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FIFTEEN YEARS WITH CLEMENT L. VALLANDIGHAM

by

Terry H. Allen

B. S., Eastern Illinois University, 1957

A Substantial Paper
Submitted In Fullfillment
of the Requirements For the Degree
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T. H. A.

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BIOGRAPHICAL INTRODUCTION

Clement L. Vallandigham was born on July 29, 1820, in New Lisbon, Columbiana County, Ohio.¹ He was of French Huguenot and Scotch-Irish ancestry. His father, a Presbyterian minister, taught a classical school in the Vallandigham home in order to supplement his income. There were seven children in the family. Young Clement attended his father's school where he was quite diligent in his studies. However, he still indulged in hunting, fishing, and other outdoor sports, all of which he enjoyed immensely.

He enrolled at Jefferson College, Cannonsburg, Pennsylvania in the fall of 1837. He had acquired sufficient training during his early schooling which enabled him to enroll in the junior class. During his first year at Jefferson he became a member of the Franklin Literary Society. Clement obtained early and useful oratorical experience from the organization, which he later displayed during his political career.

Believing that his father was financially unable to send him on to school, Clement obtained the position of Principal of Union Academy, Snow Hill, Maryland. He remained there for two years (1838-1839).

¹ This biographical information was taken from James Vallandigham's book, Life of Clement L. Vallandigham.

He re-entered Jefferson College as a senior in 1840. During the latter part of January, 1841, he became involved in a rather heated argument (regarding constitutional law) with the college president. Clement withdrew from school and returned to his home in New Lisbon, Ohio where he began to study law with his eldest brother, George. Several years later he received a personal apology from the president asking him to send a letter to the college faculty requesting his diploma. The request was never sent; therefore Clement never received his degree.

Clement L. Vallandigham was admitted to the bar on October 5, 1842, at Columbus, Ohio, and immediately went into practice with his eldest brother at New Lisbon. He attended his task with zeal and vigor. However, he spent considerable time in studying politics, a field which interested him more than law. Had he been successful in his later political aspirations, it is probable that he would have given up law altogether.

In the summer of 1845, Clement was nominated by the Democratic party of his native county as a candidate for Representative in the state legislature. He was elected in October, having just reached the constitutional age requirement. He was the youngest member in the legislature. Clement showed remarkable ability while taking part in all the important debates, and impressed the other members of the legislature no end. During his second year in the legislature, he was regarded as leader of his party upon the floor.

Some of his early political views were shown during his term in the legislature. He supported the Mexican War most earnestly. He showed strong tendencies in favor of the Union and predicted that agitation aroused by the slavery issue would result in disunion and eventual civil war. He was fixed in his political (and religious) beliefs and would not hesitate to argue them with anyone. He was, however, affable in manner, vivacious in temperment, and popular with his colleagues. Clement was extremely sensitive to opposition or ridicule and would in no way tolerate insult.

Clement Vallandigham returned home at the close of the legislature. He was offered a second nomination for a seat in the legislature but refused it.

He moved to Dayton, Montgomery County, Ohio with his wife in August, 1847. (August 27, 1846, he had been married to Louisa A. McMahon, daughter of William McMahon, a leading citizen of Cumberland, Maryland.) He entered into a law partnership with Thomas J. S. Smith, an experienced lawyer. Shortly afterwards Clement became part owner and editor of the Western Empire, a Democratic newspaper in Dayton. He enjoyed newspaper work and realized the power that could be wielded by the press. He disposed of his interest in the paper in June, 1849, in order to take care of his increasing law business. Clement ran for Judge of the Common Pleas Court of the Montgomery circuit during the winter of 1849, but was defeated because of his views regarding the sectional controversy over slavery.

Clement L. Vallandigham favored the Compromise of 1850, including the Fugitive Slave Law. He was not in favor of slavery but believed that it was recognized and protected by the Constitution. His dislike for the abolitionist movement continued to grow, and he still predicted that agitation would result in civil war. In 1851 he ran for Lieutenant Governor on the Democratic ticket but was defeated.

In August, 1852, he was nominated as the Democratic candidate for Congress in the Third District of Ohio, that district consisting of Montgomery, Preble, and Butler counties. He gave several vigorous speeches during the canvass but was defeated at the polls. Many dissatisfied Democrats voted for his Whig opponent, Lewis Campbell. His earnest support of the Compromise measures had no little effect upon his defeat.

Clement was again nominated for Representative in the 34th Congress, Lewis D. Campbell receiving the nomination of the opposition. Having been accused of being a Know-Nothing, Vallandigham denounced them in the campaign that followed and made a solemn oath that he had never belonged to that order. The Democratic party of Ohio was soundly defeated in 1854. Clement L. Vallandigham fared no better, being defeated by a heavy majority. He returned to his law practice in Dayton. Realizing that the slavery controversy was endangering the Union, he gave a resounding speech in Dayton on October 29, 1855. He regarded the agitation that was developing over the slavery question as being the trigger mechanism for disunion and eventual civil war.



"Go to the ballot box and hurl the traitor (Lincoln)
from his throne."

Clement L. Vallandigham



"Must I shoot a simple minded soldier boy who deserts
and not touch a hair of the wily agitator (Vallandigham)
who induces him to desert."

Abraham Lincoln

CHAPTER I

CLEMENT L. VALLANDIGHAM, UNITED STATES REPRESENTATIVE

On July 28, 1856, Clement L. Vallandigham was nominated as the Democratic candidate for the 35th Congress from the Third Congressional District of Ohio. The Republicans renominated the incumbent, Lewis D. Campbell. The Congressional canvass was extremely violent during the next three months. After the votes were counted, Mr. Campbell was victorious by a majority of nineteen votes. However, it was alleged that large and numerous frauds had been committed by the Republicans, including several illegal Negro votes. Several friends of Vallandigham urged him to contest the election. He agreed and served Mr. Campbell with a notice of contest on October 25, 1856.¹ Mr. Vallandigham went to Washington, D. C. on December 1, 1857 to prosecute the contest for his seat in Congress. His patience was severely tried by a delay of six months. The Democrats in Congress had divided over the Lecompton question, and the discussion dragged on for months. Therefore, the contested election case was held back until the Lecompton debate was ended. The case was finally brought before the Committee on Elections. A majority

¹ Vallandigham, James L.: Life of Clement L. Vallandigham, Turnbull Brothers, Baltimore, Maryland, 1872, pp. 83-84. Hereafter cited as James Vallandigham.

report favoring Mr. Vallandigham was adopted by the House on May 25, 1858, the vote being 107 to 100. He was admitted to his seat in the 35th Congress as Representative of the Third District of Ohio shortly before adjournment and then returned to his home in Dayton.²

Shortly after his return home he was renominated as the Democratic candidate of the Third District, without the formality of a convention. In the election which followed in October, 1858, he defeated his old rival, Lewis D. Campbell, by a margin of 188 votes. The reelection was most gratifying to Mr. Vallandigham, since he had met with so many political failures in previous years.³ He took very little part in the debates during the first session. On February 24, 1859, he addressed the House upon the Tariff of 1857. Mr. Vallandigham attacked the tariff strenuously, declaring it to be a manufacturers' tariff and a highly protective tariff as well.⁴

He returned home after the close of the session. There he relaxed and occupied himself with outdoor recreation during the summer and early fall. In the middle of October he visited Washington, D. C. in regard to matters pertaining to his position

² James Vallandigham, pp. 99-100.

³ James Vallandigham, p. 102.

⁴ James Vallandigham, pp. 104-106.

in Congress.⁵ He was in Washington the night of October 16, 1859, when John Brown made his unsuccessful attempt to capture the United States arsenal at Harpers Ferry. Mr. Vallandigham, while enroute to his home in Dayton, arrived at Harpers Ferry about noon of the 19th. Colonel Robert E. Lee and Lieutenant J. E. B. Stuart accompanied him to where Brown was being held. Despite his wounds, Brown was in a talkative mood and carried on a short conversation with Mr. Vallandigham and a few bystanders. Mr. Vallandigham desired to know if Brown had received any support or help from notable men in the North in attempting such an assault. Brown admitted to having associations with numerous Northerners but refused to incriminate any of them. He defended his assault upon the arsenal (by which he intended to arm slaves) by declaring that God had not intended for people to be in bondage. He stated further that he had not expected a general uprising of the slaves but had expected his movement to gain momentum as it progressed.

Mr. Vallandigham was impressed by his interview with John Brown and stated on numerous occasions afterwards that he was one of the most remarkable men he had ever met. Needless to say, Mr. Vallandigham was quite aware of Brown's "bloody" reputation in Kansas. Several Republican newspapers attacked Vallandigham for holding the conversation, but most of the remarks were

⁵ James Vallandigham, p. 108.

considerably distorted. He felt that John Brown would and should be punished for his crimes but also hoped that his fellow conspirators and accessories would be arrested and punished too.⁶

The 36th Congress convened on December 5, 1859, and Mr. Vallandigham gave his first speech of the session on December 15.⁷ It dealt with his views in regard to his stand on neutral ground and opposition towards the abolition sentiment. He was opposed to sectionalism and also to disunion which might arise out of the agitation over slavery. He did not favor pro-slavery factions but would always favor the Union and the Constitution.⁸

Vallandigham had attended the Presidential Convention at Charleston, South Carolina in April of 1860 as Secretary of the National Democratic Committee. He did not agree with Senator Douglas's (Illinois) views on "squatter sovereignty" but did support him for the nomination. Vallandigham regarded Douglas as the most suitable candidate. He predicted that a disruption of the Democratic party would result in the bloodiest civil war in history.⁹

In a speech given at Dayton on June 30, 1860, he stated that if the Northern and Western anti-slavery organization

⁶ James Vallandigham, pp. 111-120.

⁷ James Vallandigham, pp. 127-131.

⁸ Speeches, Arguments, Addresses, and Letters of Clement L. Vallandigham, J. Walter and Company, New York, 1864, pp. 263-265. Hereafter cited as Speeches of Vallandigham.

⁹ James Vallandigham, pp. 137-138.

(referring to the Republican party) were destroyed, the Southern pro-slavery organization would crumble in three months.¹⁰

Vallandigham foresaw the war which was to break out in 1861. Following the election of Abraham Lincoln in 1860, it was evident that most of the Southern states would leave the Union.¹¹ He supported the Crittenden Resolutions and all other compromises which he believed might avoid war and above all, save the Union.¹²

At the opening of the 2nd session (December 3, 1860) Vallandigham was against coercion. As sentiment changed many people (in and out of Congress) came to agree that maybe war wasn't necessary after all.¹³

On the evening of December 22, 1860, he gave a speech at a serenade held in the honor of Senator George E. Pugh (Ohio). Vallandigham made it quite clear that he was opposed to maintaining the Union by means of civil war. He was definitely against coercion but hoped for a peaceful settlement between the factions-- by compromise.¹⁴

He returned to Dayton in March, 1861, sincerely hoping that peace would be maintained. However, Fort Sumter was

¹⁰ Speeches of Vallandigham, p. 554.

¹¹ James Vallandigham, pp. 140-142.

¹² James Vallandigham, pp. 148-151.

¹³ James Vallandigham, p. 157.

¹⁴ Speeches of Vallandigham, pp. 263-265.

bombarded and surrendered, and President Lincoln issued a call for 75,000 men. By the middle of April, the country was cast into civil war.¹⁵

Mr. Vallandigham had been reelected to the 37th Congress by a majority similar to his victory in 1858.¹⁶ The 1st session (a special session) convened on July 4, 1861, with a dramatic oration by Galusha A. Grow (Pennsylvania), Speaker of the House, claiming that the Union must be preserved with human life and blood.¹⁷ Mr. Vallandigham continued to support his views of non-coercion, despite threats of bodily harm.¹⁸ He was quite active in expressing his anti-war, anti-sectionalism, and other similar views, much to the disgust of those who wished to carry on the war, punish the South, and put an end to slavery.¹⁹

On June 4, 1862, he attended the Democratic State Convention at Columbus, Ohio.²⁰ He delivered a most forceful and determined address in which he cited the Democratic party as the one that stood for peace. Mr. Vallandigham denounced the

¹⁵ James Vallandigham, p. 159.

¹⁶ James Vallandigham, pp. 140-141.

¹⁷ James Vallandigham, p. 164.

¹⁸ James Vallandigham, p. 213.

¹⁹ It is quite evident that despite the resentment he was building up in Congress and the opposition he was receiving from the war faction, Clement L. Vallandigham continued, unthwarted, to voice his demands for peace by compromise.

²⁰ James Vallandigham, p. 207.

continuance of the war, and said that if anyone wished to shed additional blood, they could do so by joining McClellan's battered troops upon the peninsula in front of Richmond.²¹

The Congressional Convention of the Third District met at Hamilton, Ohio on September 4, 1862, and nominated Mr. Vallandigham for a seat in the 38th Congress. The district had been somewhat changed, however. In addition to the former counties of Butler, Preble, and Montgomery (his home county), the strong Republican county, Warren, had been added. This district reorganization (gerrymander) resulted in Vallandigham's defeat in the fall election.²²

Mr. Vallandigham continued to stand his ground in Congress. He delivered numerous speeches upon the floor of the House, most of which accomplished very little in regard to his views, but did manage to build up opposition towards him.²³

On January 14, 1863, he delivered a speech on "The Great Civil War in America," which produced a profound sensation in Congress. Even the Republicans in Congress admitted that the address reflected not only the sincerity of Mr. Vallandigham but also his oratorical ability.²⁴ In brief, the speech

²¹ Speeches of Vallandigham, pp. 384-396.

²² James Vallandigham, pp. 215-216.

²³ Sandburg, Carl: The War Years, Vol. II, Harcourt, Brace, and Company, New York, 1939, p. 126. Hereafter cited as Carl Sandburg, Vol. II.

²⁴ James Vallandigham, pp. 224-226.

denounced Lincoln and the Republican Administration, opposed coercion as a means of saving the Union, and stated in conclusion that he (Vallandigham) hoped the Union could still be saved. He did not support the war and thanked God that not one drop of blood was upon his clothes. It would be only a monstrous delusion that the South could be whipped back into line with bayonets. Such an attempt would only end in a disastrous and bloody failure.²⁵

Seven petitions for the expulsion of Mr. Vallandigham had been received and read in the House. A resolution had also been made to look into his loyalty by a House Committee.²⁶

On February 23, 1863, Clement L. Vallandigham delivered his final address in the 37th Congress.²⁷ In that speech he attacked conscription and arbitrary arrests, claiming that both were in violation of the Constitutional rights of man.²⁸

That speech marked the end of his congressional career. Following the close of the 37th Congress (March 4, 1863) he spent a short time in the East, addressing gatherings in Philadelphia, New York, and Albany.²⁹ He arrived in Dayton on

²⁵ Speeches of Vallandigham, pp. 418-453.

²⁶ Carl Sandburg, Vol. II, p. 126.

²⁷ James Vallandigham, p. 229.

²⁸ Speeches of Vallandigham, pp. 454-478.

²⁹ James Vallandigham, pp. 231-237. The theme of his speeches at Philadelphia, New York, and Albany were no different than those he had delivered in Congress. He continued to assault the Lincoln Administration, violation of civil liberties, the war, etc.

March 13, where he was greeted by a large crowd. He was escorted to the Court House where he addressed the throng in regard to the Administration's violation of civil liberties.³⁰

The handsome politician from Ohio was the leading spirit among the anti-war Democrats of the North. He denounced the conflict as a means of preserving the Union so strenuously that he was often times accused of opposing the Union. This accusation Mr. Vallandigham opposed most vigorously. The effect of his agitation aroused civil disturbance, caused disobedience, spread disunity, confused the public, and discouraged enlistments. Many believed him to be an agent of the Confederates. This he denied, but his conduct tended to break down northern opposition to Jeff Davis and the Confederate movement.³¹

³⁰ James Vallandigham, pp. 237-241.

³¹ Randall, J. G.: Lincoln the President, Vol. III, Dodd, Mead, and Company, New York, 1952, p. 212. Hereafter cited as J. G. Randall, Vol. III. Many people were not only listening to Vallandigham, but were beginning to take him seriously. The resentment that was aroused by the anti-war faction of the North caused no small concern to the Lincoln Administration.

CHAPTER II

GENERAL BURNSIDE AND ORDER #38

On his return home from Congress, Mr. Vallandigham found that the states of Ohio, Kentucky, Indiana, and Illinois had been formed into a military district, the Department of the Ohio.¹ General Ambrose E. Burnside had been placed in command of the district on March 25, 1863. In other words, he had been sent to control the unarmed civilians (anti-War Democrats) in the West since he had been unable to dispose of the armed Confederates at Fredericksburg. That defeat had only heightened his zeal against the insurgents. He found the department infected with bitter resentment of the Lincoln Administration, which, in his opinion, was of positive aid to the enemy. He was determined to destroy such manifestations, which he regarded as treasonable.²

The anti-war faction of the Democratic party in Ohio, Indiana, and Illinois had doubted the feasibility of the war; and, on numerous occasions, had flatly denounced such a means of saving the Union.³

¹ James Vallandigham, p. 241.

² Nicolay, John G., and Hay, John: Abraham Lincoln, Vol. VII, The Century Company, New York, 1890, p. 328. Hereafter cited as Nicolay and Hay, Vol. VII.

³ Gray, Wood: The Hidden Civil War, Viking Press, New York, 1942, pp. 73-74. Hereafter cited as Wood Gray.

By the time of Mr. Vallandigham's arrival, Burnside had enacted several military orders which the people were expected to obey. One was Order #9, which prohibited any criticism of civil or military policies of the Administration. Another, Order #15, prohibited citizens from keeping or carrying firearms. Vallandigham considered such orders as being distinct violations of the Constitutional rights of man and wasted little time in expressing himself.⁴

The worst was yet to come. On April 13, 1863, General Burnside issued Order #38 from his headquarters at Cincinnati. The main purpose of the order was to suppress disloyal agitation within the area of the department. In brief, it stated that all persons found within the department, who committed beneficial acts for the enemy of the United States, would be tried as spies or traitors and convicted. He stated further that the habit of declaring sympathy for the Confederacy would not be tolerated. He did offer an alternative, however, by saying that those proven guilty could be put beyond the Union lines and into the lines of the Confederacy.⁵

The order immediately aroused furious resentment among Vallandigham and others who shared his sentiments. He went from

⁴ James Vallandigham, p. 241.

⁵ J. G. Randall, Vol. III, p. 215.

city to city with the cry: "If it be really the design of the Administration to force this issue (Order #38), then come arrest, come exile, come death itself. I am ready to meet it."⁶

Rumors of his violent speeches began to drift back to the military officials in Cincinnati. An officer, Captain H. R. Hill, 115th Ohio Volunteers, was sent, in civilian clothes, to attend a meeting that was being held at Mount Vernon, Ohio on May 1, 1863. Vallandigham and several other notable Democrats were scheduled to speak that evening. The meeting was quite enthusiastic, full of resentment towards the Lincoln Administration and full of sympathy for the South. Mr. Vallandigham delivered a spirited address that evening while being unaware of the recorder who took notations of his most malignant remarks. In his speech he stated again that the government did not have the Constitutional power to preserve the Union by force. He accused the Administration of refusing to accept foreign mediation; said the war was being fought to enslave the whites and liberate the blacks, and stated that the Administration was trying to establish a despotism. Mr. Vallandigham stated further that Order #38 was in violation of the rights of free

⁶ Carl Sandburg, Vol. II, p. 161. Vallandigham continued to criticize the Lincoln Administration, blaming it as being the cause for the war and the violation of civil liberties. He also accused the Administration as being responsible for the military policy of the Department of the Ohio.

men and, as far as he was concerned, should be spat upon and trampled under foot. It was his belief that the conscription act encroached upon the rights of free men. In regard to President Lincoln, he referred to him as "King Lincoln" and urged the people to go to the ballot box and drive the traitor from his throne.

The crowd was in agreement with him. Many of those in attendance wore badges of "Copperheads" and "Butternuts." One member of the crowd shouted that Jeff Davis was a gentleman, which was more than Lincoln ever was.⁷

The officer returned to Burnside's headquarters with his report; and on May 4, 1863, the following order was issued:

Captain Charles G. Hutton, A. D. C.

Captain--You will proceed at once to Dayton, Ohio, by special train, and cause the arrest of the Honorable Clement L. Vallandigham, after which you will return to these Headquarters.

You will confer with the Provost Marshall, who will await your arrival at Dayton. And see that the arrest is made as quietly as possible. Captain Murray will accompany you, and will render you any assistance you may request from him.

The superintendent of the C. H. and D. railroad will make all the necessary arrangements for trains; upon your showing him this order. You should

⁷ Nicolay and Hay, pp. 330-331.

endeavor to arrive here before daylight tomorrow morning.

Much discretion is allowed to your good judgement in this matter.

By command of Major-General A. E. Burnside

D. R. Larned

Captain and Assistant Adjutant General

Official⁸

On the same day this order was issued a special train left for Dayton with a Company of the 115th Ohio Infantry for the purpose of arresting Vallandigham. They arrived at the station and went immediately to his house, getting there shortly before daybreak. Vallandigham refused to let them enter and fired several shots. The signal was taken up in town by the ringing of the fire bell. Evidently, a prearranged alarm system had broken down. The soldiers forced their way hurriedly into the house, broke down several doors, and succeeded in cornering Mr. Vallandigham. He was given a few minutes to dress and then hurried off to the station.

The train pulled out exactly thirty minutes after its arrival with the troops. Almost five hundred people had assembled at the station by the time the train departed, but no violence occurred. Upon arrival in Cincinnati, Vallandigham

⁸ The Trial of Hon. Clement L. Vallandigham: Rickey and Carroll, Cincinnati, 1863, p. 8. Hereafter cited as Trial of Vallandigham.

was confined in Kemper Prison to await trial, which was to be held within the next few days.⁹

Vallandigham immediately wrote a letter which was smuggled out and taken to Dayton. A brief account of that message is as follows:

I'm here in a military bastille for no other offense than my political opinions, and the defense of them, and of the rights of the people, and of your constitutional liberties . . . I am a Democrat--for the Constitution, for law, for the Union, for liberty--this is my only crime . . . Meanwhile, Democrats of Ohio, of the Northwest, of the United States, be firm, be true to your principles, to the Constitution, to the Union and all will yet be well . . . to you, to the whole people, to Time, I again appeal.¹⁰

Dayton was full of excitement. Rural people came from miles around, and a large crowd gathered which openly and noisily denounced Vallandigham's arrest. A riot broke out, and the Republican newspaper office was sacked and burned. The fire spread, and several nearby buildings were destroyed before it could be brought under control. A company of troops were sent from Cincinnati; the crowd was dispersed and order was restored.¹¹

⁹ Nicolay and Hay, Vol. VII, p. 332.

¹⁰ James Vallandigham, pp. 260-261.

¹¹ Nicolay and Hay, Vol. VII, p. 333.

CHAPTER III

THE TRIAL OF C. L. VALLANDIGHAM

As soon as Order #38 was issued, Burnside began to organize a military commission by which the violators could be tried. On April 21, 1863, the following order was issued at Burnside's headquarters at Cincinnati:¹

Headquarters Department of the Ohio
Cincinnati, Ohio, April 21, 1863

Special Orders No. 135

4. A Military commission is hereby appointed to meet at Cincinnati, Ohio, at 10 o'clock A. M., on Wednesday, the 22nd instant, or as soon thereafter as practicable, for the trial of such prisoners as may be brought before it.

Detail for the Commission.

1. Brig.-Gen. R. B. Potter, U. S. Vols.
 2. Lieut.-Col. E. R. Goodrich C. S., U. S. Vols.
 3. Major J. L. Van Burren, A. D. C.
 4. Major J. M. Brown, 10th Kentucky Cavalry
 5. Major R. M. Corwine, A. D. C.
 6. Major A. H. Fitch, 115th Ohio Vols.
 7. Captain E. Gray, 16th U. S. Infantry.
 8. Captain P. M. Lydig, A. D. C.
 9. Captain W. H. French, C. S., U. S. Vols.
- Captain J. M. Cutts Jr., 11th U. S. Infantry, is appointed Judge-Advocate.
By command of Major-General Burnside

W. P. Anderson, A. A. General²

¹ Trial of Vallandigham, p. 9.

² Trial of Vallandigham, p. 9.

The day after his arrest, Mr. Vallandigham was hauled before the tribunal and charges were brought against him. He was accused of voicing sympathy for the enemy of the U. S. and uttering (publicly) remarks against the Administration. To support the charges various phrases of the Mount Vernon speech were presented.³

The prisoner was then asked to plead. Mr. Vallandigham offered no plea, but did ask for a delay in order to obtain counsel. He contended that such a court (military) had no jurisdiction to try him (a civilian). However, a plea of "not guilty" was entered for him by the Judge-Advocate at the direction of the Commission. The proceedings of the Commission were not according to a drum-head court ~~marshal~~^{MARSHAL} or a trial by a civil tribunal. Mr. Vallandigham was allowed counsel and also to personally cross examine all witnesses.⁴

Captain Hill, who had made the notations of the speech at Mount Vernon, was the prosecutions chief witness. Vallandigham, personally, cross examined the Captain in an attempt to justify

³ Milton, George Fort: Abraham Lincoln and the Fifth Column, the Vanguard Press, New York, 1942, p. 165. Hereafter cited as George Milton. He was accused of saying publicly in the speech at Mount Vernon: "A wicked, cruel, and unnecessary war. . . a war not being waged for the preservation of the Union . . . a war 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 . . ."

⁴ J. G. Randall, Vol. III, p. 216.

his remarks. Hadn't the witness heard him endorse the principles of the Crittenden Compromise which Stephen A. Douglas had desired. The Commission objected to such questioning, so it was excluded. Hill's evidence was all they wanted in order to convict the prisoner.⁵

The only record of the Mount Vernon speech, such as it is, was obtained from the cross examination of witnesses. S. S. "Sunset" Cox, a prominent Democratic Congressman from Cincinnati who had heard the speech, thought it was within the restrictions of the Constitution.⁶ However, according to the historian, J. F. Rhodes, the Mount Vernon speech was definitely anti-Lincoln and in sympathy with the South. Vallandigham had declared the war to be the "doing" of the abolitionists and that its purpose was not to restore the Union.

He accused the Administration of refusing to accept French mediation in an attempt to avoid war. As for him, he would "never be a priest to minister upon the altar upon which his country was being sacrificed."⁷

It was no surprise when the Commission found Mr. Vallandigham guilty of the charges. He was sentenced to imprisonment at

⁵ George Milton, p. 166.

⁶ J. G. Randall, Vol. III, p. 217.

⁷ Rhodes, James Ford: History of the United States, Vol. IV, Harper and Brothers Publishers, New York and London, 1899, p. 247. Hereafter cited as J. F. Rhodes.

Fort Warren in Boston Harbor during the continuance of the war. The proceedings, verdict, and sentence of the Commission were confirmed by General Burnside.⁸

There is one unusual feature connected with the Vallandigham case. Captain J. M. Cutts, a Democrat, a brother-in-law of Stephen A. Douglas, and a member of Burnside's staff served as Judge-Advocate at the trial. He was, therefore, the chief instrument in the prosecution--yet he objected to the entire proceeding. He even went so far as to send a telegram to President Lincoln in which he denounced Burnside's policies and asked that he (Burnside) be removed from command of the Department of the Ohio. Cutts advised the President that if Burnside were allowed to hold his position, he would not only disgrace himself, but the whole country as well.

Later, on July 26, 1863, Cutts sent another dispatch to Lincoln in which he gave the President additional advice. He urged, among other things, that Burnside be relieved of command before he caused further damage. He recommended that Burnside be replaced with "Fighting" Joe Hooker.

It is not known of how much attention Abraham Lincoln paid to Cutt's advice. Burnside was, however, soon after relieved of his command and placed in charge of Union forces in eastern Tennessee. General John G. Foster replaced him in the command of the Department of the Ohio.⁹

⁸ James Vallandigham, pp. 283-284.

⁹ J. G. Randall, Vol. III, pp. 220-221.

Two days after the trial (May 9, 1863) the Honorable George E. Pugh (Ohio Democrat) made an application for a writ of Habeas Corpus in behalf of Mr. Vallandigham. The hearing was held at the United States Circuit Court in Cincinnati, Judge Humphrey H. Leavitt presiding. Vallandigham still contended that a military commission had no jurisdiction in which to try him. There was a problem, however. Could a Federal Court review and possibly overrule the proceeding of a military commission?

It was argued, by the Vallandigham faction, that the writ should be issued at once, and that the hearing, including a response by Burnside, be held as soon as the prisoner could be brought into court. This indicated that the purpose of the writ was not only an effort to obtain the release of the prisoner, but to see whether he should be ordered released. In any event, Judge Leavitt agreed to hear the argument.¹⁰

General Burnside submitted a report to the court in defense of the action that had been taken against Vallandigham. He defended Order #38, claiming that criticism of the government during time of war was demoralizing the army.¹¹ The Honorable George Pugh, who made the application for Mr. Vallandigham,

¹⁰ J. G. Randall, Vol. III, p. 221.

¹¹ Trial of Vallandigham, pp. 40-44.

gave a lengthy speech in his defense.¹² Judge Leavitt denied the writ, however, on the following grounds: He didn't consider it necessary to review the charges or to be informed as to whether the prisoner had been condemned or acquitted of the charges. Whether the military commission was legally constituted and had jurisdiction of the case was the question before the court. Judge Leavitt pointed out the fact that the country must be involved with a desperate crisis if the military were to have the power to arrest civilians who openly denounced the government and thereby hindered military operations. The sole question (according to Judge Leavitt) was the legality of the arrest; and as before, he remarked that its legality depended upon the necessity for making it. That necessity could not be determined by the Circuit Court.

Judge Leavitt considered the matter to be beyond the judiciary, and he was correct in his assumption. He believed that Habeas Corpus should not interfere with the military, even if it were possible. The Judge found no suitable ground for granting the writ.¹³

The arrest, trial, and sentence of Vallandigham took President Lincoln somewhat by surprise. It was not until after those proceedings were completed that he had an opportunity to

¹² Trial of Vallandigham, pp. 45-168.

¹³ J. G. Randall, Vol. III, pp. 222-223.

give serious consideration to the matter. There is reason to believe that he would not have approved of such proceedings if he had been notified first. However, since the proceedings had been completed, the problem facing Mr. Lincoln was to either approve of the court's sentence or annul it. By annulling it, he would only weaken Burnside's authority and thereby encourage the dangerous Copperhead element in the West.¹⁴

It is evident that the Vallandigham case was an embarrassing incident for President Lincoln and his Administration. On May 29, 1863, General Burnside sent a letter to the President in regard to differences between himself and the Administration. Convinced that his actions had been a source of embarrassment for the Administration, he expressed a desire to be replaced if it was deemed necessary. He was, however, unchanged in his views regarding the situation. By return wire, Mr. Lincoln informed the General that he would be notified if any changes were to be made. The President admitted that both himself and the Cabinet regretted the arrest and doubted the necessity for it. However, it had been done; and they would see him through with it.

With circumstances as they were, Lincoln felt that he could not release Vallandigham. On the other hand, he did not approve of the sentence. Commuting the sentence, which was his Presidential privilege, he instructed Secretary of War Stanton

¹⁴ Nicolay and Hay, Vol. VII, p. 338.

to have Vallandigham sent to the headquarters of General Rosecrans (near Murfreesboro, Tennessee) and put beyond our military lines. If he should return, he was to be arrested and placed in close custody for the remainder of the time specified by the original sentence.¹⁵

President Lincoln did have several comments in regard to the outcome of the hearing for a writ of Habeas Corpus. He stated that Habeas Corpus should not be suspended unless public safety might require it during times of invasion or rebellion. He considered the existing situation as a definite state of rebellion.

In regard to the arrest, Mr. Lincoln added that Vallandigham was not only damaging the political prospects of the Administration and the military leadership of the country, but he was also damaging the entire army with his ridicule and slander. He was warring upon the military, and thereby gave the military the constitutional right to arrest him.¹⁶

On September 17, 1863, President Lincoln issued instructions to the military in regard to Habeas Corpus. If any officer of the United States should be ordered (by a writ of Habeas Corpus) to produce a prisoner before a court or judge (issuing the writ),

¹⁵ J. G. Randall, Vol. III, pp. 218-219.

¹⁶ Nicolay and Hay, Vol. VII, pp. 345-347.

he was to hold the prisoner by the authority of the President. Any attempt to lay hands upon the prisoner (by the party issuing the writ) should be resisted by force.¹⁷

The Vallandigham case eventually reached the United States Supreme Court. George E. Pugh, counsel for Vallandigham, made an application for a writ of certiorari to review the sentence of the military commission. The opinion (Ex parte Vallandigham) was announced on February 15, 1864. Vallandigham's counsel argued that the military commission had exceeded its jurisdiction; that it had no authority over a civilian. The argument against Vallandigham was presented by Judge Advocate General Holt. His argument became the basis for the court's decision. The application was denied on the grounds that the court had no jurisdiction over the proceedings of such a tribunal. In other words, a military commission was not a court within the meaning of existing laws for the Federal judiciary. The proceedings of the commission were, therefore, allowed to stand simply because the courts declared that they had no authority on which to act.¹⁸

Public sentiment, in regard to the Vallandigham case, was high in the North. The Administration was soundly criticized. Democratic gatherings discussed the situation with extreme earnestness, and in many places violence broke out. Several of

¹⁷ J. G. Randall, Vol. III, p. 223.

¹⁸ J. G. Randall, Vol. III, pp. 228-229.

the most loyal newspapers joined in attack upon the government, but most of the criticism came from the Democratic party, and especially that segment of it which opposed the war.¹⁹

It is difficult to avoid misunderstanding the Vallandigham case. One should not assume that he was truly representative of the main body of Northern Democrats. It was due to the unsatisfactory operation of the Ohio Democratic convention and the reaction against his arrest that gave him more prominence than he otherwise would have had.

One should remember that in the congressional election of 1862, Vallandigham was a candidate and was defeated, despite an overwhelming Democratic year in Ohio.²⁰

¹⁹ Nicolay and Hay, Vol. VII, pp. 340-341.

²⁰ J. G. Randall, Vol. III, pp. 236-237.

CHAPTER IV

BEYOND THE UNION LINES

Clement L. Vallandigham was escorted south and turned over to General Rosecrans whose headquarters were in the vicinity of Murfreesboro, Tennessee. Much to his dislike he was placed under guard, mainly for his own self protection. Rosecrans informed him that the troops would like to tear him to pieces at which Vallandigham retorted, "Let me talk to them and they'll want to tear Lincoln to pieces." Mr. Vallandigham was denied the privilege. He later told a friend that General Rosecrans told him if he ever returned, he would hang him.¹

On May 25, 1863, Mr. Vallandigham was escorted by a small unit of cavalry to the Confederate lines near Murfreesboro. After a brief chat with the rebel sentries, he was turned over to a private (of the 8th Alabama Infantry). Mr. Vallandigham explained to the soldier that he was a citizen of Ohio and the United States and that he was within the rebel lines by force and against his will. He, therefore, demanded to be considered as a prisoner of war.² He remained in no man's land until noon when an ambulance came and took him to the headquarters of Braxton Bragg, Commander of Confederate forces near

¹ Carl Sandburg, Vol. II, pp. 163-164.

² Nicolay and Hay, Vol. VII, p. 339.

Murfreesboro.³ On entering the rebel lines he went directly to Richmond where he was received by the Confederate authorities. John B. Jones, a clerk in the rebel war office, entered upon his diary on June 22, 1863, a summary of Vallandigham's conversation with Confederate officials. A condensation of that summary is as follows:

Vallandigham stated that if the Confederacy could hold out the year, the peace party of the North (Democrat) would sweep the Lincoln dynasty out of political existence. He seemed to be afraid that the South would submit and that their cause was failing. If that happened, his party would be ruined.

He strongly advised against any invasion of Pennsylvania, for that would unite all parties of the North, and so strengthen Lincoln's hands. It would then be possible for him to crush all opposition and trample upon the Constitutional rights of man.⁴

Mr. Vallandigham was received by the South with both excitement and hospitality. He was treated with courtesy by the authorities with whom he talked. He was offered numerous invitations by distinguished Southerners to remain with them as a guest. Confederate soldiers made friendly demonstrations

³ Carl Sandburg, Vol. II, pp. 163-164.

⁴ Nicolay and Hay, Vol. VII, p. 355.

towards him, much to his enjoyment. Despite his demands to be regarded as a prisoner of war, he was not confined or guarded during his stay in the South.⁵

The arrest and sentence of Vallandigham created considerable excitement and even more speculation within the Confederate military. There was a chance of counter revolution in the North (so the Rebs thought), and several Confederate Generals planned future campaigns upon such a possibility. General P. G. T. Beauregard devised a plan by which the Confederates could dispose of Rosecrans and his army and then march into the area of the Department of the Ohio. There they would be able to enlist thousands of southern sympathizers. Ohio, Illinois, Indiana, Kentucky, and Missouri would all, undoubtedly, join in the Confederate cause. Practically the entire Northwest would then join the Confederacy, and the remainder of the North would be startled into submission. It is quite evident that General Beauregard became "carried away" with his plan. However, the Copperhead strength in the West could not be disregarded.⁶

In regard to the preceding paragraph, Mr. Vallandigham - informed Jefferson Davis as follows: "Don't take our Copperhead uprisings so seriously. We won't stick if it comes to a real

⁵ James Vallandigham, pp. 300-301.

⁶ Nicolay and Hay, Vol. VII, pp. 339-340.

fight; we are men of politics and fine words and that's all we can do."⁷

After his conferences with the Confederate authorities, Mr. Vallandigham went southward to Wilmington, North Carolina. He reported there, on parole, to General Whiting.⁸

Ships had been running the Union blockade at Wilmington with ease and regularity. On June 17, 1863, Vallandigham took passage on a ship named the Lady Davis for Bermuda; and after slipping through the Union blockade, he arrived there on June 20. He made a brief stay (10 days) in Bermuda and then took passage on a British ship to Halifax, Nova Scotia, where he arrived on July 5, 1863. From Halifax he went to Pictou, where he traveled by steamer to Quebec. His reception in Canada was most courteous and honorable. At a dinner given in his honor at Montreal he met several distinguished gentleman of Canada. A New York reporter who was in Montreal at the time stated that Mr. Vallandigham was received with an ovation of sympathy and sentiment.⁹

⁷ Catton, Bruce: Glory Road, Doubleday and Company, Garden City, New York, 1952, p. 252. Hereafter cited as Bruce Catton.

⁸ James Vallandigham, p. 301.

⁹ James Vallandigham, pp. 314-316.

CHAPTER V

CANDIDATE IN EXILE

The Democratic State Convention of Ohio met at Columbus on June 11, 1863. It was a remarkable political gathering in that being only a delegate convention, it attracted nearly 20,000 people. Numerous speeches were made in defense of Vallandigham, and the military policies within the Department of the Ohio were soundly denounced by more than one politician. It was quite evident that the convention was in the hands of those who opposed the war.

After the convention was organized, a ballot was taken for Governor. Needless to say, Clement L. Vallandigham was nominated by an overwhelming majority of 411 to 13. The nomination was announced amid rousing cheers and excitement.¹ It is quite obvious that Vallandigham's nomination was the Convention's way of expressing their disapproval over the Government's handling of the case.

The Convention had named its candidate, so the next problem facing it was to get him back from exile. A series of resolutions were made by which the Convention expressed itself

¹ James Vallandigham, pp. 302-304.

most earnestly. They proclaimed themselves to be in complete support of the Union. They denounced the arrest of Vallandigham as a violation of the Constitution and an insult to the people of Ohio. They considered themselves as being quite capable in determining the competency of Vallandigham as a fit candidate for Governor, and that his arrest and sentence were only insults upon their loyalty and intelligence.²

A committee of nineteen prominent Ohio Democrats was organized for the purpose of making a formal appeal to the President so that Mr. Vallandigham could be returned to his home state. The committee presented Mr. Lincoln with a letter (a lengthy plea) in which they expressed their grievances for Mr. Vallandigham. They insisted that he had not warred upon the military. They strengthened their request by assuring Mr. Lincoln that the Ohio Democratic Convention was sincerely in support of the Union, and that their loyalty was unquestionable. They did not, however, approve of the President's attitude regarding Habeas Corpus.³

The New York Democratic Convention had met at Albany on May 16, 1863. They drew up a series of resolutions quite similar to those devised the following month by the Ohio Democratic

² J. G. Randall, Vol. III, pp. 263-264.

³ Nicolay and Hay, Vol. VII, p. 351. The Birchard Committee as it was called consisted of M. Birchard, Alexander Long, George H. Pendleton, and sixteen other notable Ohio Democrats.

Convention at Columbus. A copy of the resolutions was sent to the President.⁴ Mr. Lincoln gave both letters considerable thought before making his reply. To both groups, Mr. Lincoln justified the existing military policies, the suspension of Habeas Corpus, and the grounds on which Vallandigham had been arrested, tried, and sentenced. He insisted that the application of the Constitution in time of war varied from that in time of peace. In regard to the request of a pardon for Mr. Vallandigham by the Ohio Committee, Mr. Lincoln agreed to revoke the order of exile on the following conditions: The Ohio Committee members would publicly pledge their support of the war effort to the maximum of their ability. They would also endorse the Republican Administration and do as much as would be required to insure public safety. The committeemen would only have to endorse the measures, allow it to be presented to the American public (via newspaper), and their candidate would be free to return to Ohio. Needless to say, the President's proposal was not accepted.⁵

On July 15, 1863, Mr. Vallandigham arrived at Niagra Falls, Canada from where he issued an address to the people of Ohio.⁶ He congratulated the Democratic Convention upon its nominations and platforms which he endorsed. He claimed that his arrest was

⁴ Nicolay and Hay, Vol. VII, pp. 341-343.

⁵ J. G. Randall, Vol. III, pp. 266-268.

⁶ James Vallandigham, p. 316.

the issue before the country. He stated further that in time of war there was only one will--the President's, one law--military necessity; and the President was the sole judge.⁷

Towards the last of August he toured the St. Lawrence area and eventually selected Windsor as his place of sojourn. He arrived there on the 24th and was given a cordial welcome. By remaining at Windsor during the remainder of his exile, he was able to keep close contact with Ohio.⁸

He entered the campaign for Governor with vigor. He continued to assail the Lincoln Administration and warned that those people who supported it would eventually forfeit all personal and political liberties as long as it remained in power.⁹

The campaign in Ohio was carried on with extreme vigor and spirit. Mr. Vallandigham's campaigning was handled by several Democratic politicians, all of whom delivered numerous and forceful speeches at Democratic meetings throughout the state. He did send some letters to several of the meetings, which were later published.¹⁰

Not all of the Ohio Democrats favored Vallandigham. A small group of "War Democrats" convened at Columbus on September 22, 1863. They declared Vallandigham's nomination to be a mistake.

⁷ Speeches of Vallandigham, pp. 507-510.

⁸ James Vallandigham, pp. 326-327.

⁹ J. G. Randall, Vol. III, p. 271.

¹⁰ James Vallandigham, p. 329.

They added that the Constitution and laws of the United States should be supreme. The effect of this faction can be disregarded since the Vallandigham forces had already appropriated the Democratic banner in Ohio. Many Democrats were misrepresented by the Vallandigham faction and were resentful. Many Democrats would again be resentful of the Vallandigham stigma in 1864.¹¹

The Vallandigham camp was spirited and angry and played their highest card--civil rights. They overplayed their hand somewhat by announcing that if their candidate was elected, an armed force would meet him at the Canadian border and escort him to the state house so he could take the oath of office. These tactics enabled the Union party to predict civil war in Ohio if Vallandigham were elected. This, however, was quite unlikely; but it did harm the Democratic cause and add to Brough's vote.¹²

Mr. Vallandigham's opponent, John Brough, was the "Union" candidate for Governor. Brough was a War Democrat and a Lincoln supporter. He was known not only as a politician but also as a businessman, journalist (owner of the Cincinnati Enquirer), and an orator.

The party labels in the election can be confusing. The Union party in Ohio was essentially the Republican party. The "Union" name had been taken by the Republican party in order to

¹¹ J. G. Randall, Vol. III, pp. 271-272.

¹² J. G. Randall, Vol. III, p. 272.

gain the vote of the War Democrats on election day. The groups that nominated Vallandigham were regularly known as the Democratic party.¹³

The election was held on October 13, 1863. When the votes were counted, Brough was victorious by a majority of 101,099 votes. Brough received about 247,000 of the civil vote as opposed to 185,000 for Vallandigham. The soldier vote was not as even, however, with Brough receiving 43,000 as opposed to 2500 for Vallandigham. It was the largest vote ever cast in the state. The legislature which was elected had large "Union" majorities in both houses.

This was definitely a vote of confidence for the criticized Lincoln Administration. Despite the dissent within the state, Ohio had most definitely put its trust in Lincoln.¹⁴

There were several events which strengthened Brough's chances in the election. The decisive Union victories at Vicksburg and Gettysburg proved that the "Yanks" could fight pretty good after all. The invasion of Pennsylvania in July of 1863 had irritated most Northerners, and John Morgan's raid into Ohio and Indiana (July, 1863) even angered the Copperheads in that area. All these events were influential in the "Union".

¹³ George Milton, p. 185.

¹⁴ George Milton, pp. 189-190. Soldiers were allowed to vote in the Ohio election of 1863. Brough won by a decisive margin regardless of the soldier's ballot. Nevertheless, the Vallandigham faction made a major issue of it. They claimed the Government had removed troops from combat and placed them in Ohio for the purpose of voting against Vallandigham. Ohio was one of several states which held their state elections in October rather than November.

victory in Ohio in 1863.¹⁵ This was one occasion where a military victory was an influential factor in a Republican victory--Atlanta, one year later, was another one.

What would have happened if Vallandigham had been elected is difficult to say. As Governor of a Union state, with responsibilities of office, he would have been less free to agitate than as a politician out of office. He may have become another Horatio Seymour, only more outspoken. With his record and personality being so different than that of Seymour's, it is likely that he would have been a menace anyway.¹⁶

In view of his over-whelming defeat, Mr. Vallandigham decided to remain in Canada during the winter. He did maintain contact with his associates, however, and frequent demonstrations were made against the Government in his behalf. George Pendleton of Ohio presented a resolution in the House of Representatives on February 29, 1864. The resolution stated that the arrest and exile of Vallandigham were acts of arbitrary power and in violation of the Constitution. The resolution was rejected by a vote of 78 to 47. It could be added that 76 of the 78 votes in opposition were "Union" while all of the 47 votes in favor of it were cast by Democrats.¹⁷

¹⁵ George Milton, pp. 185-186.

¹⁶ J. G. Randall, Vol. III, p. 72.

¹⁷ Nicolay and Hay, Vol. VII, pp. 357-358.

On June 15, 1864, under a Falstaffian disguise, aided by a thick mustache and a large pillow, Vallandigham returned to Ohio. His reappearance came as unexpectedly to Mr. Lincoln as his case did. After his return from exile, his speeches were as anti-Lincoln as before; but the President's sense of humor was still in working order, and the agitator was allowed to go on unmolested. This was contrary to the sentence, but placing him in jail would have done more harm to the Lincoln Administration than his speeches were doing.¹⁸

This was the situation that confronted Mr. Lincoln. The Peace Democrats had practically made Vallandigham a martyr over the civil rights issue. It would be less damaging to the Administration to let him continue his orations rather than risk the chance of causing additional difficulty which might arise if he were disposed of.¹⁹

Vallandigham continued, unmolested, upon his merry way. He accused Lincoln of violating the Constitution, assailed the Administration for carrying on a "useless" war, and blasted the military for its "high handed" tactics in regard to citizens. Needless to say, Vallandigham still did not believe the Union could be restored by war.²⁰

¹⁸ J. G. Randall, Vol. III, p. 219.

¹⁹ Bruce Catton, p. 252.

²⁰ Nicolay and Hay, Vol. VII, p. 360. President Lincoln could not ignore the agitator entirely. He was quoted as saying (in reference to Vallandigham), "Must I shoot a simple minded soldier boy who deserts and not touch a hair of the wily agitator who induces him to desert."

CHAPTER VI

VALLANDIGHAM AND THE SONS OF LIBERTY

As early as 1850 a secret society, the Order of the Lone Star, had been founded in New Orleans. Its purpose was to annex Cuba and Mexico in an attempt to extend the slave territory of the South. The society, however, was soon after merged with one of similar intentions, the Knights of the Golden Circle.¹

The Knights of the Golden Circle or K. G. C., as it was more commonly called, was founded in the North and gradually expanded into the South. Dr. George Bickley, a descendant of an old Virginia family and a member of the Board of Trustees of the "Eclectic Medical Institute of Ohio", organized the first lodge of the K. G. C. in Cincinnati in 1854. Other K. G. C. lodges sprang up in Ohio, and shortly thereafter Bickley went southward establishing lodges along the way. The K. G. C. was accepted in the South with enthusiasm.²

The society even went so far as to drill troops and to send Americans into Mexico to secure the aid of Benito Juarez. The

¹ George Milton, p. 66.

² Horan, James D.: Confederate Agent, Crown Publishers, Inc., New York, 1954, p. 16. Hereafter cited as James Horan.

society grew rapidly in the United States, but the Mexican venture came to naught.³

The K. G. C. lacked an effective central executive authority which was essential if it was to be moulded into a sound organization. The society continued to function but switched to a definite pro-secession attitude as the Civil War began.

The K. G. C. had disappeared in the lower South by the spring of 1861. Since most of the Southern States had left the Union, it was decided that the society could be more effective in border state areas where sympathy for states rights and slavery existed. The K. G. C., therefore, began to spread its pro-southern sentiment throughout Kentucky and Tennessee in an attempt to secure those two states for the Confederacy.⁴

In 1862, Phineas C. Wright, a native of New Orleans, had become associated with a secret society in Missouri, known as the Corps de Belgique. The organization was similar to the K. G. C., only even more pro-Confederate.⁵ Wright managed to transform the Corps into the Order of American Knights during the spring of 1863 with himself as Supreme Grand Commander. The ritual of the Order of American Knights or O. A. K. as it was more commonly called

³ George Milton, p. 69.

⁴ George Milton, pp. 70-71.

⁵ Wood Gray, p. 163.

was treasonable in some aspects, in that it called for armed resistance against the President or Government in case the rights of the people should be usurped in any way. The new organization spread rapidly to adjoining states and absorbed practically all of the membership of the K. G. C. For all practical purposes, by 1863 the O. A. K. had replaced the K. G. C. O. A. K. lodges soon appeared in New York and several other eastern states.⁶

Vallandigham had refused an invitation to join the O. A. K. in 1863. He was then opposed to secret political societies and also believed that the society was working as an instrument of the Confederate Government. Despite the fact that he was bitterly opposed to the continuance of the conflict, he still maintained his patriotism to the Union. However, numerous Democrats, including Vallandigham, were arrested in 1863, for hindering the war effort. He then decided that something must be done if the Democrats were to be able to stand together in opposition to the war. After his defeat for the Governor's chair of Ohio in October, 1863, he was thoroughly convinced that his defeat at the ballot box had been due to the unorthodox activities of the Republican Administration.⁷

⁶ Wood Gray, pp. 163-164.

⁷ James Vallandigham, p. 372.

On February 16 or 18, 1864, while he was in exile in Windsor, Canada, Vallandigham met with a Mr. Green and Dr. James A. Barrett, both members of the O. A. K. They informed him that the Supreme Council of the O. A. K. was meeting in New York for the purpose of revising and enlarging the order. They also informed him that the society desired him (Vallandigham) as its leader. He agreed to join the order if all treasonable features of its constitution were thrown out or modified.⁸

Barrett and Green proceeded to New York to attend the meeting of the Supreme Council. On February 22, 1864, the Council met and adopted several notable changes in the O. A. K. The name of the organization was changed to the Sons of Liberty, thereby claiming spiritual relationship to the patriotic society of the Revolutionary period. Most of the ritual of the old O. A. K. was adopted but modified to delete any oaths of a treasonable nature. Members of the organization, however, were still required to pledge their support to the officers of the society, which tended to leave it available for subversive activities. The Council also elected Vallandigham to membership in the new order and placed him in its highest office, Supreme Grand Commander.⁹

⁸ James Vallandigham, pp. 372-373.

⁹ Wood Gray, p. 166.

On March 1, 1864, Vallandigham was notified of the events at the New York meeting by H. H. Dodd and Dr. Massey. They failed to bring a copy of the ritual or constitution of the order but explained the various changes that had been made. Vallandigham never saw a copy of the constitution or ritual until March 28, 1865; and by then the society had been disbanded.

Shortly after Vallandigham became leader of the Sons of Liberty, its lodges began to spring up in almost every county of Illinois, Indiana, and Ohio. By June of 1864, over 200,000¹⁰ members had been initiated into the order.

An organization so widespread as the Sons of Liberty readily attracted the attention of the Republican Administration. The Administration was highly suspicious of the activities of the society and endeavored to place men in its confidence to serve as spies. Vallandigham soon realized that there was very little secrecy in the society due to the infiltration of government agents. He was also quite disgusted with the absurd ritual of the ceremony of initiation. He felt that the society had, for the most part, failed in its objectives--the protection of Democrats and rightful resistance to any attempts of interference with civil liberties.¹¹

¹⁰ James Vallandigham, p. 374.

¹¹ James Vallandigham, p. 375.

The Sons of Liberty soon became involved in Confederate plots. With Grant and Sherman enclosing the Confederate armies in a crushing grasp and the Union blockade squeezing the very life from the South, the Confederate Government resorted to one last desperate measure. In a highly imaginative plan, later known as the "Northwest Conspiracy" the South hoped to gain two objectives. One was to raise the standard of rebellion in the midwest (Illinois, Indiana, Ohio, Kentucky, and Missouri), which were hotbeds of states rights and anti-war sentiment.

The midwest was literally oozing with Copperheads. The other goal was to liberate the thousands of Confederate prisoners of war who were being held in several prison camps throughout the midwest. The addition of the troops to the Confederate ranks and the loss of the midwest would be a serious blow to the North and might result in an armistice.

On June 11, 1864, Vallandigham conferred with Jacob Thompson, a Confederate agent in the midwest. This was in Windsor, Canada, four days before Vallandigham's return from exile. Vallandigham initiated him into the Sons of Liberty and, despite insisting upon his desire for a restoration of the Union, was willing to discuss the practicability of the conspiracy. The revolt was to be carried out by the Confederate prisoners who had escaped to Canada, the military phase of the Sons of Liberty, and the Confederate prisoners who would be liberated

from the Prison camps. The Confederate Government put up \$500,000 for the purpose of arming the Sons of Liberty. Vallandigham refused to accept the money, insisting that James A. Barrett (Adjutant-General of the Sons of Liberty) be authorized to distribute it among the various lodges. Vallandigham wished to keep his record clean and had no desire to assume the responsibility. He later claimed to be entirely innocent of the whole scheme, but nevertheless had given his approval to the plan.¹²

An interesting note is found in the story as later related by James Vallandigham. According to him, his brother was shocked and enraged when he learned that the Sons of Liberty were to become involved in a Confederate scheme and vowed that he would have no part in such a revolutionary plan.¹³ This is consistent with C. L. Vallandigham's persistent affirmation of loyalty to the Union.¹⁴

This incident in Vallandigham's career throws serious doubt upon his protestations of loyalty. Even if his purpose was not treasonable, he was certainly playing with fire.

The Confederate plans went astray during the summer of 1864. The rebellion in the midwest which had been scheduled for

¹² Wood Gray, pp. 166-168.

¹³ James Vallandigham, pp. 375-376.

¹⁴ Wood Gray, p. 121.

the 4th of July was postponed three times and then fell apart before it could get started on August 29, 1864.¹⁵ The Confederates and Copperheads both figured that Chicago would be a hotbed of anti-war sentiment since the Democratic National Convention was to convene in that city on August 29. The city would be full of Peace Democrats, members of the Sons of Liberty, and almost anyone else who came under the category of Copperhead. They figured that one small spark would set the works off. There were 5000 Confederate prisoners within the compound at Camp Douglas who were guarded by a small garrison of 1500 men. The garrison could probably be readily overrun, and the prisoners could be released. They could then be armed with the weapons that had been hidden in the city.¹⁶

However, the plans for the uprising leaked out. The army garrisons at the prisoner of war compounds at Chicago and Rock Island were alarmed and re-enforced. At the dawn of the revolt only twenty-five Copperheads could be mustered by Captain Thomas H. Hines, Confederate Agent in Chicago. Hines was assisted by sixty escaped Confederate prisoners. Vallandigham had been right when he said the Copperheads wouldn't stick if it came to a real fight.

¹⁵ Wood Gray, p. 121.

¹⁶ Wood Gray, p. 125.

The failure of the Copperheads to rise was due to several reasons. Probably the most important was that they had no military leaders among the Sons of Liberty. Many of them also had sons who were fighting with Sherman and Sheridan and had no intention of aiding the Confederate war effort.¹⁷

The term Copperhead seems to have been a catch-all phrase which was used to describe members of the secret societies, Southern sympathizers, and Peace Democrats.¹⁸ There were almost 300,000 mem by July of 1864 who would be designated active Copperheads (those belonging to subversive organizations). Most of them were located in Illinois, Indiana, and Ohio with Kentucky and New York furnishing the rest.¹⁹ The August episode in Chicago proved that they were more capable at political maneuvering than military. Nevertheless, the Copperheads formed a definite hazard to the Lincoln Administration and the war effort. Vallandigham was undoubtedly the most prominent Copperhead of them all.²⁰

¹⁷ Wood Gray, pp. 130-131.

¹⁸ James Horan, p. 15.

¹⁹ James Horan, p. 89.

²⁰ James Horan, p. 18.

CHAPTER VII

POLITICS, 1864-1871

By August, 1864, Vallandigham had passed the "peak" of his political career. However, he remained active in politics to a limited degree until his death in 1871. He was very much engrossed in politics during the election year of 1864; but when the smoke had cleared after the November elections, his efforts had once more been denied. He received a letter from Dayton (August 13, 1864) informing him of his nomination to the Democratic National Convention as a delegate from the Third Congressional District of Ohio.¹

Governor Horatio Seymour of New York opened the Chicago Convention with a resounding "anti-Lincoln Administration" speech. He said that the Democratic Party should take such action as to permit the Republican Party "to die where it was born." He warned the convention that the Lincoln Administration could not save the Union and that it was up to the Democrats to do so, and they would.

The Committee on Resolutions was slow in bringing back the platform that it wished to be adopted. This was because

¹ James Vallandigham, p. 365.

Vallandigham had captured the drafting subcommittee of the main body and was choking a peace platform down its throat.² He had, however, been defeated by a vote of thirteen to eleven for chairman of that committee.

The platform which was presented to the Convention contained only six planks, the second being the "war is a failure" plank. The plank read as follows:

Resolved, that this Convention does explicitly declare, as the sense of American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity, or war power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired . . . justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of the states, or other peaceable means, to the end that, at the earliest practicable moment, peace may be restored on the basis of the Federal Union of the States.

It had been adopted in the committee by a slender margin and only after a bitter fight. There figured to be an even more determined battle on the floor of the convention. However, the

² George Milton, pp. 223-224. According to Milton (p. 224), President Lincoln figured Vallandigham would be a firebrand at the convention and possibly lead to its disruption. If Vallandigham caused a split in the Democratic party (peace and war factions), the election of Lincoln would be almost insured.

entire platform, "war is a failure" plank, and all, was adopted by the convention with rousing cheers. This brought the issue of peace at any price right before the Democrats.³

Vallandigham did not favor the nomination of George B. McClellan for obvious reasons. The Ohio delegation withdrew to caucus after New York cast its entire thirty-three votes for McClellan, rather than for her favorite son, Horatio Seymour. After a brief discussion, the Ohio delegation returned; and Vallandigham cast the state's votes for McClellan, making it unanimous. For a running mate, the Convention selected George H. Pendleton of Ohio, a close friend of Vallandigham. Therefore, the Democrats nominated a general who put the "Union" first of all and instructed him to run on a Copperhead platform.⁴

The Convention adjourned on August 31, 1864. The delegates were confident of victory until President Lincoln announced a few days later that General Sherman had captured Atlanta with a decisive victory. The Democrats had declared the war a failure during the Chicago Convention. The "war is a failure" plank and Sherman's victory at Atlanta practically assured Lincoln's reelection and sealed defeat for the Democratic party.⁵

³ George Milton, pp. 226-227.

⁴ George Milton, pp. 228-229. Vallandigham had favored either Seymour, Samuel J. Tilden, or Samuel Nelson (Supreme Court Justice of Dred Scott fame), all of New York. He was somewhat disappointed when the New York delegation cast its entire thirty-three votes for McClellan.

⁵ J. G. Randall, Vol. IV, p. 225.

The year, 1864, was indeed a critical one for the Democrats. They campaigned vigorously, but for the most part, ineffectively. Vallandigham gave several vigorous speeches during the campaign in support of McClellan and the platform which he (Vallandigham) so whole heartedly accepted. Vallandigham and his associates aroused large crowds throughout the Ohio Valley, which, needless to say, was infected with Copperheads.

George B. McClellan was soundly defeated in the November election. Lincoln received 212 electoral votes, while McClellan was only able to muster 21. Many critics have placed the blame for the defeat of the Democrat party upon the shoulders of Vallandigham, saying that his antagonism only led to the undermining and eventual failure of the party in 1864. The war now seemed a success, despite the "failure" tag of Vallandigham and the Democrats; and Lincoln's reelection was made possible, or at least thoroughly aided, by this.⁶

An interesting side light regarding Vallandigham and the Democratic failure of 1864 was the attitude of the Union soldier. There were many men in the Western Army that favored "Little Mac" at the time of his nomination. However, after the soldiers heard the platform and then learned that McClellan's nomination

⁶ J. G. Randall, Vol. IV, p. 225.

had been made unanimous by the Ohio agitator (most army men considered Vallandigham as a traitor), McClellan lost supporters by the thousands. A straw vote in the 45th Illinois Infantry (with Sherman) resulted in 329 votes for Lincoln and 16 for McClellan. A mock ballot in an Army Corps, (Army of the Potomac) produced 3500 votes for Lincoln as opposed to 500 for McClellan. Soldier ballotings in other areas gave similar results.

Neither party considered the soldier ballot lightly, since all the northern states (except Oregon) had given their soldiers the right to vote. California eventually discarded the soldier vote before election day came. Several thousand troops were given special furloughs in order to vote in the November election. Several politicians were angry because the Army would not release more men from combat in order to vote.⁷

Before leaving the matter of the soldier vote, it should be mentioned that Lincoln received about three-fourths of the ballots that were cast by soldiers in the field or by proxy, the total being about 235,000. Just how many of the furloughed soldiers cast their votes for Lincoln is not known, since their ballots weren't counted separately. William B. Hesseltine in his book, Lincoln and the War Governors, states that without the soldiers' votes in six crucial states, Lincoln would have been defeated.⁸

⁷ J. G. Randall, Vol. IV, pp. 254-258.

⁸ J. G. Randall, Vol. IV, p. 261.

Just how much effect Vallandigham had upon losing the soldier's vote for McClellan is not known. Many soldiers would probably have favored Lincoln anyway; but nevertheless, the general dislike in the army for Vallandigham undoubtedly lost many votes for the Democrats in 1864.⁹

Vallandigham remained quite active in politics during the next six years. He attended the State Nominating Convention, which was held in Columbus, Ohio, in August of 1865. He served as temporary chairman and took advantage of the opportunity to express his appreciation to the people of Ohio for the nomination he had received in 1863.¹⁰

He participated vigorously in the canvass of 1867 in Ohio, delivering between seventy and eighty speeches throughout the state. The Democrats were successful in electing majorities in both houses of the state legislature and thus secured the election of a United States Senator, which was the principle aim of the election. Vallandigham was quite pleased with the Democratic success and expressed such in a speech at a Democratic gathering at Mount Vernon, Ohio on October 24, 1867.¹¹ However, political failure continued to overshadow success. In 1868, he

⁹ J. G. Randall, Vol. IV, pp. 261-262.

¹⁰ James Vallandigham, pp. 402-406.

¹¹ James Vallandigham, pp. 412-420. United States Senators were elected by the State Legislatures until 1913 when the Seventeenth Amendment provided for their direct election.

failed in his contest for nomination as a candidate for the United States Senate, a position that he had long aspired^{to}. The objections against him were his radical democracy, his alleged rashness, and prominent role he had taken in opposition to the war.¹²

Vallandigham attended the Democratic National Convention in New York in July of 1868 as an alternate delegate.¹³ His admission created some indignation among several of the Eastern delegates who feared that his presence would harm the party. Early in the convention he was persuaded to support Chief Justice Chase for the presidential nomination.¹⁴ Chase was regarded as being a Democrat in principle and an extreme state's rights man.¹⁵ However, the Ohio delegation later switched its support to Horatio Seymour of New York, who received the nomination on the 22nd ballot.¹⁶

Vallandigham returned home and was soon after invited to become a candidate in the oncoming congressional canvass in the Third District of Ohio. He had expressed a preference for

¹² James Vallandigham, p. 422.

¹³ James Vallandigham, pp. 423.

¹⁴ Coleman, Charles H.: The Election of 1868, Columbia University Press, New York, 1933, p. 234. Hereafter cited as Charles Coleman.

¹⁵ James Vallandigham, p. 424.

¹⁶ Charles Coleman, pp. 240-242.

John A. McMahon for the candidacy but was eventually nominated when the latter refused. General Schenck, who had defeated him in 1862, was again running for the opposition. Vallandigham was again defeated, this time by a majority of 475 votes.¹⁷

He took very little part in politics in 1869 and 1870. Lewis D. Campbell, Vallandigham's old political rival, was the Democratic nominee for the Third District. Schenck again headed the opposition, and Vallandigham gave Campbell his earnest support. Campbell was elected after many fraudulent votes were discarded.¹⁸

¹⁷ James Vallandigham, pp. 425-430.

¹⁸ James Vallandigham, p. 432.

CHAPTER VIII

'THE NEW DEPARTURE POLICY

The Democratic party of Montgomery County met at Dayton on May 18, 1871, for the purpose of selecting delegates to the state convention which was to meet in June. The primary task which faced the party was that of electing, or attempting to elect, a Democratic president in the election of 1872. It was at the Dayton convention that Vallandigham introduced the so-called "New Departure" resolutions. The resolutions were devised for the primary purpose of injecting "new blood" into the Democratic party in an attempt to elect a Democratic president in 1872. In brief, the resolutions stated the following: All dissatisfied Republicans should cooperate with the Democratic party in regard to the issues of the day; "strict construction" of the Constitution should be adopted, and all states should be guaranteed equal rights; the American system of state and local government should be upheld; legislation should be changed if a majority of the people demand it; public debts should be paid as soon as possible; revenue reforms should be enacted, and the number of revenue collectors reduced; government civil service laws should be revised in order to secure honesty; all taxation

should be based on wealth rather than population; grants of public lands to railroads should cease; and the Radical party of 1871 (Republican) was not the Reublican party previous to the war nor the "Union" party during the war and was in no way entitled to beg the public confidence as being such. The above issues along with several others constituted the working order of the "New Departure." The resolutions were unanimously adopted, and the convention adjourned.¹

The movement was endorsed by many newspapers throughout the country and received considerable public acclaim. However, it also encountered considerable opposition in that many Democrats believed it to be a surrender of principle. Regardless of the criticism, the "New Departure" was accepted by those Democrats who considered it as the party's only hope for success in the next election.²

Despite the effect of Vallandigham's "New Departure" policy, the Democrats failed to elect a president in 1872; and U. S. Grant began a second term in the White House. The "New Departure" marked the end of Vallandigham's political career. He was not able to witness the defeat of his party in the election of 1872 since he met with a tragic fate on June 17, 1871.

¹ James Vallandigham, pp. 436-444.

² James Vallandigham, pp. 448-449. The "New Departure" paved the way for the Democratic-Liberal Republican alliance in the campaign of 1872.

CHAPTER IX

END OF THE STORM

On June 16, 1871, in Lebanon, Ohio, Clement L. Vallandigham prepared himself for what he considered to be the greatest legal effort of his life. He was engaged in a most unusual case. It had originated in Hamilton, Butler County, on Christmas Eve of 1870. Several men were engaged in a game of faro in an upper room of "The American" saloon. At about eight o'clock in the evening, five men entered the room, one of them being Thomas McGehan. A disturbance soon arose in which one of the card players, Thomas Myers, was struck from behind with some flying objects. Myers jumped to his feet and attempted to draw his pistol from his pocket. The pistol became entangled in his jacket during the process and was accidentally discharged. Myers fell to the floor, arose, and fired two aimless shots before falling to the floor--dead. The entire room was in turmoil, no one knowing for a moment just what had happened. Tom McGehan had been seen in the room by several persons but at no time did anyone see him with a pistol. McGehan had not been on friendly terms with Myers for several years, so the suspicious community immediately pointed him out as the instigator, if not the actual

perpetrator of the crime. Myers had been a rowdy with few or no friends in the community, but despite the fact, sentiment ran to extreme against McGehan. There was talk of lynching, but the suspect and his four companions were locked safely in jail until the case could be brought to court.¹

A preliminary hearing was held on December 28, 1870, with Squire Wilkins presiding. The court room was jammed with a noisy crowd that was demanding punishment for the accused. The charges and testimony that were brought against McGehan were applauded most emphatically by the crowd. The prisoners were all held for first degree murder and bail was suspended. The case then came before the Court of Common Pleas during its January term, and the prisoners were charged with first degree murder. An application for a change of venue was granted to McGehan, and the case was shifted to Warren County.²

The trial began at Lebanon, the County seat, on June 6, 1871. Vallandigham, who had been retained during the previous hearings, was given charge of the case for McGehan. He accepted the responsibility with enthusiasm. On June 15, the evidence was closed; and the argument for the state began on the following morning. Mr. J. F. Follett concluded the argument for the state

¹ James Vallandigham, pp. 516-518.

² James Vallandigham, p. 518.

at three o'clock in the afternoon. Vallandigham then managed to secure a court adjournment so that he could make his rebuttal on the following Monday.³

After supper on the evening of June 16, Vallandigham obtained a piece of white muslin cloth for the purpose of seeing if a pistol discharged from close range would leave a powder mark upon it. He then went to the south edge of town, accompanied by Thomas Milliken and A. F. Hume, both of whom were aiding him with the defense. After proving to their satisfaction the result of the experiment, the three men returned to the hotel. Milliken advised Vallandigham to either discharge the remaining cartridges or else unload the weapon in order to prevent an accident, whereas the latter informed the gentleman that there was no chance of an accident as he had had considerable experience with firearms.

On arriving at the hotel, Vallandigham received a package which contained the revolver that had been presented at the trial as the murder weapon. The weapon had been unloaded, and the chambers removed. He placed both weapons on a table, side by side.

Vallandigham, by now, was convinced that Myers had accidentally shot himself, and proceeded to demonstrate to his companions how such an accident could happen. He placed one of the revolvers in his pocket, then removed and cocked it. There was a sudden flash

³ James Vallandigham, pp. 518-519.

and a muffled shot. Vallandigham reeled forward in agony exclaiming, "My God, I've shot myself."⁴

He had picked up the loaded pistol by mistake. The accident occurred at nine o'clock in the evening. The bullet had lodged in his abdomen, and he lay in great pain throughout the night and the following day. He was given several doses of narcotics in an attempt to ease the pain. However, the medication only prolonged ~~death~~^{life}. His wife and son arrived on the morning of the 17th. During the final hours he conversed briefly with his family, his associates at the trial and also with Thomas McGehan, whom he was defending. McGehan, who had always been considered as a cold and remorseless man, was led weeping from the room. At ten o'clock on the evening of June 17, 1871, Clement L. Vallandigham gasped his final breath.⁵

On June 20, 1871, the city of Dayton mourned as the body of Clement L. Vallandigham lay in state at the Vallandigham home on First Street. A continuous line of visitors passed by the casket from seven to eleven a.m. The house was crowded during the afternoon funeral services, and the streets were filled as

⁴ James Vallandigham, pp. 524-525.

⁵ James Vallandigham, pp. 526-531. In regard to the McGehan trial the jury failed to reach a decision and was discharged. The case was later removed to Montgomery County where the jury brought in a verdict of second degree murder. A new trial was granted, and McGehan was acquitted. However, public sentiment in Hamilton considered him guilty.

the procession moved to Woodland Cemetery. At about three o'clock in the afternoon the body of the once valuable Ohio statesman was lain in its final resting place.⁶

The news of his death created a profound sensation throughout the country. Several of his old friends, colleagues, and political opponents as well delivered speeches in which they commemorated the memory of the deceased Ohio lawyer, politician, and gentleman. His old opponent, Lewis D. Campbell, and S. S. Cox, an old and reliable friend from Cincinnati, were among those better known who voiced a sincere regret and sympathy for Vallandigham.⁷

Several newspapers printed articles which described the character of Clement L. Vallandigham quite well. Following is a brief summary of the articles:

Boston Post--Even in his dying moments he saw glory and grandeur in the Union.⁸

Chicago Tribune--He was no demagogue **nor** did he sail with the wind. If he thought he was right, no force could move him; and neither could the rage of opposition nor friendly appeals change his mind. He was a man of above average ability and was

⁶ James Vallandigham, pp. 536-541.

⁷ James Vallandigham, pp. 544-550.

⁸ James Vallandigham, p. 558.

one of the best public speakers in the country; and in all his relations, he was a gentleman.⁹

Cincinnati Volksblatt--Even his bitterest enemies could not disregard his strict honesty, incorruptible integrity, and his open and straightforward disposition. His moral courage, his eminent mental qualities, his burning eloquence, and his courteous demeanor rank him with great men.¹⁰

New York Sun--His friends were many and his enemies were few. He was a man of courage, never hesitating to utter his opinions or shrinking from the defense. He had an intense, ardent temperment; and his intellect was capable of the most vigorous tasks. He was generous and true to his friends. It was his life-long ambition to become a United States Senator, but that desire was never fulfilled.¹¹

Cincinnati Inquirer--He was a most distinguished member of the Bar of Ohio. He had his faults, but none ever doubted his brain power. Once enlisted in a cause, he never abandoned it. He risked his own character in attempting to defend the rights in which he believed regarding the war and civil rights; and

⁹ James Vallandigham, pp. 558-559.

¹⁰ James Vallandigham, p. 559.

¹¹ James Vallandigham, p. 560.

despite the opposition he received, he showed no timidity. He was an ambitious man, but the stroke of fate has now ended such ambitions.¹²

The writer believes that Vallandigham was a most sincere man and earnestly believed in what he expounded. He believes that most historians would agree with him on that point. But, he must also add, that he is not in sympathy with him. He believes that Abraham Lincoln used sound judgment in regard to the situation with which he was confronted in the person of Clement L. Vallandigham. Mr. Lincoln was faced with a crisis of the most serious nature--that of ending a bloody civil war and reuniting the Union. The antagonism and resentment which Vallandigham caused was of a most serious nature and of no small hindrance to the cause for which Mr. Lincoln was striving.

¹² James Vallandigham, pp. 560-564.



VALLANDIGHAM waiting for another
Chance to go below the Lines.

From the L. M. U. Collection
Clement L. Vallandigham



From the L. M. U. Collection
George B. McClellan



This reminds me of
a little joke that
you teller get in a sheet
sheet of paper. You're not
high enough yet. Don't
be angry. be a good boy.
maybe he may play
soldier again.

From the L. M. U. Collection
Presidential Campaign of 1864

CHRONOLOGY

- July 29, 1820 Born in New Lisbon, Ohio.
- September, 1837 Enrolled at Jefferson College, Cannonsburg, Pennsylvania.
- September, 1838 Principal of Union Academy, Snow Hill, Maryland
- September, 1840 Reentered Jefferson College as a Senior.
- January, 1841 Withdrew from Jefferson College and returned home to study law.
- October 5, 1842 Admitted to the Ohio bar.
- October, 1845 Elected as a Democratic Representative to the Ohio Legislature.
- August 27, 1846 Married Louisa A. McMahon of Cumberland, Maryland.
- August, 1847 Moved to Dayton, Ohio, where he practiced law. Also became part owner and editor of the Western Empire, a Democratic paper.
- June, 1849 Disposed of his interest in the Western Empire.
- August, 1851 Democratic nominee of Ohio Democrats for Lieutenant-Governor. Was defeated in the fall election.
- August, 1852 Democratic candidate of the Third District of Ohio for United States Representative. Was defeated by Lewis Campbell.
- August, 1854 Renominated by the Third District as Democratic candidate for United States Representative. Defeated again by Campbell.

(Chronology continued)

- October 29, 1855 In a speech at Dayton he said the slavery agitation would result in civil war.
- July 28, 1856 Democratic nominee of the Third District for United States Representative. Was defeated again by Campbell.
- October 25, 1856 Served Campbell with a notice of contest of the election.
- May 25, 1858 Successful in contest. Took his seat in the 35th Congress.
- October, 1858 Renominated as Democratic candidate of the Third District. Defeated Campbell.
- February 24, 1859 Speech on Congress regarding the Tariff of 1857
- October 19, 1859 Talks with John Brown at Harpers Ferry after the latter had been captured.
- December 15, 1859 Delivered his first speech in the 36th Congress. He opposed the agitation raised by abolitionists and said it would lead to disunion.
- June 30, 1860 In a speech at Dayton, he said that slavery would die if the Republican party were dissolved.
- October, 1861 Renominated by Third District as United States Representative. Won by a comfortable majority.
- June 4, 1862 Attended the Democratic State Convention at Columbus, Ohio. In a speech he said the Democrats would stand for peace.
- September 4, 1862 Renominated by the Third District, which had been gerrymandered. Was defeated in the fall election.
- January 14, 1863 Delivered his speech, "The Great Civil War in America," to the House.

(Chronology continued)

- February 23, 1863 Delivered his final speech in the 37th Congress.
- March 25, 1863 Burnside took command of the Department of the Ohio.
- April 13, 1863 Burnside issued Order #38.
- May 1, 1863 Vallandigham gave his famous Mount Vernon speech.
- May 5, 1863 Arrested by Government troops. Was confined in Kemper Prison.
- May 6, 1863 Military commission was convened and trial began. Vallandigham was found guilty and sentenced.
- May 9, 1863 Vallandigham was refused a writ of Habeas Corpus.
- May 16, 1863 New York Democrats appealed to Lincoln in behalf of Vallandigham.
- May 25, 1863 Turned over to the Confederates.
- June 11, 1863 Peace Democrats of Ohio nominated Vallandigham for Governor. The Birchard Committee appealed to Lincoln in regard to a pardon for their exiled candidate.
- June 12, 1863 Lincoln sent a reply to the New York Democrats in defense of the policy of the Administration. He claimed that Vallandigham was hindering the war effort. He stated: "Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair on the head of the wily agitator who induces him to desert."
- June 17, 1863 Left the South and goes to Bermuda.
- June 29, 1863 Lincoln sent a reply to the Ohio Democrats, quite similar to the one he had sent to the Democrats of New York.

(Chronology continued)

- July 5, 1863 Arrived in Canada.
- July 15, 1863 Arrived at Niagara Falls and issued a speech to the Ohio Democrats. Congratulated them on their choice and platform.
- October 13, 1863 John Brough soundly defeated Vallandigham for Governor of Ohio.
- February 16, 1864 Conferred with members of O. A. K. Agreed to join the society.
- March 1, 1864 Notified of election to the position of Supreme Grand Commander of the Sons of Liberty.
- June 11, 1864 Conferred with Jacob Thompson, a Confederate Agent. Agreed to the Northwest Conspiracy.
- June 15, 1864 Returned to the States.
- August 29, 1864 A delegate at the Democratic National Convention which opened in Chicago. Forced his "War is a Failure" plank into the Democrat platform.
- August 24, 1865 Attended the Democratic State Nominating Convention at Columbus, Ohio.
- July 4, 1868 Attended the Democratic National Convention in New York.
- August 18, 1868 Democratic nominee of the Third District for Congress. Soundly defeated by Schenck.
- May 24, 1871 Presented his "New Departure" policy to the Democrats of Ohio.
- June 16, 1871 Prepared his case for the defense of Thomas McGehan. Accidentally shot himself while trying to show how a man could accidentally shoot himself.
- June 17, 1871 Vallandigham died at about 10:00 p.m.
- June 20, 1871 Buried in Woodland Cemetery--Dayton, Ohio.

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