate soldiers ransacked Holden’s newspaper offices and Governor Vance issued a proclamation denouncing the movement. Nevertheless, candidates who advocated seeking an “honorable peace” would win six out of ten seats when the state voted in the fall for representatives to the Second Confederate Congress.

Raleigh Aug. 24, 1863.

I hardly know whether I am in favor of the peace meetings or not. On the one hand, it is very certain that the President and his advisers will not make peace, if not forced into it by the masses and the privates in the army. Their cry echoed by almost every press is: “Independence, or the last man and the last dollar.” The North will not make peace on the basis of Independence. The real question which nobody—not even Holden—will squarely present is, shall we fight on with certain desolation and impoverishment and probable ultimate defeat; or make peace on the basis of reconstruction? Nearly every
public man—every journal, political and religious, and every politician, in the fervor of their patriotism, has vociferously declared in favor of “the last man and the last dollar” cry. These classes cannot be consistent unless they still cry war. Many believe the masses in their saner hours, never approved the war and would rather compromise on the basis of the Constitution of the U. S. with such additional securities against any future rupture as could be agreed on. If there be any sense in peace meetings they mean reconstruction. They may rather do mischief if they are not so imposing as to force the administration to reconstruction. They will be impotent and mischievous if the army is still for war to the last man and the last dollar. I do not know the sentiments of the rank and file of the army.

I am for peace on almost any terms and fear we shall never have it until the Yankees dictate it. Upon the whole I would not go into a peace meeting now or advise others to go into one, particularly in Randolph—but I have no repugnance to them in other places and see no other chance to get to an early end of this wicked war, but by the action of the masses who have the fighting to do. If an open rupture occur between Gov. V. and Mr. Holden, it will be ruinous to us. There ought to be none and I trust there will be none. There is no difference between them that justifies a breach. The Governor concedes the right of the people to hold meetings and express their wishes, but he deems such meetings inexpedient and tending to dissatisfaction and disorganization in the army and that no honorable peace can be made, after we cease to present a strong military front. The Gov. acts consistently and in the eminent difficult position he occupied, I doubt whether any pilot could manage the crippled ship in such a storm with more skill. Repress all expressions of dissatisfaction against him. He values the extravagant eulogiums of the fire-eaters at their worth. They are playing an adroit game. They would get up dissention between the Gov. and Holden and then break up the Conservative party and seize the helm of Government.

New Salem.
Hanging Deserters:
North Carolina, February 1864

John Paris: from Sermon Preached at Kinston

February 28, 1864

On February 1, 1864, Confederate forces began an unsuccessful attempt to retake New Bern, North Carolina, held by the Union since March 1862. Before withdrawing on February 3, Brigadier General Robert F. Hoke’s North Carolina brigade overran several Union outposts and captured more than 300 prisoners. Among them were fifty-three soldiers from the 2nd North Carolina Union Volunteers, one of two white Union regiments recruited in the coastal areas of the state. When Major General George E. Pickett, the commander of the Department of North Carolina, learned that some of the prisoners had deserted from the Confederate army before enlisting in the Union forces, he ordered their court-martial. Between February 5 and February 22, twenty-two men from the 2nd North Carolina Union Volunteers were convicted of desertion and treason and hanged in Kinston, thirty miles northwest of New Bern. The executions were witnessed by Hoke’s brigade and, in many cases, by the families of the men who were hanged (most of the condemned were from nearby counties). At least twenty-one of the remaining unionist prisoners would later die from disease in Confederate prison camps. John Paris, a Methodist clergyman who had served as chaplain of the 54th North Carolina Infantry since July 1862, preached a sermon on the executions before Hoke’s brigade on February 28 and later published it as a pamphlet.

But who were those twenty-two men whom you hanged upon the gallows? They were your fellow-beings. They were citizens of our own Carolina. They once marched under the same beautiful flag that waves over our heads; but in an evil hour, they yielded to mischievous influence, and from motives or feelings base and sordid, unmanly and vile, resolved to abandon every principle of patriotism, and sacrifice every impulse of honor; this sealed their ruin and enstamped their lasting disgrace. The question now arises, what are the influences
and the circumstances that lead men into the high and damning crimes, of perjury and treason? It will be hard to frame an answer that will fit every case. But as I speak for the benefit of those whom I stand before to-day, I will say I have made the answer to this question a matter of serious inquiry for more than eighteen months. The duties of my office as Chaplain have brought me much in contact with this class of men. I have visited twenty-four of them under sentence of death in their cells of confinement, and with death staring them in the face, and only a few short hours between them and the bar of God. I have warned them to tell the whole truth, confess everything wrong before God and man, and yet I have not been able to obtain the full, fair and frank confession of everything relating to their guilt from even one of them, that I thought circumstances demanded, although I had baptized ten of them in the Name of the Holy Trinity. In confessing their crimes, they would begin at Newbern, where they joined the enemy, saying nothing about perjury and desertion. Every man of the twenty-two, whose execution you witnessed, confessed that bad or mischievous influences had been used with him to influence him to desert. All but two, willingly gave me the names of their seducers. But none of these deluded and ruined men seemed to think he ought to suffer the penalty of death, because he had been persuaded to commit those high crimes by other men.

But gentlemen, I now come to give you my answer to the question just asked. From all that I have learned in the prison, in the guard house, in the camp, and in the country, I am fully satisfied, that the great amount of desertions from our army are produced by, and are the fruit of a bad, mischievous, restless, and dissatisfied, not to say disloyal influence that is at work in the country at home. If in this bloody war our country should be overrun, this same mischievous home influence will no doubt be the prime agent in producing such a calamity. Discontentment has, and does exist in various parts of the State. We hear of these malcontents holding public meetings, not for the purpose of supporting the Government in the prosecution of the war, and maintenance of our independence, but for the purpose of finding fault with the Government. Some of these meetings have been dignified with the name of “peace meet-
ings;” some have been ostensibly called for other purposes, but they have invariably been composed of men who talk more about their “rights,” than about their duty and loyalty to their country. These malcontents profess to be greatly afflicted in mind about the state of public affairs. In their doleful croakings they are apt to give vent to their melancholy lamentations in such words as these: “The country is ruined!” “We are whipt!” “We might as well give up.” “It is useless to attempt to fight any longer!” “This is the rich man’s war and the poor man’s fight;” &c. Some newspapers have caught the mania and lent their influence to this work of mischief; whilst the pulpit, to the scandal of its character for faith and holiness, has belched forth in some places doctrines and counsels through the ministrations of unworthy occupants, sufficient to cause Christianity to blush under all the circumstances. I would here remark, standing in the relation which I do before you, that the pulpit and the press, when true and loyal to the Government which affords them protection, are mighty engines for good but when they see that Government engaged in a bloody struggle for existence, and show themselves opposed to its efforts to maintain its authority by all constitutional and legal means, such a press, and such pulpits should receive no support for an hour from a people that would be free. The seal of condemnation should consign them to oblivion.

Such sentiments as we have just alluded to, are sent in letters to our young men in the army, by writers professing to be friends; often with an urgent and pressing invitation to come home; and some have even added that execrable and detestable falsehood, the quintessence of treason, “the State is going to secede.” Letters coming into our camps on the Rappahannock and Rapidan sustain this position. What are the effects produced upon our young men in the ranks? With the illiterate, they are baleful indeed. The incautious youth takes it for granted that the country is ruined and that the Government is his enemy. The poisonous contagion of treason from home gets hold in his mind and steals into his feelings. This appeal from home has overcome him. The young man of promise and of hope once, now becomes a deserter. Is guilty by one false step of the awful crimes of perjury and desertion. The solemn obligations of his oath are disregarded; he takes to the woods,
traverses weary roads by night for days, until he reaches the community in which he claims his home; but for what? To engage in any of the honorable vocations of life? No, gentlemen. But to lie hidden from the face of all good, true and loyal men. But for what purpose? To keep from serving his country as a man and a citizen. To consume the provisions kept in the country for the support of the women and children, families of soldiers who are serving their country, indeed; and lastly, to get his living in part, at least, by stealing and robbing. And here allow me to say, I am not sufficiently skilled in language to command words to express the deep and unutterable detestation I have of the character of a deserter. If my brother were to be guilty of such a high crime, I should certainly make an effort to have his name changed to something else, that I, and my children after me, might not feel the deep and lasting disgrace which his conduct had enstamped upon it.

I hold, gentlemen, that there are few crimes in the sight of either God or man, that are more wicked and detestable than desertion. The first step in it is perjury. Who would ever believe such an one in a court of justice again? The second, is treason. He has abandoned the flag of his country; thus much he has aided the common enemy. Those are startling crimes, indeed, but the third is equally so. He enstamps disgrace upon the name of his family and children.
**Biographical Notes**

**William Henry Harrison Clayton** (June 1840–December 18, 1917) Born in Pittsburgh, Pennsylvania. Moved with family to Cincinnati, Ohio, in 1842 and to western Van Buren County, Iowa, where his father bought a farm in 1855. Enlisted in Company H, 19th Iowa Infantry, in August 1862, and was made the company clerk. Served in southern Missouri and northern Arkansas, September 1862–May 1863, and fought in the battle of Prairie Grove. Promoted to sergeant in April 1863. Sent with regiment to Vicksburg in mid-June and served in siege until Confederate surrender on July 4, 1863. Remained in Mississippi until late July, when the 19th Iowa was posted to Louisiana. Captured along with two hundred men from his regiment at Sterling’s Plantation near Morganza, Louisiana, on September 29, 1863. Held as prisoner of war at Shreveport, Louisiana, and Marshall and Tyler, Texas, before being exchanged in July 1864. Rejoined regiment and served at Fort Barrancas near Pensacola, Florida, August–December 1864, and at the entrance to Mobile Bay and in southeastern Mississippi, December 1864–March 1865. Saw action in the siege of Spanish Fort near Mobile, March 27–April 8, 1865. Remained at Mobile after Confederate surrender until July 1865, when his regiment was mustered out. Returned to Iowa, then moved in fall 1865 to Pittsburgh, where he worked as a bookkeeper. Married cousin Elizabeth Cooper in 1869; she died in 1876. Moved in 1879 to farm in Orange, California. Married cousin Ora Clayton in 1879. Gave up farming in 1887 to become public notary and sell insurance and real estate. Served as Orange city treasurer, 1888–92 and 1898–1904, and as city councilman, 1894–98. Died in Orange.

**William Parker Cutler** (July 12, 1812–April 11, 1889) Born in Warren Township, Washington County, Ohio, the son of a farmer active in local and state politics. Attended Ohio University at Athens, then returned to work on family farm. Elected to Ohio house of representatives as a Whig, 1844–47, and served as speaker, 1846–47. Married Elizabeth P. Voris in 1849. Trustee of Marietta College, 1849–89, and was a delegate to the state constitutional convention in 1850. President of Marietta & Cincinnati Railroad, 1850–54 and 1858–60. Served in U.S. Congress as a Republican, 1861–63; defeated for reelection. President of Marietta & Pittsburgh Railroad, 1868–72, and served as
contractor on railroad construction projects in Indiana and Illinois, 1869–73. Died in Marietta, Ohio.

Maria Lydig Daly (September 12, 1824–August 21, 1894) Born Maria Lydig in New York City, the daughter of a wealthy grain merchant and landowner. Married Judge Charles P. Daly of the New York Court of Common Pleas, the son of poor Irish immigrants, in 1856 despite opposition from many members of her family who objected to his Catholicism and family background. Supported the Woman’s Central Association of Relief during the Civil War and visited sick and wounded soldiers. Died at her country home in North Haven, New York.

Jefferson Davis (June 3, 1808–December 6, 1889) Born in Christian (now Todd) County, Kentucky, the son of a farmer. Moved with his family to Mississippi. Graduated from West Point in 1828 and served in the Black Hawk War. Resigned his commission in 1835 and married Sarah Knox Taylor, who died later in the year. Became a cotton planter in Warren County, Mississippi. Married Varina Howell in 1845. Elected to Congress as a Democrat and served 1845–46, then resigned to command a Mississippi volunteer regiment in Mexico, 1846–47, where he fought at Monterrey and was wounded at Buena Vista. Elected to the Senate and served from 1847 to 1851, when he resigned to run unsuccessfully for governor. Secretary of war in the cabinet of Franklin Pierce, 1853–57. Elected to the Senate and served from 1857 to January 21, 1861, when he withdrew following the secession of Mississippi. Inaugurated as provisional president of the Confederate States of America on February 18, 1861. Elected without opposition to six-year term in November 1861 and inaugurated on February 22, 1862. Captured by Union cavalry near Irwinville, Georgia, on May 10, 1865. Imprisoned at Fort Monroe, Virginia, and indicted for treason. Released on bail on May 13, 1867; the indictment was dropped in 1869 without trial. Published The Rise and Fall of the Confederate Government in 1881. Died in New Orleans.

John B. Jones (March 6, 1810–February 4, 1866) Born in Baltimore, Maryland. Lived in Kentucky and Missouri as a boy. Married Frances Custis in 1840. Became editor of the Saturday Visitor in Baltimore, 1841. Published several novels, including Wild Western Scenes (1841), The War Path (1858), and Wild Southern Scenes (1859). Established weekly newspaper Southern Monitor in Philadelphia, 1857. Fearing arrest as a Confederate sympathizer, Jones moved in 1861 to Richmond,
Virginia, where he worked as a clerk in the Confederate War Department. Died in Burlington, New Jersey, shortly before the publication of *A Rebel War Clerk’s Diary*.

**Abraham Lincoln** (February 12, 1809–April 15, 1865) Born near Hodgenville, Kentucky, the son of a farmer and carpenter. Family moved to Indiana in 1816 and to Illinois in 1830. Settled in New Salem, Illinois, and worked as a storekeeper, surveyor, and postmaster. Served as a Whig in the state legislature, 1834–41. Began law practice in 1836 and moved to Springfield in 1837. Married Mary Todd in 1842. Elected to Congress as a Whig and served from 1847 to 1849. Became a public opponent of the extension of slavery after the passage of the Kansas-Nebraska Act in 1854. Helped found the Republican Party of Illinois in 1856. Campaigned in 1858 for Senate seat held by Stephen A. Douglas and debated him seven times on the slavery issue; although the Illinois legislature reelected Douglas, the campaign brought Lincoln national prominence. Received Republican presidential nomination in 1860 and won election in a four-way contest; his victory led to the secession of seven southern states. Responded to the Confederate bombardment of Fort Sumter by calling up militia, proclaiming the blockade of southern ports, and suspending habeas corpus. Issued preliminary and final emancipation proclamations on September 22, 1862, and January 1, 1863. Appointed Ulysses S. Grant commander of all Union forces in March 1864. Won reelection in 1864 by defeating Democrat George B. McClellan. Died in Washington, D.C., after being shot by John Wilkes Booth.


George Templeton Strong (January 26, 1820–July 21, 1875) Born in New York City, the son of an attorney. Graduated from Columbia College in 1838. Read law in his father’s office and was admitted to the bar in 1841. Joined father’s firm. Married Ellen Ruggles in 1848. Served on Columbia board of trustees and as vestryman of Trinity Episcopal Church. Helped found the U.S. Sanitary Commission, June 1861, and served as its treasurer through the end of the war; also helped found the Union League Club of New York in 1863. Died in New York City.

Clement L. Vallandigham (July 29, 1820–June 17, 1871) Born in New Lisbon, Ohio, the son of a Presbyterian minister. Attended New Lisbon Academy and Jefferson College in Washington, Pennsylvania. Served as principal of Union Academy in Snow Hill, Maryland, 1838–40. Returned to Ohio in 1840 to study law. Admitted to bar in 1842. Served as a Democrat in the Ohio house of representatives, 1845–46. Married Louisa Anna McMahon in 1846. Moved in 1847 to Dayton, where he practiced law and edited the Dayton Western Empire, 1847–49. Served in Congress, 1858–63, and became a leading “Peace Democrat” opposed to emancipation and the continued prosecution of the war. Arrested in Dayton on May 5, 1863, and tried before military commission for expressing “disloyal sentiments and opinions.” Expelled across lines into Confederate-held territory in Tennessee. Made his way to Canada in June 1863 after receiving Democratic nomination for governor of Ohio and campaigned from exile, but was defeated in October 1863. Returned to United States in
June 1864 and helped draft peace platform adopted by Democratic national convention in August. Resumed law practice. Accidentally shot himself on June 16, 1871, while demonstrating to other attorneys how his client’s alleged victim could have accidentally shot himself during an altercation (his client was later acquitted). Died the following day in Lebanon, Ohio.

Jonathan Worth (November 18, 1802–September 5, 1869) Born in Guilford County, North Carolina, the son of a physician. Attended Caldwell Institute in Greensboro. Married Martitia Daniel in 1824, the same year he began practicing law in Asheboro. Served in North Carolina house of commons, 1830–32, where he opposed nullification. Served in state senate, 1840–41 and 1858–61. Opposed secession in 1861. Elected state treasurer in 1862 and served until 1865, when he was elected governor. Reelected in 1866. Opposed ratification of the Fourteenth Amendment and the Reconstruction Act of 1867, which made southern state governments subject to military authority. Declined to run for reelection in 1868 and refused to recognize the election of William W. Holden as his successor. Removed from office by military authority in July 1868. Died in Raleigh.
Chronology, 1860–1865

1860
Republican candidate Abraham Lincoln wins presidential election, November 6, defeating Stephen Douglas (Northern Democratic), John C. Breckinridge (Southern Democratic), and John Bell (Constitutional Union). Lincoln receives 180 out of 303 electoral votes, all of them from free states. South Carolina convention votes to secede from the Union, December 20.

1861

1862


1865  Congress proposes Thirteenth Amendment to the Constitution abolishing slavery, January 31. Sherman begins march through the Carolinas, February 1. Lincoln delivers his Second Inaugural Address, March 4. Sherman reaches Goldsboro, North Carolina, March 23. Grant assaults Confederate lines at Petersburg, April 2, forcing evacuation of Richmond. Lee surrenders to Grant at Appomattox Court House, Virginia, April 9. Lincoln is shot, April 14, and dies, April 15; Vice President Andrew Johnson becomes president. Remaining Confederate armies surrender, April 26–May 26. Ratification
of the Thirteenth Amendment is declared, December 18. At least 360,000 Union soldiers, 260,000 Confederate soldiers, and 50,000 civilians were killed or died from disease, hunger, and exposure during the war.
Questions for Discussion

1. What kind of distinctions did participants and observers make during the Civil War between permissible criticism and impermissible disloyalty? Did these distinctions vary between the North and the South?

2. In his sermon John Paris argues that desertion is a crime worthy of punishment by death. What was his rationale? During the Civil War both the Union and the Confederacy executed men for desertion. Were they justified in doing so?

3. Do you find President Lincoln’s arguments in his letter to Erastus Corning persuasive? Do you think his arguments are dangerous? Would John Paris agree with Lincoln regarding the injustice of punishing the “simple-minded soldier boy” while sparing the “wily agitator”?

4. What do the selections by George Templeton Strong and Maria Lydig Daly reveal about racial and ethnic prejudices and divisions in the North?

5. How was the use of conscription during the Civil War justified? Do you find these justifications persuasive? Was allowing drafted men to hire substitutes (permitted in the Union until the end of the war and in the Confederacy until December 1863) fair?

6. Both Clement L. Vallandigham and Jonathan Worth hoped that the war could be ended by a negotiated settlement. Was a negotiated peace possible in 1863?

7. How does reading these firsthand accounts affect your sense of the purpose and meaning of the war? Does it change how you understand the role of individuals—their words and actions—in historical events? What are the differences between exploring the war
through participant accounts and reading a historical narrative of the same events?

8. What did you find most surprising or unexpected about these writings?

9. Choosing one of the pieces, what do you think was the author’s purpose for writing it? Do you think it achieves its purpose? How might the act of writing it have helped the author to make sense of his or her experience of the Civil War?

10. How are the experiences of the Civil War reflected in the language, tone, attitude, and style of the writing?