

PRESIDENTIAL RECONSTRUCTION :

ITS FAILURE

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## CONTENTS

### Introduction

### Chapter I

#### Presidential and Congressional Theories Concerning the Status of the Seceded States

Lincoln's Theory

Johnson's Theory

Sumner's Theory

Stevens' Theory

### Chapter II

#### Presidential and Congressional Plans of Reconstruction

Lincoln's Plan

Johnson's Plan

Sumner's Plan

Stevens' Plan

### Chapter III

#### Reasons For the Failure of Presidential Reconstruction

A Summary of Congressional Action In Defeating Presidential Reconstruction

The Personalities of Lincoln and Johnson---A Clue to the Failure of Presidential Reconstruction

Johnson's "Swing Around the Circle"

Johnson's Lack of Practical Political Wisdom

The Weakness of the Moderate Republican Movement

The Strength of the Radical Republican Movement

## PREFACE

In late years there has been an increasing emphasis placed on the study of the reconstruction period in American history. The economic, social, and political problems of the United States since the Civil War all have their roots in the political revolution which followed the defeat of the South.

Many students of American history believe that the harsh measures of congressional reconstruction were directly responsible for a large number of the social, economic, and political ills which have plagued this country since the assassination of Abraham Lincoln. In their opinion, these ills might have been avoided had congress adopted the moderate policies of presidential reconstruction.

This thesis has attempted to study the evolution of presidential and congressional reconstruction. The presentation of the various theories concerning the status of the seceded states was necessary because the various plans of reconstruction were merely the logical outgrowths of these theories. Special attention was given to the problem of analyzing the numerous causes for the failure of presidential reconstruction. Particular emphasis was placed on Johnson's responsibility for its failure, a problem which has not been given sufficient attention by students of United States History.

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## CHAPTER I

In order to understand the various plans of reconstruction it is necessary to grasp the fundamental principles at the basis of the plans, i.e. the theories with regard to the status of the seceded States. The plans of reconstruction were nothing more than the practical application of these theories.

The day before Lincoln was assassinated he remarked:

"I think it providential that this great rebellion is crushed out just as Congress has adjourned and there are none of the disturbing elements of that body to embarrass us. If we are wise and discreet we shall reanimate the States and get their governments in successful operation with order prevailing and the Union re-established before Congress comes together in December."<sup>1</sup>

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<sup>1</sup> James Ford Rhodes, History of the United States From the Compromise of 1850, 5:137.

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"We shall reanimate the states." These words indicate clearly Lincoln's theory concerning the status of the seceded States. His theory was formulated before his accession to the presidency and remained unchanged to the day of his death.

The "indestructibility of the state" was the underlying principle of this theory. That he meant to follow this principle consistently is evidenced by his attitude toward the delicate problem of slavery. He had no intention of interfering with the institution of slavery in 1861. He was convinced he had "no lawful right" and had "no inclination to do so." With

regard to states' rights he followed the plank in the Republican platform of 1861.

"Resolved that the maintenance inviolate of the rights of the States and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power in which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."<sup>2</sup>

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<sup>2</sup> James D. Richardson, Messages and Papers of the Presidents, 6:5.

In his first inaugural he made it clear that there was no such thing as secession. "I hold that, in contemplation of universal law and of the Constitution, the Union of these States is perpetual." And, therefore, since no state can secede, it logically follows "that resolves and ordinances to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary according to circumstances."<sup>3</sup>

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<sup>3</sup> Ibid., 6:7.

Lincoln was convinced that the Southern revolutionists themselves realized there was no such thing as secession, that the Union of the States was perpetual and indestructible. His argumentation was logical:

"It might seem at first thought to be of little difference whether the present movement at the South be called 'secession' or 'rebellion.' The movers, however, well understand the dif-

ference. At the beginning they knew they could never raise their treason to any respectable magnitude by any name which implies violation of law. They knew their people possessed as much of moral sense, as much of devotion to law and order, and as much pride in and reverence for the history and Government of their common country as any other civilized and patriotic people. They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly, they commenced by an insidious debauching of the public mind. They invented an ingenious sophism, which if conceded, was followed by perfectly logical steps through all the incidents to the complete destruction of the Union. The sophism itself is that any State of the Union may consistently with the National Constitution, and therefore lawfully and peacefully, withdraw from the Union without the consent of the Union or of any other State. The little disguise that the supposed right is to be exercised only for just cause themselves to be the sole judge of its justice, is too thin to merit any notice."<sup>4</sup>

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<sup>4</sup> Ibid., 6:26-27.

Lincoln pressed his argument further by stating: "It may well be questioned whether there is today a majority of the legally qualified voters of any State, except, perhaps, South Carolina, in favor of disunion."<sup>5</sup>

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<sup>5</sup> Ibid., 6:29.

Naturally, a vote would, perhaps, not demonstrate this fact because "at such an election all that large class who are at once for the Union and against coercion would be coerced to

vote against the Union."<sup>6</sup>

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<sup>6</sup> James D. Richardson, loc. cit.

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Lincoln let it be known in his message to the special session of Congress July 4, 1861 that his conception regarding the status of the rebellious states would not change during or at the conclusion of the hostilities. He said:

"Lest there be some uneasiness in the minds of candid men as to what is to be the course of the Government toward the Southern States after the rebellion shall have been suppressed, the Executive deems it proper to say it will be his purpose then, as ever, to be guided by the Constitution and the laws, and that he probably will have no different understanding of the powers and duties of the Federal Government relatively to the rights of the States and the people under the Constitution than that expressed in the inaugural address."<sup>7</sup>

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<sup>7</sup> Ibid., 6:31.

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Furthermore, argued Lincoln:

"The Constitution provides, and all States have accepted the provision, that the 'United States shall guarantee to every State in this Union a republican form of government.' But if a State may lawfully go out of the Union, having done so it may also discard the republican form of government; so that to prevent its going out is an indispensable means to the end of maintaining the guaranty mentioned; and when an end is lawful and obligatory the indispensable means to it are also lawful and obligatory."<sup>8</sup>

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<sup>8</sup> James D. Richardson, loc. cit.

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Lincoln never wavered in his basic conviction that there was no such thing as secession. In his first annual message of December 3, 1861 he reminded Congress: "I have therefore in every case thought it proper to keep the integrity of the Union prominent as the primary object of the contest on our part...."<sup>9</sup> And again: "Nothing now occurs to

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<sup>9</sup> Ibid., 6:54.

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add or subtract to or from the principles or general purposes stated and expressed in those documents!"<sup>10</sup> (i.e. his

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<sup>10</sup> Ibid., 6:55.

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inaugural and message to the special session.)

Johnson advocated the same theory as Lincoln with regard to the status of the seceded states. In fact in some respects he enunciated it even more lucidly than did the Great Emancipator. It is a remarkable coincidence that both men should have been so unanimous in their reasoning since there was such wide divergence in their political abilities and in their emotional natures. Johnson's impulsiveness and impassioned nature led many to believe that he would at least accept if not advocate the political theories of the Radicals. Johnson very early jarred Stevens and his vindictive clan out of their complacency and startled them with his devastatingly logical exposition of his theory with respect to the status of the seceded states. To a delegation from

Indiana President Johnson said:

"Upon this idea of destroying States, my position has been heretofore well known, and I see no cause to change it now... Some are satisfied with the idea that the States are to be lost in territorial and other divisions; are to lose their character as States. But their life-breath has only been suspended, and it is a high constitutional obligation we have to secure each of these States in the possession and enjoyment of a republican form of government.. ..In putting the government on its legs again, I think the progress of this work must pass into the hands of its friends. If a State is to be nursed until it again gets its strength, it must be nursed by its friends, not smothered by its enemies."<sup>11</sup>

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<sup>11</sup> Frank Moore, Speeches of Andrew Johnson, 484-5.

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Emphasizing his point further Johnson quotes from two famous United States' documents to demonstrate that his idea is not new, but in complete harmony with traditional Americanism. He declared:

"The Union of the United States of America was intended by its authors to last as long as the States themselves shall last. 'The Union shall be perpetual' are the words of the Confederation. 'To form a more perfect Union,' by an ordinance of the people of the United States, is the declared purpose of the Constitution."<sup>12</sup>

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<sup>12</sup> James D. Richardson, op. cit., 6:354.

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Johnson denied the possibility of the dissolution of a state.

"In case of the usurpation of the government by one man or an oligarchy, it becomes a duty of the United States to make good the guaranty to that State of a republican form of government, and so to maintain the homogeneousness of all."<sup>13</sup>

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<sup>13</sup> James D. Richardson, loc. cit.

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With regard to the Constitution which guaranteed the existence of a state, Johnson affirmed:

"No room is allowed even for the thought of a possibility of its coming to an end ....The Constitution is the work of 'the people of the United States,' and it should be as indestructible as the people."<sup>14</sup>

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<sup>14</sup> James D. Richardson, loc. cit.

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As long as there was any semblance of a Union there had to be a Union of States. "The maintenance of the Union brings with it 'The support of the State governments in all their rights.' "<sup>15</sup> Johnson then goes on to emphasize the truth

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<sup>15</sup> Ibid., 6:356.

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that States can never divorce themselves from the Union:

"....it is not one of the rights of any State government to renounce its own place in the Union or to nullify the laws of the Union....'The sovereignty of the States' is the language of the Confederacy and not the language of the Constitution. The latter contains the emphatic words.. 'This Constitution and the laws of the United States which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.'<sup>16</sup>

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<sup>16</sup> James D. Richardson, loc. cit.

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Driving home his argument still more effectively Johnson said:

"The perpetuity of the Constitution brings with it the perpetuity of the States; their mutual relation makes us what we are, and in our political system their connection is indissoluble. The whole can not exist without the parts, nor can the parts exist without the whole. So long as the Constitution of the United States endures, the States will endure. The destruction of the one is the destruction of the other; the preservation of the one is the preservation of the other."<sup>17</sup>

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<sup>17</sup> Ibid., 6:356.

Johnson was, perhaps, nowhere more explicit regarding his conception of the status of the seceded states as in the following lines taken from his first message to Congress. He said:

"Besides, the policy of military rule over a conquered territory would have implied that the States whose inhabitants may have taken part in the rebellion had by the act of those inhabitants ceased to exist. But the true theory is that all pretended acts of secession were from the beginning null and void. The States can not commit treason any more than they can make valid treaties or engage in lawful commerce with any foreign power. The States attempting to secede placed themselves in a condition where their vitality was impaired, but not extinguished; their functions suspended, but not destroyed."<sup>18</sup>

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<sup>18</sup> Ibid., 6:357.

Johnson was eager to have the circuit courts reestablished in the seceded areas as soon as possible. Underlying

this desire was his determination to impress upon the South his theory concerning the status of the seceded states. The courts were to function in order that "the question may be judicially settled, finally and forever, that no State of its own will has the right to renounce its place in the Union."<sup>19</sup>

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<sup>19</sup> Ibid., 6:359.

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Opposed to the ideas of Lincoln and Johnson concerning the status of the seceded States were the theories of Sumner and Stevens. It was their ideas which influenced the Republican majority in Congress and finally culminated in the enunciation of the congressional theory regarding the status of the seceded states and which in turn was directly responsible for the radical plan of reconstruction and the defeat of presidential reconstruction.

The earliest statement of Sumner with regard to the status of the seceded states came on February 12, 1862, a year and ten months before the announcement of Lincoln's plan, in a series of resolutions declaratory of the relations between the United States and the territory once occupied by certain states and now usurped by pretended governments without constitutional or legal right.

The preamble states as a premise that:

"....the extensive territory, thus usurped by these pretended governments, and organized into a hostile confederacy, belongs to the United States, as an inseparable part thereof, under the sanction of the Constitution, to be held in trust for the inhabitants in the present and future generations...."

The Constitution, which is the supreme law of the land, cannot be displaced in its rightful operation within this territory, but must ever continue the supreme law thereof."<sup>20</sup>

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<sup>20</sup> Senate Journal, 2nd Session, 37th Congress, 194.

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Resolution one declared that a vote of secession is void as against the Constitution:

"....and when sustained by force it becomes a practical abdication by the State of all rights under the Constitution, while the treason which it involves still further works an instant forfeiture of all those functions and powers essential to the continued existence of the State as a body politic, so that from that time forward, the territory falls under the exclusive jurisdiction of Congress as other territory, and the State being, according to the language of the law, *felo de se*, ceases to exist."<sup>21</sup>

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<sup>21</sup> Congressional Globe, 2nd Session, 37 Congress, 737.

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The third resolution denies in fact the constitutional existence of the Confederate States, i.e. denies a state the right or possibility of secession. The third and fourth declare that the termination of a state terminates its peculiar local institution, therefore slavery ceases to exist. Resolutions five, six, and seven declare it necessary not to recognize slavery. The eighth declares the obligation of the United States to protect all inhabitants, "without distinction of color or class." The ninth declares that since the seceded states ceased to exist, and since the "United States shall guaranty to every State in this Union a republican form of

government" Congress "will assume complete jurisdiction of such vacated territory where such unconstitutional and illegal things have been attempted, and will proceed to establish therein republican forms of government under the Constitution...."<sup>22</sup>

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<sup>22</sup> Senate Journal, 2nd Session, 37th Congress, 194-196.

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The name customarily given to Sumner's theory respecting the status of the seceded states is the "state suicide theory." The term originated in a statement by Sumner himself. On May 19, 1862 speaking of the seceded areas he said:

"In point of fact, throughout this territory the national government has been ousted, while the old State governments have ceased to exist, lifeless now from rebel hands. Call it suicide if you will, or suspended animation, or abeyance, they have nevertheless ceased to exist. Such is the plain and palpable fact."<sup>23</sup>

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<sup>23</sup> Congressional Globe, 2nd Session, 37th Congress, 2169.

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Coupled with Sumner's theory of "state suicide" was his conviction, as stated in the preamble just quoted, that the seceded states were now merely territories, subject to the complete jurisdiction of Congress and bound by any legislation affecting territories. This conception presupposed that the people living in these territories were citizens, protected by the Constitution, something which Stevens denied. On the basis of Sumner's principle the Southerners could enjoy the rights of United States citizenship, abdicated through rebel-

lion, just as soon as they would submit peaceable to the Union forces.

The territorial status of the seceded areas would obviously exclude them from active participation in the legislative machinery of the national Government. Hence Sumner's vociferous advocacy of the state suicide and territorial status theory; for Sumner, like Stevens, was eager to secure the "perpetual ascendancy of the Republican party," in order that the military achievements of the battlefield might not be superseded by the legislative triumphs of a too hastily restored South.

Of the two congressional theories, Stevens' was by far the more radical. Stevens theory rested on the premise that wherever there is defiance of the Constitution and that rebellion cannot be removed without employing armed might, there the Constitution is theoretically and practically suspended. The Constitution, and especially the "guarantee clause," remains in a state of suspension as long as the resistance continues. In place of the Constitution the rebellious areas are to remain under the law-making and war-making powers of the national Government until Congress shall deem it expedient to tender them full freedom under the Constitution. The inevitable conclusion to this argumentation was that the seceded states had ceased to be states and had become conquered territories under the unrestricted jurisdiction of Congress.

In a public address to the people of Lancaster Stevens

made it very clear just what the status of the seceded states was. He said: "When the Southern States went out of the Union through rebellion, and all the ties that bound them to the Union were consumed in the hot fires of war, they became conquered provinces under our armies."<sup>24</sup>

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<sup>24</sup> N. Y. Herald, September 29, 1866.

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AS early as May 2, 1864 in connection with the discussion of a bill guaranteeing republican forms of government to the seceded states, he declared that the rebel states:

"were entitled to no rights under the Constitution and laws, which as to them were abrogated; that they could invoke the aid of neither in their behalf; that they could claim no other rights than a foreign nation with whom we might be at war; and that they were subject to all the liabilities of such foreign belligerent."<sup>25</sup>

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<sup>25</sup> Congressional Globe, 1st Session, 38th Congress, 2041.

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In connection with the discussion to admit West Virginia into the Union Stevens said:

"I did not believe that the Constitution embraced a State now in arms against the Government of this Union, and I hold that doctrine now. It was not said upon the spur of occasion. It is a deliberate opinion, formed upon a careful examination of the law of the United States and the laws of nations."<sup>26</sup>

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<sup>26</sup> Ibid., 3 Session, 37th Congress, 239.

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Stevens was extremely vindictive in his dogmatic championing of his extreme theory. He made it very obvious to all just what he meant by "conquered provinces." Referring to the seceded states he grew historically reminiscent and cried:

"....they have no more existence than the revolted cities of Latium, two thirds of whose people were colonized and their property confiscated, and their right of citizenship withdrawn by conquering and avenging Rome."<sup>27</sup>

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<sup>27</sup> Ibid., 1st Session, 39th Congress, 74.

It would almost appear that Stevens derived his theory from Rome's treatment of Latium, since he advocated every feature of Rome's harsh procedure. On another occasion he told Congress that it "must treat those states now outside the Union as conquered provinces, and settle them with new men, and drive the present rebels as exiles from this country."<sup>28</sup> Stevens stated why he was so eager to make

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<sup>28</sup> Clifton R. Hall, Andrew Johnson, Military Governor of Tennessee, 80.

conquered provinces out of the seceded states when he remarked: "There they can learn the principles of freedom and eat the fruit of foul rebellion."<sup>29</sup>

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<sup>29</sup> Congressional Globe, 1st Session, 39th Congress, 74.

Stevens wanted no restoration of the Union under the

Constitution. As a vehicle for his plans he would have nothing to do with the Constitution, that "worthless bit of old parchment." Severe, fresh, apropos congressional legislation was the demand of the hour because it was Stevens' sadistic dream to "revolutionize their (Southern rebels) principles and feelings....(to) work a radical reorganization in Southern institutions, habits, and manners."<sup>30</sup>

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<sup>30</sup> Stevens MSS, IV as quoted in Howard K. Beale, The Critical Year, 149.

Continuing in this same pugnacious vein he would support legislation aimed at forcing the rebels into exile, for the country would certainly be better off without the "proud, bloated, and defiant rebels." He was thoroughly convinced that "the foundations of their institutions, both political, municipal, and social, must be broken up and relaid, or all our blood and treasure have been spent in vain." This of course "can only be done by treating and holding them as conquered people."<sup>31</sup>

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<sup>31</sup> Ibid., 152.

Since the rebels "were entitled to no rights under the Constitution and laws,"<sup>32</sup> it logically followed that the Con-

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<sup>32</sup> Congressional Globe, 1st Session, 38th Congress, 2041.

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federates were no longer citizens. The Constitution protected

only citizens of the United States. When asked by Representative Yeaman whether the Confederates were citizens, Stevens replied:

"....when they went into secession and armed rebellion they committed treason; and when they so combined themselves as to make themselves admitted as belligerents....they did acquire the right to be treated as prisoners of war."<sup>33</sup>

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<sup>33</sup> Ibid., 3 Session, 37th Congress, 239.

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Therefore the rebellious Southerners must be dealt with by treaties subject to Senate ratification. In this instance the treaties would be harsh, uncompromising congressional legislative measures.

To eliminate the possibility of any misunderstandings with regard to his theory of the status of the seceded states and to make certain that no one would overlook all of the ramifications of that theory, Stevens concluded his argument by advocating a program of staggering indemnification. He insisted that Southern property had to be seized since the conqueror "may indemnify himself for the expenses and damages he has sustained."<sup>34</sup> On May 2, 1864 Stevens on the floor of

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<sup>34</sup> Lancaster Intelligencer, September 13, 1865 as quoted in Claude G. Bowers, The Tragic Era, 19.

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the House emphasized that since the South had chosen to become a belligerent outside of the Constitution she should be subject "to all the liabilities of such a foreign belli-

gerent," and that "the property of the morally and politically guilty should be taken for public use."<sup>35</sup> Nor was he

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<sup>35</sup> Congressional Globe, 1st Session, 38th Congress, 2041.

satisfied with mere confiscations. He would go a step farther than confiscation. "I would lay a tax whenever I can, upon the conquered provinces," he said, "just as all nations levy them upon provinces and nations they conquer."<sup>36</sup>

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<sup>36</sup> Clifton R. Hall, op. cit., 78.

To give his theory added prestige and if possible convince all that his was the only practical, tenable one, Stevens trained his guns of questionable logic at the very foundation of the presidential theory concerning the status of the seceded states. It was his reasonable conviction that the presidential theory was palpably unconstitutional. If the seceded states had never left the Union, if they had not lost their essential identity as states, then to interfere in any way in the Southern states even to the extent of calling state conventions to amend their constitutions, according to Stevens would be "meddling with the domestic institutions of a State....rank, dangerous, deplorable usurpation." Therefore "no reform can be affected in the Southern States if they have never left the Union;"<sup>37</sup> that would be uncon-

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<sup>37</sup> Lancaster Intelligencer, September 13, 1865, as quoted in Claude G. Bowers, op. cit., 18.

titutional. But what about Johnson's provisional governments ?

Stevens tells us what he thought of them. Referring to the seceded states he said: "They have no governments now except some counterfeits put up by Andy Johnson."<sup>38</sup>

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<sup>38</sup> N. Y. Herald, September 29, 1866.

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The eventual theory of the status of the seceded states evolved in the congressional plan of reconstruction was in a large measure a compromise between the extreme theories of Sumner and Stevens. Studiously avoiding that "pernicious abstraction" as to whether the Southern states had or had not left the Union, the congressional theory made concessions to both. To satisfy Stevens, the congressional theory stated that the states had withdrawn from the Union, without discussing the constitutional or legal implications of that action. As a result, the national Government had the right to demand indemnities for damages done and had the obligation to take proper measures to prevent the recurrence of such rebellion.

To placate Sumner, the congressional theory insisted upon the territorial unity of the United States. Through secession the states had abrogated their traditional state structures and as such were definitely not entitled to representation. They would have to meet stringent congressional requirements before such representation were possible.<sup>39</sup>

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<sup>39</sup> For a more complete presentation of this point consult the Report of the Joint Committee on Reconstruction in Edward McPherson's History of Reconstruction, 84-93.

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## CHAPTER TWO

Lincoln pointed out in his first inaugural "the total inadequacy of the disunion as a remedy for the differences between the people of the two sections."<sup>1</sup> Lincoln desired

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<sup>1</sup> James D. Richardson, Messages and Papers of the Presidents, 6:10.

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to eliminate the friction between the South and the federal Government by means of a bloodless revolution, a reconstruction program which would stop the war. Lincoln was thoroughly convinced that "without slavery the rebellion could never have existed; without slavery it could not continue."<sup>2</sup> On

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<sup>2</sup> Ibid., 6:36.

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March 6, 1862 in a communication to Congress Lincoln showed clearly that he had given the slavery issue some very sober reflection and was considering the problem especially from the South's point of view. He realized that sudden and complete emancipation would work unnecessary hardship and even, perhaps, result in a complete dislocation of Southern economy. He, therefore, recommended to Congress for adoption the following resolution:

"Resolved, that the United States ought to cooperate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system."<sup>3</sup>

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<sup>3</sup> Ibid., 6:68.

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Lincoln realized that as generous as this offer might appear to the North it was still extremely radical from the South's point of view. He wanted the North to be patient with the South in this problem of emancipation and therefore wisely added that, "in my judgment, gradual and not sudden emancipation is better for all."<sup>4</sup>

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<sup>4</sup> James D. Richardson, loc. cit.

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That Lincoln had his heart set on ending the war as quickly and justly as possible is very evident from the fact that he spent the interval between March and December of 1862 considering and reconsidering the probability of solving the knotty slavery issue to the satisfaction of all parties concerned. In his second annual message to Congress, December 1, 1862, he proposed and offered the South a "compensated emancipation." He recommended his three articles as amendments. Article one stated that the government would issue bonds to any state eliminating slavery; the amount of money would equal the value of the slaves, numbered according to the eighth census. Should the state reintroduce slavery it would have to refund the aggregate sum of bonds and interest received. Article two stated that slaves freed by the chances of war shall be forever free and be uncompensated for. The loyal owners of slaves shall be compensated for them at the same rates applying to those of states where slavery has been

abolished. Article three stated that Congress had the authority to appropriate money to colonize the negroes with their consent in any place or places outside the United States. This offer of the President was to be in effect until January 1, 1900.<sup>5</sup>

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<sup>5</sup> Ibid., 6:136.

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It was Lincoln's conviction that there was only a small Southern faction responsible for the secession of the Confederate States, hence his advocacy of a very liberal policy of reconstruction. The majority of Southerners in the seceded states could easily be brought back into allegiance to the Union. Lincoln was waging his war against this revolutionary minority. He made it known already in his special message of July 4, 1861 that vindictiveness would not be allowed to enter into his plan of reconstruction. He stated:

"After the rebellion shall have been suppressed, the Executive deems it proper to say it will be his purpose then, as ever, to be guided by the Constitution and the laws, and that he will have no different understanding of the powers and duties of the Federal Government relatively to the rights of the States and people under the Constitution than that expressed in the inaugural address."<sup>6</sup>

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<sup>6</sup> Ibid., 6:31.

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With regard to the seceded states Lincoln desired to get them back again into "proper practical relations with the nation." And he wanted to do this as speedily as possible. In his Proclamation of December 8, 1863 which was submitted with his regular message he outlined a plan of

reconstruction. All Southerners "who have, directly or by implication, participated in the existing rebellion" and who want to resume their loyalty to the Government of the United States must take an oath of allegiance "to support, protect, and defend the Constitution of the United States and the Union of the States thereunder." They must also swear to uphold all acts of Congress and proclamations of the President with respect to slaves "so long and so far as not modified or declared void by decisions of the Supreme Court."<sup>7</sup>

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<sup>7</sup> Ibid., 6:213-214.

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There were six groups of Confederates which were not permitted to take this general oath of allegiance: all civil and diplomatic officers or agents of the Confederacy, all who have left judicial stations under the United States, all military and naval officers above the rank of colonel in the army and lieutenant in the navy, all who have left seats in the United States Congress, all who have resigned commissions in the Army and Navy to aid the rebellion, and all who have "engaged in any way in treating colored persons, or white persons in charge of such, otherwise than lawfully as prisoners of war, and which persons may have been found in the United States service as soldiers, seamen, or in any other capacity."<sup>8</sup>

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<sup>8</sup> Ibid., 6:214.

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Lincoln's plan involved a rebuilding of the Union as the war progressed. State governments were to be reinaugurated as soon as there were enough loyal voter, "not less than one-tenth in number of the votes cast in such State at the Presidential election of the year A.D. 1860." They must have taken and kept the oath of allegiance and been qualified as a voter according to the laws of the state as it existed before secession.

Lincoln intended to give the Southerners the greatest freedom in taking care of the freedmen. The negro must be recognized as free; he must be educated. But the Southerners could make their own provisions with regard to the negro so long as they do not abuse the confidence placed in them.<sup>9</sup>

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<sup>9</sup> James D. Richardson, loc. cit.

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The President wanted to reconstruct as little of the state as possible. In other words he was against changing the name of the state, its boundaries, subdivisions, general code of laws, and anything else which was not affected by the rebellion. And Lincoln was anxious to acquiesce in the new state governments because his acquiescence was made "with the view of possibly modifying the confusion and destitution which must at best attend all classes by a total revolution of labor throughout whole states."<sup>10</sup>

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<sup>10</sup> Ibid., 6:190.

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A liberal policy of reconstruction implied as much freedom as possible for the local civil authorities in contra-

distinction to the military authority of the armies of occupation. In a letter on November 14, 1864 to General Hurlbut who had for a while succeeded Banks in command at New Orleans the President made it clear that he did not want the civil authority interfered with when it was functioning in its proper sphere. Lincoln realized that the military control was necessary, but he did not want them to exceed their bounds "in order to crush out the civil government."<sup>11</sup>

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<sup>11</sup> Letters and State Papers of Lincoln, 2:597-598.

That Lincoln meant his plan to be immediately operative is shown by the fact that Tennessee, Louisiana, and Arkansas were reconstructed before the end of the war. The first two participated in the presidential election of 1864 and all of them had elected their representatives to Congress before the conclusion of hostilities. And in his last cabinet meeting on the day of his assassination Lincoln laid the foundation for Johnson's North Carolina Proclamation. Gideon Welles states in his Diary that: "In North Carolina a legal government was now to be organized and the State reestablished in her proper relations to the Union."<sup>12</sup>

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<sup>12</sup> Diary of Gideon Welles, 2:282.

The President always made it clear that his policy might change if circumstances demanded. In his Proclamation of December 8, 1863 he emphasized that he had no definite, iron-clad reconstruction plan: "...the mode presented

is the best the Executive can suggest, with the present impressions, it must not be understood that no other possible mode would be acceptable."<sup>13</sup> In his Second Annual

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<sup>13</sup> James D. Richardson, op. cit., 215.

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Message he even intimated that if conditions demanded, the door now open to repentant rebels would have to be closed and "in lieu, more rigorous measures than heretofore shall be adopted."<sup>14</sup> In his last speech on April 11, 1865 he

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<sup>14</sup> Ibid., 6:254.

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made it plain that "...no exclusive and inflexible plan can safely be prescribed as to details and collaterals.. ..it may be my duty to make some new announcement to the people of the South. I am considering, and shall not fail to act when satisfied that action will be proper."<sup>15</sup>

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<sup>15</sup> John G. Nicolay and John Hay, Complete Works of Abraham Lincoln, 11:91-92.

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Lincoln's plan of restoring the states remained the same until his death. In the April 11 speech he emphasized the necessity of permitting the newly organized loyal state governments to function unimpaired. He wisely couched his idea in the form of a rhetorical question: "I repeat the question: 'Can Louisiana be brought into proper practical relation with the Union sooner by sustaining or by discarding her new state government?'" He goes on to say: "What

has been said of Louisiana will apply generally to other States." 16

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16 Ibid., 91.

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Although he vetoed the Wade-Davis Bill, Lincoln was not opposed to the plan of reconstruction outlined therein and looked upon it as "one very proper plan for the loyal people of any State choosing to adopt it." And that as soon as order was restored in those states which desired the policies of restoration contained in the Bill the President will appoint Military Governors, "with directions to proceed according to the bill."<sup>17</sup>

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<sup>17</sup> James D. Richardson, op. cit., 6:223.

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If the President approved of the reconstruction plan of the Wade-Davis Bill why did he veto it? He tells us in his Proclamation of July 8, 1864. He said he was opposed to being "inflexibly committed to any single plan of reconstruction." Then he did not want to disturb the "free-State constitutions and governments already adopted and installed in Arkansas and Louisiana....thereby repelling and discouraging the loyal citizens who have set up the same." And finally, he opposed the Bill because he was convinced that it was unconstitutional for Congress to abolish slavery in the states. He believed that it could properly be abolished only through a constitutional amend-

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<sup>18</sup> Ibid., 6:222-223.

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With the problem of the negro franchise Lincoln did not publicly advocate it before 1865. In a letter to Governor Hahn of Louisiana dated March 13, 1864 he did encourage a restricted negro suffrage. To his way of thinking those negroes who were among "the very intelligent, and especially, those who have fought gallantly in our ranks," should be permitted to vote.<sup>19</sup> He publicly advo-

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<sup>19</sup> Letters and State Papers of Lincoln, op. cit., 2:496.

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ated a limited negro franchise in his speech of April 11, 1865.<sup>20</sup>

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<sup>20</sup> Nicolay and Hay, op. cit., 89.

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Johnson like Lincoln believed that speedy reconstruction and reunion could best be effected through understanding, kindness, and unselfish generosity on the part of the North. Naturally, certain restrictions would have to be made upon the South, but these he felt should be few. The loyal people of the individual states should be permitted to reestablish and control their state governments. In a speech to a delegation from Indiana in April of 1865 Johnson said: "...in adjusting and putting the Government upon its legs again, I think the progress of this work must pass into the hands of its friends. If a state

is to be nursed until it again gets strength, it must be nursed by its friends, not smothered by its enemies."<sup>21</sup>

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<sup>21</sup> Frank Moore, Speeches of Andrew Johnson, 483-484.

And in his Proclamation of April 2, 1866 he was convinced that the conquered South should be "dealt with so as to induce them voluntarily to become friends" and that to consider the Confederate States as conquered provinces and to inflict upon them a policy of subjugation and mistreatment "is abhorrent to humanity and to freedom," and "contrary to the genius and spirit of our free institutions."<sup>22</sup>

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<sup>22</sup> James D. Richardson, op. cit., 6:431-432.

Johnson was resolutely opposed to the establishment of military governments. They would have accomplished nothing except to divide "the people into vanquishers and the vanquished, and would have envenomed hatred rather than restored affection." Two additional reasons for opposing them were: "Once established, no precise limit to their continuance was conceivable. They would have occasioned an incalculable and exhausting expense."<sup>23</sup>

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<sup>23</sup> Ibid., 6:356.

Unlike the Radicals, Johnson was confident that peace and union could best be effected by giving the Southerners as much a part of reconstruction as possible. He pardoned

and encouraged Joseph E. Brown, War Governor of Georgia, and Alexander Stephens to work for a speedy reunion. His confidence and good judgment were not betrayed; both became powerful factors in the elimination of disunion. He further encouraged the counties in the South to organize forces of militia to maintain law and order. His liberal attitude was prompted by his conviction that: "The people must be trusted with their government." And he did not feel that the United States' Military detachments in the South had any right to interfere with the local militia when they were not perpetrating acts of riot and rebellion. In his Proclamation of June 13, 1865 he directed that the military should "abstain from in any way hindering, impeding, or discouraging the loyal people from the organization of a State government."<sup>24</sup>

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<sup>24</sup> Ibid., 6:313.

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It is with justification that Beale<sup>25</sup> finds a partial

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<sup>25</sup> Howard K. Beale, The Critical Year.

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basis for Johnson's reconstruction policy in his love for the common people and hatred of the aristocracy, not only the planter aristocracy of the South, but also of the economic and Hamiltonian-principled aristocracy of New England. He was sure that the Radicals were as inimical to Jacksonian principles of government as the slavocracy had ever been

and that Sumner, Stevens, Wade, Davis, and others were all striving to mould a New South along the lines of the political and economic philosophy of New England, consistent with radical Republican principles.

The Radicals mistakingly interpreted Johnson's harshness toward traitors as indicative of his attitude toward the people of the South as a whole, but Johnson had always maintained a policy of leniency and moderation. He never advocated or desired a Radical policy. As early as 1863 he wrote to Montgomery Blair: "I hope the President will not be led to make territories out of the rebellious states."<sup>26</sup>

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<sup>26</sup> Edward McPherson, The Political History of the United States During Reconstruction, 199.

In his speech to the people of Tennessee on March 18, 1862 Johnson expressed his ideas about reconstruction which never changed. In that address he stated that those who remained loyal "will be honored. The erring and misguided will be welcomed on their return." And while he would not permit flagrant treason to go unpunished, he was firm in his determination to see to it that "no merely retaliatory or vindictive policy will be adopted." He was willing to offer "a full and complete amnesty for all past acts and declarations" of those who had rebelled if they were ready to submit peaceably "to the just supremacy of the laws."<sup>27</sup> And

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<sup>27</sup> Frank Moore, op. cit., 255-56.

he made it clear that the "power to pardon" rested with the executive branch of the government: "As no State can throw a defense over the crime of treason, the power of pardon is exclusively vested in the executive government of the United States."<sup>28</sup>

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<sup>28</sup> James D. Richardson, op. cit., 6:358.

It was only Johnson's burning love for the Union which prompted his fiery speeches in the Senate against traitors, but he was speaking against all traitors of the Constitution and the Union. "For myself, I care not whether treason be committed North or South; he that is guilty of treason deserves a traitor's fate."<sup>29</sup> He was in

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<sup>29</sup> Ibid., 6:205.

reality, just as eager as Lincoln to pardon and forget," to bind up the nation's wounds..to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."<sup>30</sup> Seward's biographer has summed up

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<sup>30</sup> Ibid., 6:277.

the seeming paradox in Johnson's attitude toward the South:

"The persons who charge the President with reversing his entire policy towards the South have confounded two things which Johnson himself kept quite distinct, the proper treatment of individual wrong-

doers, the leaders in rebellion, for whom he thought no punishment too severe, and the leniency to be shown to the communities who had followed their guidance whom he was always disposed to treat with the utmost consideration."<sup>31</sup>

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<sup>31</sup> Thornton Kirkland Lothrop, William Henry Seward, 415.

Johnson's policy of reconstruction was based upon his two Proclamations of May 29, 1865. On that day President Johnson appointed William Holden provisional Governor of North Carolina. Johnson based his appointment on that clause of the Federal Constitution which guarantees "to every State in the Union a republican form of government." Governor Holden carried out his duties and by December 1865 North Carolina had elected a Governor and selected representatives to Congress.<sup>32</sup>

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<sup>32</sup> James D. Richardson, op. cit., 6:312-314.

Within a month after the appointment of Holden, all the other Confederate States except Florida had been given provisional Governors and were to be reconstructed on the same order as North Carolina.<sup>33</sup> The provisional Governors

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<sup>33</sup> Ibid., 6:315-328.

were to have as their primary function the task of doing all in their power to aid in the formation of new state governments; to encourage them to seek federal recognition by abolishing slavery, repudiating the Confederate debt,

and ratifying the 13th Amendment.

Johnson's Amnesty Proclamation of May 29, 1865 was similar to Lincoln's of December 8, 1863, only Johnson increased the number of exceptions to the Amnesty from six to fourteen. The eight new exceptions included all persons who had absented themselves from the Union for the purpose of aiding the rebellion; all officers in the rebel armies educated either at West Point or Annapolis; all persons who had left their homes within the jurisdiction of the United States, went beyond the Northern Army lines and aided the rebellion; all who had been engaged in the destruction of the commerce of the United States on the high seas or between Canada and the United States; all those who at the time of their application for amnesty were in confinement, convicted or awaiting trial; all persons who participated in the rebellion and whose taxable property was over \$20,000.00; all those who took and broke the oath of amnesty as detailed in the President's Proclamation of December 8, 1863.<sup>34</sup> All

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<sup>34</sup> Ibid., 6:311-312.

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persons belonging to these excepted classes had to make special application to the President for pardon.

As lenient as Johnson meant to be he did not want any but loyal men to take part in the restoration of the states. In an address on June 9, 1864 to the people of Nashville, Tennessee before he became President, Johnson said: "But calling a convention to restore the State, who shall restore and

reestablish it?" He was emphatic in his elimination of those who had participated in the rebellion: "I say that the traitor has ceased to be a citizen....He forfeited his right to vote with the loyal men when he renounced his citizenship and sought to destroy our Government."<sup>35</sup>

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<sup>35</sup> Edward McPherson, op. cit., 46.

In a reply to an address of Governor Morton, Johnson made it clear that it was his "solemn obligation" to secure a republican form of government for any state in which the rebel armies had been driven back or expelled and he added: "I care not how small the number of Union men, if enough to man the ship of State."<sup>36</sup> Above all, Johnson

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<sup>36</sup> Ibid., 45-46.

believed that the Federal Government should interfere as little as possible in the political reconstruction of a seceded state.

"On this principle I have acted, and have gradually and quietly, and by almost imperceptible steps, sought to restore the rightful energy of the General Government and of the States. To that end provisional governors have been appointed for the States, conventions called, governors elected, legislatures assembled, and Senators and Representatives chosen to the Congress of the United States."<sup>37</sup>

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<sup>37</sup> James D. Richardson, op. cit., 6:357.

Johnson's conservatism and liberality was evidenced in his recognition of Pierpont as Governor of Virginia. The latter had worked with the loyal minority and had done much to bring Virginia back to the condition of its pre-war position. To show these people that he had not overlooked the fine work done by Pierpont and his loyal followers and to encourage them to greater effort he recognized their government.

The President did everything possible to hasten the restoration of normal antebellum conditions. To encourage Southerners to normal pursuit of business and trade the President, on April 29, 1865, removed the prohibition on all domestic and coastwise intercourse in that portion of the late Confederate States east of the Mississippi and within the lines of national military occupation.<sup>38</sup> On

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<sup>38</sup> Ibid., 6:333-334.

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May 22 he announced that ports in the same district would be reopened to foreign commerce after July 1, 1865, though certain places in Texas were still denied the privilege.<sup>39</sup>

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<sup>39</sup> Ibid., 6:309.

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On June 13, 1865 the insurrection in Tennessee was declared at an end; the authority of the United States was established.<sup>40</sup> Ten days later, June 23, the blockade of Galves-

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<sup>40</sup> Ibid., 6:317-318.

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ton and other ports beyond the Mississippi River was removed.<sup>41</sup> In a Proclamation of August 29, 1865 Johnson de-

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<sup>41</sup> Ibid., 6:325.

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signed September 1 as the date for the removal of all restrictions upon internal, domestic, and coastwise commerce.<sup>42</sup>

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<sup>42</sup> Ibid., 6:331.

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Johnson like Lincoln believed in a limited negro franchise. While the State convention of Mississippi was in session President Johnson expressed his views on negro suffrage to the Provisional Governor Sharkey:

"If you could extend the elective franchise to all persons of color who can read the Constitution of the United States in English and write their own name; and to all persons of color who own real estate valued at not less than two hundred and fifty dollars and pay taxes thereon, you would completely disarm the adversary and set an example the other States will follow."<sup>43</sup>

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<sup>43</sup> American Annual Cyclopedic, 5:581.

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And yet Johnson never made any provision for negro suffrage in his plan of reconstruction because he believed it was not within his constitutional right to do so.

"On the propriety of attempting to make the freedmen electors by the proclamation of the Executive I took for my counsel the Constitution itself, the interpretation of that instrument by its authors and their contemporaries, and recent legislation by Congress. When, at the first movement toward independence, the Congress of the United States instructed the several States to institute governments of their own, they left each State to decide for itself the conditions for the enjoyment of the elective franchise. During the period of the Confederacy there continued to exist a very great diversity in the qualifications of electors in the several States.. ..the Constitution of the United States recognizes these diversities....After the formation of the Constitution it remained as before, the uniform usage for each State to enlarge the body of its electors according to its own judgment....So fixed was this reservation of power in the habits of the people....that during the civil war the late President never harbored the purpose -- certainly never avowed the purpose -- of disregarding it. Moreover, a concession of the elective franchise to the freedmen by act of the President of the United States must have been extended to all colored men, wherever found, and so must have established a change of suffrage in the Northern, Middle, and Western States, not less than in the Southern and Southwestern. Such an act would have created a new class of voters, and would have been an assumption of power by the President which nothing in the Constitution or laws of the United States would have warranted."<sup>44</sup>

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<sup>44</sup> James D. Richardson, op. cit., 6:359-360.

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Johnson summed up his own attitude toward the problem of negro suffrage.

"In my judgment the freedmen, if they show patience and manly virtues, will sooner obtain a participation in the

elective franchise through the States than through the General Government, even if it had the power to intervene."<sup>45</sup>

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<sup>45</sup> Ibid., 6:360.

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Opposed to the reconstruction policies of Lincoln and Johnson were the plans of Sumner and Stevens, the militant engineers of congressional reconstruction.

Sumner's plan was definitely not the President's. Sumner, shortly after the death of Lincoln, visited with Johnson in the White House and tried to convince him of "Southern crimes" which precluded any lenient policy of reconstruction. After a futile two-hour conference Sumner had to admit that Johnson was "changed."<sup>46</sup>

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<sup>46</sup> Edward L. Pierce, Memoirs and Letters of Charles Sumner, 4:286;289.

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In a letter to a friend Sumner remarked:

"If successful in war, we shall have then before us the alternative: separation; or subjugation of these States with emancipation. I do not see any escape. Diplomats here and abroad think it will be separation. I think latter, under my resolutions or something like."<sup>47</sup>

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<sup>47</sup> Ibid., 4:75.

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Basic to an understanding of Sumner's plan of reconstruction is his conception of the aim of the war:

"....indemnity for the past and security for the future. Such should be our comprehensive aim; no more nor less. With-

out indemnity for the past, this war will have been waged at our cost. Without security for the future, this war will have been waged in vain."<sup>48</sup>

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<sup>48</sup> Congressional Globe, 2nd Session, 37th Congress, 2188.

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Sumner's plan was embodied in the form of a resolution which stated that no seceded state could be considered for reinstatement "until after the satisfactory performance of five several conditions, which conditions precedent must be submitted to a popular vote, and be sanctioned by a majority of the people of each State."<sup>49</sup> The first re-

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<sup>49</sup> Ibid., 1st Session, 39th Congress, 2.

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quirement demanded absolute loyalty "without mental reservation or equivocation of any kind." The second qualification called for the thorough dissolution of the aristocratic planter oligarchy together with its political monopoly and at the same time "the complete enfranchisement of all citizens" with "no denial of rights on account of color or race and with all "equal before the law." Repudiation of the rebel debt, coupled with a pledge not "to impair the national credit" constituted the third provision. The fourth injunction made it mandatory that the South provide a system of universal education for all "without distinction of color or race." The final demand referred to those Southerners seeking office, "whether State or national." Only those would be considered eligible "whose conduct and

conversation shall give assurance of peace and reconciliation."<sup>50</sup>

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<sup>50</sup> Ibid., 2.

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Sumner's plan included the obligation of Congress to provide governments for the seceded states, "republican in form." In establishing these governments four prerequisites were outlined. The first point made it clear that only those Southerners who had remained loyal to the Union were eligible for membership in the state conventions. Since the South had ignored the Constitution once, Sumner emphasized in the second proposition the supremacy of the United States Constitution over state laws and state constitutions. The third resolution affirmed that no state can "be accepted as republican" where large numbers of citizens "who have always been loyal to the United States are denied the franchise." Perhaps, the most repugnant to the Southern mind was the fourth point. No state government would be acceptable to the Union as long as "a large proportion of native-born citizens, charged with no crime and no failure of duty, is left wholly unrepresented, although compelled to pay taxes; and especially when a particular race is singled out and denied all representation, although compelled to pay taxes."<sup>51</sup>

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<sup>51</sup> Ibid., 2.

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To Sumner, the most important and most propagandized

plank in his reconstruction platform was negro suffrage. On the Sunday after Lincoln's assassination Sumner asked Stanton if provision had been made for the negro vote in the reconstruction plans for Virginia.<sup>52</sup>

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<sup>52</sup> Gideon Welles, op. cit., 2:291.

Sumner was quite confident that Johnson was also an advocate of negro suffrage. To his friend Scheiden he jubilantly wrote, "Our new president accepts the principle and the application of negro suffrage."<sup>53</sup> Unfortunately,

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<sup>53</sup> Edward L. Pierce, op. cit., 4:242.

Sumner and the other radicals were soon to realize that the unguarded statements of Johnson made in the first flush of executive authority were just so many words. And yet, on the very night that Lincoln was assassinated, Sumner met briefly with Johnson to discuss "public business." The "public business" was Sumner's attempt to convince Johnson to advocate negro suffrage.<sup>54</sup>

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<sup>54</sup> Ibid., 4:241.

Sumner was undoubtedly motivated more by political expediency than by an innate feeling of justice in his championing of negro suffrage. On the occasion of the Senate passage of the Blaine-Bingham amendment authorizing negro suffrage, Sumner wrote to his friend John Bright, "Without

the colored vote the white unionists could not be organized. The colored vote was necessary....It was on that ground, rather than principle, that I relied most."<sup>55</sup> On December 4,

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<sup>55</sup> Ibid., 4:319-320.

1865, Sumner introduced a bill in the Senate advocating negro suffrage. In presenting that bill he declared, "....all persons shall be equal before the law, whether in the court-room or at the ballot-box."<sup>56</sup> In answer to a letter from a com-

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<sup>56</sup> Works of Charles Sumner, 10:14.

mittee of colored persons desiring Sumner's aid in obtaining the franchise, he wrote, "This enfranchised Republic, setting an example to mankind, cannot continue to sanction an odious Oligarchy, whose single distinctive element is color."<sup>57</sup>

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<sup>57</sup> Ibid., 9:431.

On still another occasion, referring to the government's duty to guarantee each state a republican form of government he said, "....it is the bounden duty of the United States by Act of Congress to guaranty complete freedom to every citizen, immunity from all oppression, and absolute equality before the law."<sup>58</sup> Welles remarked concerning a visit Sumner

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<sup>58</sup> Ibid., 9:315.

had made: "Voting, he claimed, was indispensable to freedom; without it the blacks gained nothing...."<sup>59</sup>

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<sup>59</sup> Gideon Welles, "Lincoln and Johnson," Galaxy, 1872, 13: 665.

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Much more lenient in his attitude toward the South than Stevens, Sumner did not include political disability and confiscation of property as features of his plan, but considered both as "temporary expedients" and after the war was won, "I would be among the foremost to insist upon removing them (restrictions, confiscation, etc.) all...."<sup>60</sup>

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<sup>60</sup> Congressional Globe, 2nd Session, 40 Congress, 3247.

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The plans of Sumner and Stevens both were based upon the sovereignty of Congress. Sumner assumed that premise; Stevens blatantly reiterated it ad nauseam lest any "weak-minded moderate" should even suspect that the executive branch had any prerogatives in the establishment or execution of reconstruction theories and plans. There is no mistaking who, in Stevens opinion, shall supervise reconstruction.

"Congress is the sovereign power, because the people speak through them; and Andrew Johnson must learn that he is your servant and that as Congress should order he must obey. There is no escape from it. God forbid that he should have one tittle of power except what he derives through Congress and the Constitution. This is the whole question."<sup>60</sup>

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61 N. Y. Herald, September 29, 1866.

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And now Stevens paradoxically marshalls his unanswerable proof from that "worthless bit of old parchment," the Constitution of the United States.

"By the Constitution of the United States in a single sentence, the first paragraph of the first article in the Constitution says that all legislative power shall consist of a Senate and a House of Representatives. There is the whole legislative power of the nation."<sup>62</sup>

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62 Loc. cit.

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Stevens' first plan of reconstruction was embodied in the form of a recommended amendment by the Joint Committee on Reconstruction and presented by him to the House on May 8, 1866. It wasn't what he wanted. Just before he presented it, he said, "It falls far short of my wishes, but it fulfills my hopes." And then he adds why it wasn't as severe as he had hoped it would be. "I believe it is all that can be obtained in the present state of public opinion."<sup>63</sup> The first

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63 Congressional Globe, 1st Session, 39th Congress, 2459.

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section of this amendment "prohibits the States from abridging the privileges and immunities of citizens of the United States, or unlawfully depriving them of life, liberty, or property, or of denying to any person within their jurisdiction the 'equal' protection of the laws." The second section, according

to Stevens was the most important, and by the same token would be the most distasteful to the Southern mind. "If any State shall exclude any of her adult male citizens from the elective franchise, or abridge that right, she shall forfeit her right to representation in the same proportion." The third section involved the disfranchisement of the rebels. "It prohibits rebels from voting for members of Congress and electors of President until 1870."<sup>64</sup> The extreme

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<sup>64</sup> Ibid., 2459-2460.

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vindictive radicalism of Stevens comes into clear focus when referring to this section he remarked, "It is too lenient for my hard heart. Not only to 1870 but to 18070, every rebel who shed the blood of loyal men should be prevented from exercising any power in this Government."<sup>65</sup>

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<sup>65</sup> Ibid., 2544.

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The fourth section called for Southern repudiation of the rebel debt.<sup>66</sup>

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<sup>66</sup> Ibid., 2461.

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An extension or completion of this first plan was presented by Stevens on July 25, 1866 and introduced in the form of a bill "to enable the States lately in rebellion to regain their privileges in the Union." In section one of this bill he establishes the principle that since the

Confederate States had forfeited all their rights under the Constitution and could be reinstated only through Congressional action, it was the responsibility of Congress to lay down the regulations which the rebel states must follow in setting up valid state governments. Section two stated that the existing state governments "are not to be treated as free republics, yet they are hereby acknowledged as valid governments for municipal purposes until the same shall be duly altered." The procedure to be followed in calling a state convention was outlined in the third section. The convention should form a state constitution which would become effective after a majority of the "legal voters" had ratified it. The fourth section stated the qualifications necessary for the franchise: "All male citizens above the age of twenty-one years who have resided one year in said state, or ten days within the election districts." Section five defined citizens as "all persons (except Indians not taxed) born in the United States or duly naturalized," and then added that any male citizen over twenty-one could serve as a delegate. The main feature of section six was the disfranchisement of all officeholders under the Confederacy or "who swore allegiance to said government" for a period of five years beyond the day they have made application for readmission to citizenship, "the said application to be filed and an oath taken in the same courts that by law are authorized to naturalize foreigners." The next section was designed to protect in particular the negro.

No constitution will even be considered if it "denies to any citizen any rights, privileges, or immunities which are granted to any other citizen in the State." And it adds, "All laws shall be impartial without regard to language, race, or former condition." If after a state has been accepted into the Union and it alters its constitution to discriminate against any person or group, it will automatically lose its right to congressional representation. The concluding section specifies that when a seceded state has met all of the foregoing conditions, it may then present its constitution to Congress for approval. If approved, the state may enter the Union with full privileges.<sup>67</sup>

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<sup>67</sup> Ibid., 4157.

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On January 3, 1867 Stevens presented this same bill with specific additions or amendments. In section three Stevens set a special date, the first Tuesday of May, 1867 for the election of delegates to the state conventions and added that "the convention shall consist of the same number of members as the most numerous branch of the legislature of said State before rebellion." He then designated the exact time and place for the meeting of the convention. To insure an honest vote, Congress was to elect a commission of three persons for each state, who in turn would select election officers to serve in the election districts. The South, of course, would have to pay for all this election machinery. The President and the military commander of the

district was to furnish any military aid to assure a fair vote without riots. All election returns were to go to the Commissions. To increase the disfranchised group, Stevens stated that any office-holders who were of full age on March 4, 1861 were to be disfranchised for a period of five years beginning from the day that they would make application for citizenship. Under this same section he included the oath which the disfranchised would have to take before being accepted into full citizenship.<sup>68</sup>

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<sup>68</sup> Ibid., 2nd Session, 39th Congress, 250.

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Stevens now proved to the members of the House, with "several good reasons," just why they should pass his bill. The first reasons concern themselves with the problem of negro suffrage. The negro should be given the vote because "have not the loyal blacks quite as good a right to choose rulers and make laws as rebel whites?" After disposing of that lofty sentiment for the consumption and satisfaction of the idealists, Stevens gives the real reason for negro suffrage. He was certain that the loyal white minority, joined with the negro, would then have protection against the rebel whites and incidentally "insure the ascendancy of the Union party." Knowing how the consciences of the more conservative members must have been pained by that last utterance, Stevens thunders down upon their heads one of his typical, scathing tirades:

"Do you avow the party purpose ? some

horror-stricken demagogue exclaims. I do. For I believe, on my conscience, that on the continued ascendancy of that party depends the safety of this great nation."<sup>69</sup>

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<sup>69</sup> Ibid., 252.

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Since some of the congressmen were afraid of "negro equality," Stevens explains what he means by that idea. "The same law which condemns or acquits an African should condemn or acquit a white man....Such is the law of God and such ought to be the law of man."<sup>70</sup>

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<sup>70</sup> Loc. cit.

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To both Sumner and Stevens the keystone in their reconstruction arch was negro suffrage. They were convinced that success or failure of negro suffrage meant the success or failure of reconstruction. Stevens was as boisterous as Sumner in his repeated advocacy of the negro franchise. While Sumner kept his arguments on the high plane of logical intellectuality, Stevens descended to the low levels of bullying verbal abuse. Speaking of the need for negro suffrage, Stevens once remarked, "In territories Congress fixes the qualifications of electors; and I know of no better place nor better occasion for the conquered rebels and the conqueror to practice justice to all men, and accustom themselves to make and to obey equal laws."<sup>71</sup>

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<sup>50</sup> Congressional Globe, 1st Session, 39th Congress, 74.

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To Stevens, negro suffrage was extremely important because it would bring the country one step closer to universal equality, the ideal for which he strived. "This is man's Government; the Government of all men alike."<sup>72</sup> Stevens made

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<sup>72</sup> Loc. cit.

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it very obvious that "without the right of suffrage in the late slave States, (I do not speak of the free States), I believe the slaves had far better been left in bondage."<sup>73</sup>

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<sup>73</sup> Ibid., 75.

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Speaking to the people of Lancaster, Pennsylvania after Congress had recessed for the summer, he grew eloquent in his defense of negro suffrage. He orated,

"With regard to the question of negro suffrage in the free States, everyone knows that I am not afraid to express my opinion. Everybody has a right to vote and pay his taxes, and whoever is governed by the laws has a right to make them....and if, when I am dead, there sprouts any vigor from my bones and my grave to help forward posterity to proclaim the same doctrines of universal liberty and universal suffrage, and universal disenthralment from kings, I shall be satisfied." <sup>74</sup>

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<sup>74</sup> N. Y. Herald, September 29, 1866.

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With regard to the acceptance of the rebel states into the Union he said he would not permit them to return "until they present constitutions containing the essence of liberty; and when they do that I will let them in at any time."<sup>75</sup> The

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<sup>75</sup> Loc. cit.

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"essence of liberty," of course, was negro suffrage.

Stevens was not the only one who wanted the negro to have the franchise. Referring to his bill in which he advocated negro suffrage he told the people of Lancaster, "Every loyal Southern man came to me and asked me to put it in."<sup>76</sup>

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<sup>76</sup> Loc. cit.

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Climaxing his defense of the negro vote, Stevens gave full rein to his emotions in the following invective, "Sir, this doctrine of a white man's government is as atrocious as the infamous sentiment that damned the late Chief Justice to everlasting fame, and I fear, to everlasting fire."<sup>77</sup>

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<sup>77</sup> Congressional Globe, 1st Session, 39th Congress, 75.

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As pure and altruistic as Stevens motives appear on the surface, we must seriously question his sincerity in advocating negro suffrage. Political expediency and party loyalty had, perhaps, as much to do with his support of negro suffrage as his innate desire to establish universal equality. In defending the right of the emancipated slave to vote, he

was certain that if the negro is not permitted to exercise the franchise, "....they( the Southerners and Democrats) will at the very first election take possession of the White House and of the halls of Congress." But if the freedman has the right to vote "I think there would always be Union men enough in the South, aided by the blacks, to divide the representation and thus continue Republican ascendancy."<sup>78</sup>

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<sup>78</sup> Ibid., 74.

Another feature of Stevens' radical plan, already touched upon, was his insistent demands for confiscation of rebel property. As early as 1861 he began preaching this harsh, retaliative doctrine. He said that even if "their whole country (South) must be laid waste, and made a desert, in order to save this Union from destruction, so let it be." He added, "I would rather, sir, reduce them to a condition where their whole country is to be repopled by a band of freemen than to see them perpetrate the destruction of this people through our agency."<sup>79</sup> And at Lancaster

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<sup>79</sup> Ibid., 1st Session, 37th Congress, 415.

three days before Lincoln's death he vowed that he would take from the rebels "every foot of ground they pretend to own."<sup>80</sup> On that same day he expanded his ideas on confis-

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<sup>80</sup> Lancaster Intelligencer, March 21, 1867, quoted in Claude G. Bowers, The Tragic Era, 6.

cation to the people of Lancaster. He desired to confiscate "every estate worth ten thousand dollars and containing two hundred acres." Of the 465,000,000 acres in rebel territory, 394,000,000 acres could be confiscated. Of this amount 40,000,000 acres would give every adult negro 40 acres. The remaining 354,000,000 acres could be sold at ten dollars an acre, netting the Government \$3,540,000,000.00 Stevens then told the audience what could be done with that sum. He suggested:

"Invest \$200,000,000.00 in six per cent government bonds and add the interest semi-annually to pension those who have become disabled by this villainous war; appropriate \$200,000,000.00 to pay damages done loyal men, both North and South, and pay the residue of \$3,140,000,000.00 on the national debt."<sup>81</sup>

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<sup>81</sup> Ibid., 19.

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On another occasion an Alabama newspaper editor at the conclusion of an interview with Stevens asked him if he would "be satisfied with nothing less than confiscation," Stevens snapped, "No, sir, anything less would be unjust to those wronged by your crime."<sup>82</sup>

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<sup>82</sup> Ibid., 160.

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Advocating a much more severe application of the confiscation laws, Stevens told the House:

"I trust yet to see our confiscation laws fully executed; and then the malefactors will learn that what Congress has seized

as enemy's property and invested in the United States cannot be divested and returned to the conquered belligerent by the mere voice of the Executive. I hope to see the property of the subdued enemy pay the damages done to loyal men."<sup>83</sup>

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<sup>83</sup> Congressional Globe, 1st Session, 39th Congress, 1019.

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On February 6, 1867 the odious Reconstruction Bill was introduced by Stevens. It represented the culmination of radical reconstruction thinking and planning. The only disappointing feature of the Bill was that it was too lenient for the "vindictive old man." Judging from the severity of the seven sections of that bill it is not difficult to detect who was the guiding light and dominant architect of this radical legislation. Nor did Stevens and Sumner tolerate any delay in its final enactment. Within a week, Stevens had whipped the bill through the House and into the Senate; there Sumner took control of the situation and hurried it through limited debates in four days. Johnson naturally vetoed the measure. But it was promptly passed over his veto by an unperturbed and resolute Congress.

## CHAPTER THREE

In analyzing the reasons for the failure of presidential reconstruction it is, perhaps, best to present a connected story of the successful radical program of argumentation, vilification, and misrepresentation which finally culminated in victory for the congressional plan and then amplify and evaluate the most important specific factors which were integral features of this program or which were weaknesses of the administration upon which the Radicals capitalized to victorious advantage.

Because Johnson was forced to carry such a heavy load of opposition and radical abuse it often appears to the casual observer that Lincoln and his policy received the wholehearted support of an over-whelming majority of his party. Nothing could be farther from the truth. The Republican party had always had its factions with regard to the slavery question. Eighteen sixty-six merely marked the ascendancy of one of these factions over the other. As a result, not only Johnson but also Lincoln had to face continuous opposition from the Radicals or extremists in his party. He was often accused of being too moderate. When he advocated emancipation, the Radicals wanted equality of civil rights for the negro. In 1863 the opposition became more aggressive and Congress refused to recognize loyal representatives from any seceded states. Each year saw the Radicals becoming more outspoken and violent in their opposition to Lincoln's

policy of moderation and conciliation. In 1864 the Radicals wanted to back Fremont for president rather than Lincoln. The Davis Bill was an attempt to write the Radical plan of reconstruction into the laws of the land in opposition to Lincoln's plan. With regard to Lincoln's renomination in 1864 a contemporary writer says that "of the more earnest and thorough-going Republicans in both Houses of Congress, probably not one in ten really favored it." He explains that "It was not only very distasteful to a large majority of Congress but to many of the most prominent men of the party throughout the country."<sup>1</sup>

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<sup>1</sup> George W. Julian, Political Recollections, 1840-1872, 238.

Lincoln's veto of the Wade-Davis reconstruction plan brought into the open much of the opposition which had been seething below the surface of the Republican party. James G. Blaine wrote that Lincoln's veto met "violent opposition from the more radical members of both Houses. If Congress had been in session at the time, a very rancorous hostility would have been developed against the President."<sup>2</sup> Had Lin-

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<sup>2</sup> James G. Blaine, Twenty Years of Congress, 2:43.

coln lived he would have had to face the antagonism of his party because he "had only allayed and postponed -- not removed -- (the) conflict with Congress."<sup>3</sup>

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<sup>3</sup> Ibid., 35.

Howard K. Beale who had access to the Sumner and Stevens MSS emphasizes the fact that only the necessity of winning the war and Lincoln's popularity with the masses, had restrained the Radicals. "In the interval of celebration between Lee's surrender and Lincoln's death, they had no time to organize an effective opposition; but that they were about to do so is evidenced by their correspondence."<sup>4</sup>

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<sup>4</sup> Howard K. Beale, The Critical Year, 59.

The death of Lincoln revealed the extent of the forces eager to battle with him on the problem of reconstruction. Expressing his opposition to Lincoln's policy and his feelings at the occasion of the President's death a St. Louis Radical, J. E. Yeatman, President of the Western Sanitary Commission wrote to A. Johnson that "God has clearly indicated that this is not his policy."<sup>5</sup> Men were bitterly angry with

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<sup>5</sup> Johnson MSS., LIX, Quoted in Beale, op. cit., 60.

Lincoln even in his death. Morrill of Maine expressed the sentiments of many a Radical when he wrote to Charles Sumner June 12, 1865 concerning his attitude toward Lincoln. "(It is) truly most difficult to speak candidly of the elements of (Lincoln's) character without offending the public sense at this time so keenly sensitive from the memory of recent events."<sup>6</sup>

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<sup>6</sup> Sumner MSS., LXXIII, Quoted in Beale, op. cit., 61.

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Johnson gave the Radicals no satisfaction as to what course he intended to pursue in reconstruction. They had interpreted his silence as meaning a Radical policy. In his Inaugural he said: "As to an indication of any policy which may be pursued by me in the administration of the Government, I have to say that that must be left for development, as the administration progresses."<sup>7</sup>

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<sup>7</sup> American Annual Cyclopedia, 5:800.

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The Radicals were sure that Johnson was one of their number and if he was not, they were confident that they would be able to make him conform to their way of thinking. Numerous attempts were made to influence the President to commit himself definitely to a Radical policy of reconstruction. Each leading Radical had his ideas as to how the President should be converted. Schurz was certain that Johnson "must be talked to as much as possible" to prevent him from falling into "the hands of his old associations."<sup>8</sup> Ben Wade took

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<sup>8</sup> Carl Schurz, Speeches, Correspondence, and Political Papers, 1:267.

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the President's bitterness toward traitors as a very good indication that he would advocate a Radical policy.<sup>9</sup> On May

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<sup>9</sup> George W. Julian, op. cit., 257.

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12, the date of the Radical caucus, both Wade and Sumner jubilantly announced to their Radical colleagues that Johnson had even advocated negro suffrage.<sup>10</sup>

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<sup>10</sup> Ibid., 263.

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Sumner, Stevens, Schurz, Wade, Wendell Phillips, and other Radicals who believed that they would be able to make a puppet out of Johnson were shocked into disillusionment when they saw the contents of his proclamations of May 29. Instead of following the Radicals' plan of reconstruction he had committed himself to Lincoln's. Yet the Radicals did not want to believe that they had lost their influence over Johnson. Sumner was especially earnest in his efforts to change the President. On June 22 he wrote to Schurz to "make one more effort to arrest the policy of the President."<sup>11</sup>

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<sup>11</sup> Carl Schurz, op. cit., 265.

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Welles remarks in his Diary that Sumner had written Mrs. Eames "wishing that she and her husband would influence me to induce the President to change his policy."<sup>12</sup>

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<sup>12</sup> Gideon Welles, Diary, 2:363.

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The Radicals now began to entertain the gravest fears

for their plan of reconstruction. Many felt that the cause was just about lost. Thad Stevens was especially worried over the situation and expressed his anxiety in numerous letters to Sumner. In the one of June 14, 1865 he is particularly alarmed. He writes: "Is there no way to arrest the insane course of the President ....? Can you get up a movement in Massachusetts? I have thought of trying it at our State Convention....If something is not done the President will be crowned king before Congress meets."<sup>13</sup>

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<sup>13</sup> Sumner MSS., LXXIII, Quoted in Beale, op. cit., 64.

The Radicals did not lose hope, but realized that delay in the execution of a plan of reconstruction by Congress was necessary in order to give themselves time to organize an effective opposition to Johnson. They would gain followers through "education" as they put it. We know from the subsequent events that it was through the application of propaganda and subterfuge that they were able to gain adherents and finally dislodge the President and his plan. They wanted time to convince the North that the South could not be trusted, which implied that Johnson's plan was not the right one, and that force must be resorted to in order to bring the rebels to a realization of the enormity of their crimes. Furthermore, the Radicals aimed at securing racial equality in the South. Their attacks naturally centered in Johnson who advocated a liberal policy of reconstruction.

Every avenue and means were utilized to secure a victory for the Radicals. Widespread discussion and debate

were stimulated by means of the spoken and written word. Speeches were made, pamphlets were printed and newspaper articles written -- all for the sole purpose of discrediting Johnson and his policy and of exalting the Radicals and their ideas. Congressional committees, notably the Committee of Fifteen, and the party gatherings soon became only another means of stirring up opposition to Johnson and creating friends for the Radical program. Charles Sumner made it clear to Schurz just what the Radicals were attempting to accomplish in his letter of December 25, 1865:

"The single point to be reached is the assertion of the jurisdiction by Congress. One person will reach this point by one road and another by another road. Provided it is reached it is not much importance how this is accomplished."<sup>14</sup>

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<sup>14</sup> Carl Schurz, op. cit., 267.

Another favorite method of discrediting Johnson and furthering the cause of the Radicals was to have the reports of travelers and correspondents in the South published for national consumption. And as Beale so aptly puts it in referring to these Northern inspectors and tourists: "Conditions they saw agreed surprisingly with their political sentiments."<sup>15</sup>

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<sup>15</sup> Beale, op. cit., 69.

The Radicals realized that if they were going to win out they would have to gain control of a majority in Congress

and they were not slow in getting their machinery running. Sumner and Stevens especially worked overtime to "line up" followers. Letters left the pens of these two Radicals in great numbers, all having as their objective the conversion or strengthening of probable disciples. Welles remarked in his Diary:

-- "Sumner bewails the unanimity of the Cabinet; says there is unexampled unanimity in New England against the policy of the Administration; thinks I ought to resign; says Wade and Fessenden are intending to make vigorous opposition against it, ..."16

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16 Gideon Welles, op. cit., 2: 363.

Welles, however, realized that even the Cabinet was not completely with Johnson. Stanton was parading as Johnson's ally, but was secretly plotting with the Radicals. Welles based his conclusion upon two facts; first, that Stanton had since 1863 reversed his position under Lincoln and now advocated negro suffrage and second, that "the Radicals in the Pennsylvania convention have passed a special resolution indorsing Mr. Stanton by name, but no other member of the Cabinet." Welles contended that "Were there no understanding on a point made so prominent by the Radicals, such a resolution would scarcely have been adopted or drafted."17

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17 Ibid., 364.

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The Radicals were accelerating the pace of their

activities before Congress convened in order to be able to have things their own way when the sessions would actually begin. Speaker Colfax's coming was obviously timed by the Radicals. Welles records on December 1, 1865 that Colfax's "coming was heralded with a flourish. He was serenaded, and delivered a prepared speech, which was telegraphed over the country and published the next morning." Welles naturally concludes: "It is the offspring of an intrigue, and one that is pretty extensive. The whole proceeding was premeditated."<sup>18</sup>

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<sup>18</sup> Ibid., 385.

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On Saturday evening December 3, the Congressional caucus was held at which the cleverly conceived resolution for the Joint Committee of Fifteen was effectively passed with Thad Stevens chosen as the man to present it. When Congress convened the Radicals were in power. They reelected Colfax speaker and placed eight of their group on the Joint Committee. That the Radicals were determined to execute their plan ruthlessly and relentlessly was obvious at the first session of Congress. Johnson had stated that Congress had the right to decide upon the qualifications of its members and Congress did decide in no uncertain terms. Maynard of Tennessee whose loyalty to the Union was unquestioned and whose personal integrity was unimpeachable was not permitted to take his seat. The Radicals did this without realizing or in spite of the

fact that they knew that Johnson was also from Tennessee. If Maynard's right to a seat was denied what about Johnson's right to the presidency? Not satisfied with this display of arrogant power the Radicals rushed through Congress the resolution establishing the Joint Committee of Fifteen, even before Johnson's message had been read.<sup>19</sup>

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<sup>19</sup> Congressional Globe, 39th Congress, 1st Session, 3-10.

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Welles, commenting on the action of the Radicals remarked: "Stevens' resolution was passed by a strict party vote. The new members, and others weak in their understandings, were taken off their legs, as was designed, before they were aware of it."<sup>20</sup>

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<sup>20</sup> Gideon Welles, op. cit., 2:392.

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The break between Johnson and Congress was complete after Saturday, January 6, 1866. On that day a sub-committee of the members of the Joint Committee was appointed to tell Johnson to "defer all further executive action in regard to reconstruction until this Committee shall have taken action on the subject."<sup>21</sup> This was the last attempt

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<sup>21</sup> Benjamin B. Kendrick, The Journal of the Joint Committee of Fifteen on Reconstruction, 39.

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of Congress to cooperate with Johnson. From now on Congress was openly antagonistic to the President. Nor did the Radi-

cals refrain from anything which might in any way injure Johnson and his policy.

When Johnson intimated that he would have to veto the bill which designated negro suffrage for the District of Columbia, Stevens denounced this statement and said that "centuries ago, had it been made to Parliament by a British King it would have cost him his head."<sup>22</sup>

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<sup>22</sup> Congressional Globe, 2nd Session, 39th Congress, 536.

The spring of 1866 saw the Radicals increasing their antagonism toward Johnson. His opponents left the sphere of honest debate and logical reasoning with facts and resorted to muck-raking and mud-slinging of the worst kind. The favorite stories involving Johnson's supposed drunkenness were fabricated and disseminated with increased zeal by these Radicals. They stopped at nothing to discredit the President and sank so low as to circulate the story that Senator Pomeroy had visited the White House and "found the President, his son, and son-in-law all drunk and unfit for business, that the President kept a mistress at the White House."<sup>23</sup> So convinc-

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<sup>23</sup> Gideon Welles, op. cit., 454.

ing did this story appear that Henry Ward Beecher, the noted clergyman, believed it and helped circulate it.

That Stevens was master of the situation and definitely

the leader of the Radical opposition is evident. This contention is upheld by an examination of the events centering about the vetoing of the Freedmen's Bureau Bill. The moderates in Congress aimed to bring about the downfall of the Radical control by reseating the representatives from Tennessee in the hope that Johnson would reciprocate by signing the bill. Stevens saw the nigger in the woodpile and was not in the least ready to concede anything which might help the opposition.

The Committee of Fifteen had created sub-committees to study the situation in the Southern States and to make recommendations. Three moderates, Senator Grimes of Iowa, Representatives Grider of Kentucky and Bingham of Ohio were selected to study the problem of Tennessee.<sup>24</sup> As might be

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<sup>24</sup> Kendrick, op. cit., 48.

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expected, they recommended the immediate acceptance of Tennessee.<sup>25</sup> On February 17, after a resolution to accept

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<sup>25</sup> Ibid., 63.

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Tennessee as a full-fledged state of the Union had been rejected, Williams, one of the Radicals, "moved that the whole subject of Tennessee be referred to a select committee of three members, to be appointed by the Chairman, and with instructions to report thereon to the Joint Committee at the next meeting."<sup>26</sup> Messrs. Fessenden (Chairman), Howard, Wil-

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<sup>26</sup> Ibid., 67.

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liams, Stevens, Washburne, Morrill, Conkling, and Boutwell, the eight Radicals voted yea and Messrs. Grimes, Hartis, Johnson, Gridler, Bingham, Blow, and Rogers, the seven moderates, voted nay.<sup>27</sup> Three Radicals were appointed on the new

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<sup>27</sup> Kendrick, loc. cit.

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sub-committee -- Williams, Conkling, and Boutwell.<sup>28</sup> The

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<sup>28</sup> Kendrick, loc. cit.

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consequent substitute resolution which these three men presented was too much for Johnson and the conservatives to swallow and it, no doubt, influenced the President's vetoing of the Freedmen's Bureau Bill.

Stevens accomplished well his purpose of alienating Congress and the President. Typical of the unscrupulous political sagacity of Stevens was his action of February 20. On that day he told Congress that the Committee of Fifteen had almost granted full state rights to Tennessee, but that Johnson's veto of the Freedmen's Bureau Bill had prevented them from granting her admission. As might be expected, Johnson, according to the Radicals, was the one who was keeping Tennessee out of the Union.

Seemingly angered by Stevens' disgraceful speech in the House on March 10,<sup>29</sup> Johnson vetoed the Civil Rights Bill.

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<sup>29</sup> Congressional Globe, 1st Session, 39th Congress, 1307-1310.

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Stevens and the Radicals had not forgotten that Johnson's veto of the Freedmen's Bureau Bill had been sustained by the Senate. They were determined to secure a majority in that body at any cost. By strict party cooperation they were unable to unseat Senator Stockton of New Jersey whose election had been unquestioned until his removal was necessary to further the Radical cause. By coercing Senator Morrill of Maine to break his pair with the absent, sick Wright of New Jersey and by refusing to delay the voting one day until Wright could be carried into the Senate chamber on a stretcher to vote, the Radicals succeeded in unseating Stockton.<sup>30</sup> And then,

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<sup>30</sup> Ibid., 1564-1573, 1589-1602, 1635-1648, 1666-1679.

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with this same majority they were able to override Johnson's veto of the Civil Rights Bill. The breach between Johnson and Congress was now complete.

After several months of discussion among the members of the Committee of Fifteen and after the Radical "education" process had done its work, the Committee was ready to present its suggestions to Congress. The eight hundred page report contained an overwhelming amount of prejudiced and deliberately one-sided information which would demonstrate the necessity of carrying out a more radical plan of reconstruction. The testimony taken by the Committee was chosen carefully and in sufficient amounts to justify the Radicals' ideas of recons-

truction as embodied in the Fourteenth Amendment. A study of the testimony and of the people who gave it proves that the report was never meant to be an accurate account.<sup>31</sup>

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<sup>31</sup> Kendrick, op. cit., 264-291. A perusal of the Report or Kendrick's book will demonstrate the accuracy of the above-stated conclusions.

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The opposition to Johnson's policy was not as universal as the Radicals attempted to make people believe. The leading Union generals all favored leniency and the common people were advocates of a liberal policy.<sup>32</sup>

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<sup>32</sup> Ulysses S. Grant, Personal Memoirs, 510-511.

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The Radicals never ceased converting Conservatives to the Radical cause. Many of the moderates joined the ranks of Johnson's opponents through fear of the possible retaliations if they would refuse to come along. All were familiar with the high-handed, ruthless methods of Stevens, Sumner, and their followers and rather than face political suicide numerous moderates accepted the policy of the Radicals.

The Radicals at this late date -- June, 1866 -- could see no sense in a compromise with Johnson. They were determined to enact into law their plan of reconstruction. And now began their "campaign of hysteria" for the congressional election of 1866. By means of muck-raking, misrepresentation, and gross exaggeration the Radicals were able to gain complete control of Congress, to ignore the President completely, and

to incorporate their plan of reconstruction into the laws of the land.

And yet, it is the writer's conclusion after studying all the facts impartially that the failure of presidential reconstruction must be attributed not so much to the strength and skill of the Radicals, but to the personality and mistakes of Andrew Johnson and to the weakness of the moderate Republican movement.

Perhaps the biggest reason for the failure of presidential reconstruction and the one seldom advanced is the death of Abraham Lincoln. In the evaluation of the contrasting personalities of Lincoln and Johnson lies a dominant clue to the repudiation of presidential reconstruction by a large proportion of the American people who at the time of Lincoln's death and even into the first months of Johnson's administration sincerely believed that the executive plan of reconstruction was the only sensible, politically expedient one. The inclusion of a personality study is properly the sphere of the trained psychologist, but the historical importance of Lincoln's and Johnson's personalities as a reason for the rejection of presidential reconstruction is too important to ignore. It is unfair to the people of the Johnsonian era to suppose that the Radicals, solely through their own influence and abilities could have convinced a majority of the citizenry that the program of Radical reconstruction was politically sound, sportsmanlike, and humane.

It is this writer's conviction that had Lincoln lived

Radical reconstruction would have failed or at best would have reached the South in a diluted form. Lincoln was a man of tact and quiet judgment and was eager and able to sense public reaction and prudent enough to alter his ideas to achieve his purposes. Johnson, however, from his natural inclination toward dogmatic, unyielding stubbornness held uncompromisingly to his beliefs and, too often could not see a problem beyond the periphery of his own conclusions. George W. Julian, though biased from Radical taints, speaks of Johnson as a "narrow-minded dogmatist and a bulldog in disposition, who would do anything in his power to thwart the wishes of his former friends."<sup>33</sup> And Gideon Welles who was certain-

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<sup>33</sup> George W. Julian, op. cit., 274.

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in a strategic position to compare the personalities of his two "chiefs" said,

"....there was a kindly suavity on the part of Mr. Lincoln which softened and reconciled even those with whom he disagreed; but there was a straightforward and blunt sincerity on the part of Mr. Johnson of which his opponents took advantage, often to his injury."<sup>34</sup>

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<sup>34</sup> Gideon Welles, "Lincoln and Johnson," Galaxy, 13:521.

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Furthermore, Johnson lacked the invaluable advantages of training and experience in law which Lincoln possessed. It was in the rough and tumble of debate in the courtroom that the personality of Lincoln was refined, his intellect shar-

pened, and his political agility developed. Johnson, on the other hand, learned to read and write at the tailor's bench and from there immediately proceeded to the office of mayor and on to the legislature. Johnson was, moreover, not as aware of the artificialities, insincerities, and hypocrisy of urban society as Lincoln. Unlike Johnson, Lincoln possessed innate and acquired attributes which made him a more worthy opponent of the Radicals. He could grasp the whole of a problem where Johnson grappled with the parts. Lincoln understood his powers as a politician and used them discreetly. To Johnson a politician was someone to avoid and despise. Lincoln was by all odds the better student of human nature and character. He was blessed with intuition. Johnson sensed nothing beforehand and "rushed in where angels feared to tread." Lincoln would walk around a brick wall of opposition to get through; Johnson would attempt to force his way through with the stubborn tenacity of a rampaging bull. The Great Emancipator was as "gentle as a dove and as wise as a serpent." He would have found the weak spots in the Radical argumentation and would have exposed them with popular approval. Johnson had one tune and he played it on all occasions. Convinced of the messianic nature of his mission he continually ranted about his devotion to the Constitution and his unrelenting determination to rescue it and the country from the clutches of Stevens, Sumner, Phillips and the other Radicals.

There was nothing misguided or insincere about Johnson's

motives. Even the Radicals had to admit that his motives were pure, excepting of course Stevens and the extremists who considered the impugning of motives as part and parcel of a politician's argumentative equipment. But, in spite of his lofty aims, his opportunity and desire to accept the challenge of the Radicals and translate the presidential plan of reconstruction into reality failed largely because of his personal inability to approach the problems with tact, with the dignity of his office, and with an objective attitude.

One of Johnson's saddest shortcomings was his unstudied ability to say the right thing at the wrong time. His indiscretions of speech were responsible for much of the abuse rained on him and contributed substantially to the negation of his plan. Johnson may have been correct in his evaluation of Congress, but he gained nothing by ridiculing and baiting that group before the country. On receiving the Proceedings of the Philadelphia Convention of August 14, Johnson among other things said:

"We have witnessed, in one department of the Government, every endeavor to present the restoration of peace, harmony, and union. We have seen hanging upon the verge of the Government, as it were, a body called or which assumes to be, the Congress of the United States, while in fact it is a Congress of only a part of the States. We have seen this Congress pretend to be for the Union, when its every step and act tended to perpetrate disunion and make a disruption of the States inevitable."<sup>35</sup>

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<sup>35</sup> Edward McPherson, History of Reconstruction, 127.

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As true as Johnson's assumptions might have been, it was poor political wisdom to question the motives and character of Congress publicly and virtually to brand them traitors. On February 7, 1866 a delegation of colored representatives from fifteen states and the District of Columbia called on Johnson to discuss the problem of negro suffrage. This group had been called and coached by Sumner, Stevens, and Wade. They were to tell Johnson exactly what these three Radicals had instructed them to say. Johnson would not hide his chagrin at being harangued by negroes and then blandly explained to them that the war had not been waged to abolish slavery. He said,

"The abolition of slavery has come as an incident to the suppression of a great rebellion....as an incident, and as an incident we should give it the proper direction.... The States must decide for themselves on the question of the franchise."<sup>36</sup>

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<sup>36</sup> Ibid., 52-56.

The Radicals did not fail to capitalize on his poor taste and political indiscretion. Frederick Douglass, a negro orator and agitator and one of those present at the interview, was especially embittered. And the next evening he made a "grossly abusive and insulting" speech in Philadelphia.<sup>37</sup>

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<sup>37</sup> Johnson MSS, 86:9001, Quoted in George Fort Milton, The Age of Hate, 286.

Johnson was easily led by the enthusiasm of the moment to

abandon himself entirely to his prejudices. On Washington's birthday, a day completely inappropriate for a discussion of partisan politics, Johnson was particularly careless about his remarks. Speaking to the crowd who had come to cheer his veto of the Freedmen's Bureau Bill, he described the Joint Committee as an "irresponsible central directory," which had usurped "nearly all the powers of Congress," without "even consulting the legislative and executive departments of the Government." Spurred on by the responsive enthusiasm of the crowd he resorted to the methods of the stump in Tennessee. When someone in the audience asked Johnson to "call them off" i.e. the Radicals who were perpetuating disunion, Johnson answered, "Suppose I should name to you those of this government, and as now laboring to destroy them" (the Constitution and democratic principles). "I say Thaddeus Stevens of Pennsylvania. I say Charles Sumner of Massachusetts; I say Wendell Phillips of Massachusetts."<sup>38</sup> The day after saw the

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<sup>38</sup> Edward McPherson, op. cit., 58-63.

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Radical newspapers violent in their attack upon Johnson for his drunken speech and stupidity in permitting an excited crowd to control him. Even Welles, who was a staunch supporter of the President, wrote in his Diary the day after the speech:

"I told the President I was sorry he had permitted himself to be drawn in- to answering impertinent questions to a promiscuous crowd and that he should have given names of those whose course he disapproved."<sup>39</sup>

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<sup>39</sup> Gideon Welles, Diary, 2:439.

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What the President had said was true, but it evidenced poor judgment on his part to submit it to the mob; the Radicals used it to very good advantage and referred to it as just another example of Johnson's unfitness for the office of Presidency.

Lincoln's extreme caution stands out in bold relief beside Johnson's rash, impulsive speech. After the fall of Richmond had been announced, Lincoln was told that "his fellow citizens would that evening call to congratulate him." Instead of making a Johnsonian extemporaneous address,

"he requested their visit should be delayed that he might have time to put his thoughts on paper, for he desired that his utterance on such an occasion should be deliberate and not liable to misapprehension, misrepresentation, misinterpretation, or misconstruction. He, therefore, addressed the people on the following evening, Tuesday the 11th, in a carefully-prepared speech, intended to promote harmony and union."<sup>40</sup>

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<sup>40</sup> Gideon Welles, op. cit., 13:523.

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Lincoln's ability to couch his ideas in appropriate, convincing, and tactful language is obvious from another occasion. On March 23, 1865 Lincoln made a trip to the South apparently with the express purpose of making certain that the Union generals and their subordinates would not adopt vindictive or retaliating measures against the defeated

South. That he succeeded admirably is evidenced through Welles' remark concerning the impression Lincoln had made through his visit.

"Each of our generals was impressed with the humane, generous, and patriotic designs of the President, whose earnest, deepest wish was peace to the people, an early restoration of the national union, and the reestablishment of the States and people in all their original, reserved, and undoubted rights, on terms of equality and justice."<sup>41</sup>

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<sup>41</sup> Loc. cit.

Johnson was often very quick to state his opinions and did so in a manner to mislead those with whom he spoke. He should have been far more guarded in his statements, especially upon his accession to the presidency. His early remarks were so vindictive that Radicals like Wade and Chandler, themselves in favor of vigorous measures, feared that Johnson might be too severe and endeavored to assuage his animosity.<sup>42</sup>

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<sup>42</sup> James G. Blaine, op. cit., 2:13.

On another occasion after discussing reconstruction ideas with Johnson, Sumner remarked concerning Johnson, "He accepted the ideas completely and indeed went so far as to say that 'there is no difference between us.'"<sup>43</sup>

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<sup>43</sup> Edward L. Pierce, Memoirs and Letters of Charles Sumner, 4:242.

Johnson, furthermore, was too hasty in giving verbal approval to plans of politically questionable characters. Welles said concerning Sumner's statement to him,

"In the course of the conversation he (Sumner) said that Chief Justice Chase had left on a visit to the rebel States for the purpose of promoting the cause of negro suffrage, and that President Johnson was aware of his object and favored it."<sup>44</sup>

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<sup>44</sup> Gideon Welles, op. cit., 13:666.

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One of the greatest political fumbles which did irreparable harm to Johnson and his cause was his famous "swing around the circle." It was hastily and inadequately planned and disastrously executed. It began auspiciously, but before it was half-completed it had assumed the proportions of a ludicrous circus. Johnson had written one carefully prepared speech which he intended to repeat at every stop. He should have realized that the leading newspapers of the country would carry his speech the first time he gave it. Further, he should have been convinced without too much strain on his memory that his abilities as an extemporaneous speaker were completely inadequate. And yet, he ventured forth with that one speech to do battle with the diabolically prepared Radicals. His trip would have been a rousing success had he at every stop stepped forward, waved to the crowd, and retired. But he had to speak. And on each successive occasion the flood of his own self-inflicted ridicule and abuse mounted in

intensity. Instead of making an appearance, he made a spectacle.

Shortly after the Philadelphia Convention, Johnson used the dedication services of a monument erected to the memory of Stephen A. Douglas as the excuse for his "swing around the circle." The route was designed to take Johnson through the doubtful states. Unfortunately, there was no doubt after he passed through each state. The party left Washington August 28 and went by way of Philadelphia, New York, up the Hudson to Albany, Rochester, Lockport, Niagara, Buffalo, Erie, Cleveland, Toledo, Detroit, Ann Arbor, Kalamazoo to Chicago. On their return they passed through Springfield, St. Louis, Terre Haute, Indianapolis, Louisville, Cincinnati, Columbus, Pittsburgh, York, Baltimore, and arrived in Washington the middle of September.

For poor taste, monotony of argument, ill-chosen words, and disgraceful decorum, Johnson's speeches and conduct registered an all-time executive low. On Wednesday, August 29, in Philadelphia Johnson expounded,

"I will repeat, and I thank God I have the power to repeat it, what I have said elsewhere before that the August Convention which met in Philadelphia, in the midst of enemies and those who are opposed to the restoration of the Union of these States was to me a cheering indication that we should come out right in the end....The Rebellion has been completely crushed in the South. I intend now to fight the enemies of the Union in the North. God being willing, and with your help I intend to fight out the battle with Northern traitors."<sup>45</sup>

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45 N. Y. Tribune, August 31, 1866.

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Instead of satisfying himself with a masterly defense of his own policies, he foolishly asked for Radical abuse and got it. The editorial comment on Johnson's speech follows:

"We will not here repel these atrocious calumnies. No fit reply would be compatible with the respect due to the office which, through a great crime, has descended to Andrew Johnson. We simply ask every thoughtful citizen to judge how such language falling habitually from the mouth of the President can be reconciled with the demand that Republican functionaries should honor and feast him as the ruler and chief of the American People."<sup>46</sup>

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46 Loc. cit.

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In poking fun at Johnson for making allusions to God in his Philadelphia speech the New York Tribune said editorially,

"When a man outside of a prayer meeting promiscuously flings about the sacred name, he is usually put into the category of profane swearers....If we were to judge him by his speeches, the President exists in a condition of chronic explosion. ....Hence the Deistical pleonasms and expletives above cited. You can have the same in Fulton Market any fine morning when you feel bold enough to tell some sprightly young butcher that his meat has advanced to an odorous stage of antiquity."<sup>47</sup>

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47 Ebid., September 5, 1866.

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At Cleveland Johnson was face to face with the Radical dragon. The reception committee was largely Radical, the

city itself was a stronghold of Radicalism, the city Council sitting on the platform with him was Radical two to one, a Radical introduced him, and yet Johnson threw caution to the winds and began a bitter political harangue. He denounced Wendell Phillips and Thaddeus Stevens by name as traitors and encouraged the mob to hang them as traitors.<sup>48</sup> Johnson's com-

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<sup>48</sup> Ibid., September 7, 1866.

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plete lack of political diplomacy and his introduction of personalities was unforgivable. But what did more to vitiate any constructive arguments he might have made was his constant susceptibility to respond to the hecklers who had been "planted" by the Radicals. At Cleveland someone in the crowd taunted "traitor." Johnson responded on schedule. "I wish I could see that man. I would bet you now that if these lights fell on your face, cowardice and treachery would be seen in it." Then he challenged the heckler with "Come out where I can see you!" and "Show yourself." When the ruffian naturally failed to appear, Johnson continued, "But the factious, domineering, and tyrannical party in Congress has undertaken to poison the minds of the people against me."<sup>49</sup> The Radical press spared

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<sup>49</sup> Ibid., September 7, 1866.

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no abuse in exploiting Johnson's political stupidity. Wrote the Cleveland Leader:

"Under the provocations which our people

endured, under the insults which they received, we are pleased to know that they were so forbearing. Had a loyal man gone to New Orleans and addressed the President's Rebel friends in that city in terms one-half as violent as those used by Mr. Johnson Monday night we know from sad precedents that he would have been murdered before he could have concluded his speech."<sup>50</sup>

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<sup>50</sup> Cleveland Leader, Quoted in N. Y. Tribune, September 7, 1866.

And the New York Tribune added this condemnation:

"Never before did a President of the United States so completely forget his station as Mr. Johnson has done in bandying words and arguments with a noisy assembly. It is unnecessary to examine the Cleveland harangue; it is enough that the public should read it."<sup>51</sup>

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<sup>51</sup> N. Y. Tribune, September 8, 1866.

Johnson could hardly expect Congress to cooperate with him after his Detroit speech in which he exposed them for their "salary grab." Referring to the fact that his own salary had not been raised he said,

"But let me tell you what Congress has done. They changed their pay since they came into power. Yes! this Congress that has assailed and attacked --yes, this immaculate, this pure, this people loving Congress finds it convenient while they had the chance, while they were in power, to increase their pay nearly double."<sup>52</sup>

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<sup>52</sup> N. Y. Herald, September 5, 1866.

Again at Detroit Johnson could not refrain from answering a caller in the crowd.

"I am not afraid to talk to the American people and all the little fellows they put into crowds to call out catch words with a view to creating disrespect; I care not for them. The whole kennel has been turned loose upon me long since --their little dog Tray and Blanche and Great Heart-- all have been let loose yelping at my heels for the last eight months. The whole pack of slanderers and calumniators had better get out of my way."<sup>53</sup>

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<sup>53</sup> Loc. cit.

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Johnson descended to the lowest level of poor taste in St. Louis where he jolted the religious sensibilities of his audience by comparing Thaddeus Stevens, Charles Sumner, and Wendell Phillips with Christ. He said:

"If I have played the Judas, who has been my Christ that I have played Judas with? Was it Thad Stevens? Was it Charles Sumner? Was it Wendell Phillips? Are these the men that stop and compare themselves to the Savior?"<sup>54</sup>

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<sup>54</sup> National Intelligencer, September 10, 1866.

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Characteristically, and representative of the entire Radical press, the New York Tribune capitalized on Johnson's unfortunate impropriety. It commented editorially:

"We had thought the President had exhausted his power to offend a national sense of decency. This was a mistake. In his speech at St. Louis he passed from vulgarity to blasphemy with a boldness which is almost appalling. In what

he said of Judas Iscariot and of the Savior, Andrew Johnson has more than disgusted every Christian in the land. He has dragged that which is dearest to our hearts into the dirt of politics and his outrageous defense of the massacre at New Orleans."<sup>55</sup>

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<sup>55</sup> N. Y. Tribune, September 10, 1866.

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The extreme hostility of the Radicals toward Johnson as a result of his denunciations of Congress and the leading Radicals was evident from a note which appeared in the National Intelligencer, dated September 12. It read:

"The City Council today, by a vote of 18-6, refused to tender President Johnson and party any hospitality from the city on the occasion of their visit next Wednesday."<sup>56</sup>

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<sup>56</sup> National Intelligencer, September 12, 1866.

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Thaddeus Stevens could not pass up the opportunity to return an "eye for an eye and a tooth for a tooth," for all the calumnies Johnson had heaped upon his bald head during the "swing around the circle." With characteristic sarcasm Stevens retaliated. Referring to the advice of his physician that he do no reading, he remarked to the people of Lancaster that as a result he indulged only in "frivolous reading."

He expanded his ideas:

"I have taken up the dailies and publications of that kind, and read things which would make no impression upon the mind. For instance, there was a serial account from day to day of a very remarkable circus that travelled through the

country from Washington to Chicago, and St. Louis and Louisville back to Washington....I expected great wit from the celebrated character of its clowns. They were well provided with clowns; instead of one there were two, as the circus was to have a large circulation ....He (Johnson) had been a tailor, I think, he did not say drunken tailor.... he had been in the legislature. God help that Legislature!"<sup>57</sup>

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<sup>57</sup> N. Y. Herald, September 29, 1866.

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Welles's conclusion after Johnson's disappointing conduct was apropos and laconic. He remarked regretfully, "The President should not be a stump speaker."<sup>58</sup>

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<sup>58</sup> Gideon Welles, op. cit., 2:595.

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The "swing around the circle" exposed another of Johnson's weaknesses which unquestionably stymied his cause. The President suffered from an exaggerated persecution complex. He could not refrain from telling his audiences how ill-treated and unappreciated he was. His remarks were too often a personal defense rather than a defense of his ideas. Had Johnson risen above pride and personal resentment over opposition and criticism, and had he interpreted the abuse of the Radicals as an attack on his theories rather than as personal slander, and had he but remained silent under false charges and continued to present his ideas in an objective manner, he might have sustained his injuries with dignity and attained the success he sought. However, he apparently did

not have the political stature to put self aside for the achievement of harmony. As the President he could have killed much of the personal slander merely by ignoring it and remaining with the issues. But he allowed himself to be drawn from his real aims to a petty and personal defense of himself and a still more personal and unbecoming attack upon the characters and personalities of those who in the early part of his tenure merely constituted a vociferous but harmless minority.<sup>59</sup>

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<sup>59</sup> Compare the citation listed under footnote 53 as a typical example of Johnson's complete subjectivity.

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One of the most significant factors contributing to the defeat of the presidential reconstruction was the influence of the powerful Radical press. The effect of the Radical press will be discussed in more detail later. However, it is almost inconceivable that Johnson did little to influence the leading editors of newspapers and periodicals. One of the tragedies of his "swing around the circle" was the fact that most of the reporters who accompanied him represented the Radical cause. Their accounts, no matter how colored or false, were accepted as gospel truth just because they came from writers on the scene of action. There is no evidence, to the writer's knowledge, that Johnson made any significant attempts to gain their support. Johnson, furthermore, failed to realize the powerful influence of the leading popular periodicals of the day: Atlantic Monthly, Christian Examiner, Galaxy, Independent Nation, and the North American Review.

Everyone of these periodicals was unfriendly to Johnson. Persistent efforts should have been made by Johnson to gain the friendship of the editors of these periodicals to use them as vehicles for presidential reconstruction propaganda or at least as fields for an impartial presentation of both pros and cons of presidential reconstruction.

The "swing around the circle" not only exposed the intellectual and emotional immaturity of Johnson, but proved quite conclusively that he possessed practically none of the qualifications of a practical political tactician. He failed to recognize and exploit the obvious economic evils of the Radicals. Had he, for example, in connection with his denunciation of the "salary grab" in his speech at Detroit told his hearers that Congress had voted \$4,000.00 extra pay for its members while failing to make any provision for the payment of bounties to the soldiers or the impoverished South, he might have succeeded in discrediting the Radical cause. Or he might have alluded to the report of the Revenue Commission which had suggested radical changes in the tax structure to relieve the burden of the common man. It had suggested taxing wealth and luxuries and freeing the necessities of life from the burden of taxation, and had recommended civil service reform.<sup>60</sup> Congress went through the motions of accep-

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<sup>60</sup> Report of the U.S. Revenue Commission, House Ex. Docs., 1st Session, 39th Congress, ser. no. 1255, doc. no. 34.

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ting the report, but then proceeded to ignore all of the

suggested improvements. When the bill was passed it was unrecognizable to the members of the Revenue Commission. In its final form the tax favored the manufacturers, but failed to relieve the tax load of the common man. Had Johnson exposed Congress as inimical to the interests of the common man as evidenced by their rejection of the recommendations of the Revenue Commission, he could have won the hearts of a large segment of the electorate.

Johnson had always been opposed to the protective tariff. His background and training had made him an advocate of free trade. Had he had the political foresight to place the tariff issue squarely before the country and particularly before the West, he might have used it as a wedge to split the Radicals and eventually to defeat them completely. But his fanatical defense of the Constitution blinded him to the possible utilization of any other arguments.

Johnson, furthermore, had more than enough proof to expose the corruption and wasting of public funds by the Radicals. Had he challenged them as inimical to the interests of the average taxpayer he might have gained an effective hearing with a large proportion of the American people.

Beale, referring to the political possibilities of the President's "swing around the circle" makes this significant comment:

"Had Johnson based his policy on economic issues, he might have stirred the Northwest to its depths....in 1866, the old frontier individualism was giving way to a new factor -- the need

of government aid and government interference. Many new enterprises had sprung up during the Civil War in the older portions of the Northwest.... which were looking to the government for protection through tariff or acts of bounty....In addition, people of the Northwest were too constantly migrating to have any state pride, and new factors were turning from individualists into supporters of a strong central government. To fail to sense this, and thus to miss his opportunity on other issues on his Western trip, was perhaps Johnson's most fatal error."<sup>61</sup>

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<sup>61</sup> Howard K. Beale, op. cit., 223-224.

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A further proof that Johnson, more than the Radical opposition was responsible for the failure of presidential reconstruction was the Stanton fiasco. Lincoln was cognizant of Stanton's tendencies toward duplicity, arrogance, and his desire for political power. Yet Lincoln chose him for a cabinet post because of his capabilities and because the martyred president possessed the capacity to benefit from Stanton's abilities without being injured by his faults. Johnson, however, lacked completely the genius of Lincoln in obtaining the strength of his associates without permitting their evil proclivities from infecting him or his work.

Stanton should have been honorable enough to resign when he believed Johnson's attitude and actions incompatible with his own. But he stayed on. And it was this refusal of Stanton to resign which aided the Radicals tremendously in the triumphs of the congressional election of 1866. He

supplied Johnson's enemies with all the information he thought would aid their cause. In fact, the Radicals expressly instructed Stanton not to resign. In a letter to Stanton on September 3, 1866 Bingham wrote: "The people rely on you alone of the Administration to stand by them in the contest for the Amendment."<sup>62</sup> And Stanton did not

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<sup>62</sup> Stanton MSS., XXX, Quoted in Ibid., 103.

disappoint them. He had taken it upon himself to appoint the President's private secretaries. "In this way a constant espionage was maintained on all that transpired at the White House."<sup>63</sup> Furthermore, the only telegraph line avail-

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<sup>63</sup> Gideon Welles, op. cit., 2:404.

able to the White House was under the control of the War Department. Thus it was an easy matter for Stanton to censor all messages received and dispatched by Johnson. The Secretary of War even withheld information which the President should have had. In the famous trial of the Lincoln assassins Mrs. Surratt was condemned to death. She might have been saved had not Stanton maliciously kept back the military court's plea for leniency from the papers of the trial which Johnson reviewed before pronouncing sentence. Johnson was, as a result of this apparent disregard of the court's recommendation for clemency, often attacked as the murderer of Mrs. Surratt. This was just another of the many

crimes the diabolically conniving Radicals were able to lay at the feet of Andrew Johnson.

Welles records another example of Stanton's deceitfulness and hypocrisy. When the President and Cabinet were forced to reject Sherman's terms to General Johnston, Johnson sent Grant to take care of the situation. The matter was supposed to have been confined to the Cabinet meeting. On the very same day Sumner knew all. Says Welles: "As he (Sumner) came direct from the War Department, I was satisfied that Stanton, as usual, after enjoining strict secrecy upon others, was himself communicating the facts in confidence to certain parties." Welles goes on to say: "Sunday morning, the papers contained the whole story of Sherman's treaty and our proceedings, with additions, under Stanton's signature....some of Stanton's matter was not particularly commendable, judicious, or correct."<sup>64</sup>

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<sup>64</sup> Ibid., 2:295.

Johnson might have been spared the torrents of abuse and slander which followed the New Orleans riot had Stanton not intentionally withheld a telegram to Johnson which, if Johnson had seen it, would in all probability have averted the riot. General Baird sent the telegram two days before the outbreak; Johnson got it a day after the riot.<sup>65</sup> Had

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<sup>65</sup> Howard K. Beale, op. cit., 105.

Johnson removed Stanton at the first proof of his duplicity, he would have destroyed one of the Radicals' most powerful means of discrediting him and his plan. When the President finally did decide to eliminate the Secretary of War, the damage had been done.

Before the Philadelphia Convention Welles forced Stanton to commit himself on the Philadelphia Convention. Stanton tried to evade the point, but was finally forced to say, "I am against it."<sup>66</sup> Welles then warned Johnson several

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<sup>66</sup> Bideon Welles, op. cit., 2:573.

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hours later when he insisted, "This is wrong; we cannot get along in this way." "No," answered Johnson, "it will be pretty difficult."<sup>67</sup> But Johnson refused to take any action.

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<sup>67</sup> Ibid., 2:574.

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Seward was well aware of Stanton's duplicity and brought it before the President in a subtle manner. He asked him if there was any truth to the story that Stanton intended to resign. Johnson claimed there was nothing to the rumor and that "we might as well keep him on for the present without any fuss."<sup>68</sup> Stanton even had the audacity to blame John-

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<sup>68</sup> Ibid., 2:402;403.

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son directly for the New Orleans riot, telling Sumner that

"Johnson was its author."<sup>69</sup>

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<sup>69</sup> Edward L. Pierce, op. cit., 4:298.

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At the conclusion of the Philadelphia Convention, the three new cabinet members came back and told Johnson, "It was the strong and emphatic voice of the Convention" that Stanton should leave the Cabinet.<sup>70</sup> And the Cleveland con-

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<sup>70</sup> Gideon Welles, op. cit., 2:581.

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vention of Union soldiers supporting Johnson's plan sent a letter to him, urging him to remove Stanton. But Johnson continued to vacillate.

Still another example of Stanton's unfaithfulness was the manner in which the official advertising of the War Department was presented to Radical newspapers free of charge, unfortunately, chiefly to those most abusive in their castigation of Johnson and his policies.

Johnson's delay in removing Stanton was patent evidence of his political stupidity. The success of his policy was more important than Stanton's reputation or personal feelings. The President should never have hesitated to sacrifice Stanton for the good of the country. His delay only increased the calumny of the Radicals and undermined the confidence of the moderate Republicans. When Johnson hesitated to remove Stanton in spite of all the proof he possessed of his duplicity, the President's enemies gave widespread circulation

to the story that Johnson was afraid to remove Stanton because he had "proof" of Johnson's complicity in the murder of Lincoln. And the humiliating Tenure of Office Act was for the most part, of Johnson's own making. George Fort Milton pointedly makes the justifiable assertion, "The President had ample knowledge of this treachery, yet he permitted Stanton to remain. One cannot but feel in Andrew Johnson's career that his fatal procrastination was responsible for much of the sorrow he had to endure."<sup>71</sup>

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<sup>71</sup> George Fort Milton, op. cit., 276.

Stanton was not the only "thorn in the flesh" to Johnson. Other members of his Cabinet had to be watched. Postmaster-General William Dennison, Attorney-General James Speed, and Secretary of the Interior James Harlan were, no doubt, also unsympathetic toward Johnson's policies. Speed and Dennison both favored negro suffrage.<sup>72</sup> Harlan was also known to have

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<sup>72</sup> Gideon Welles, op. cit., 2:301.

advocated the negro franchise. All three of these men were able to remain in the Cabinet only until the Philadelphia Convention when it was impossible for them to conceal their opposition to Johnson. Instead of reorganizing his Cabinet just as soon as he realized that some members opposed his policies, Johnson waited until the resignation of Dennison, Speed, and Harlan made it appear to the public that Johnson and his po-

licies were too unbearable. But what was more unfortunate was the fact that when Johnson finally began to remove from office those who opposed him he lost the support of many conservative Republicans. Typical was the opinion of John Sherman, "Turning out good men merely because they adhered to their party convictions is simply an unmitigated outrage."<sup>73</sup>

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<sup>73</sup> Rachel S. Thorndike, ed., The Sherman Letters, 278.

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This fatally tardy application of the spoils system was another example of Johnson's anemic political sagacity. Had he had the administrative foresight of a ward boss he would have exhausted his appointive powers to place into office only those who favored his policies. Instead, he unwittingly perpetuated a vicious fifth column of Radicals who successfully accomplished from within what his opponents failed to achieve from without.

Although Stanton was responsible for the New Orleans riot, Johnson could have diluted the venom it engendered against him had he acted judiciously upon hearing the story of the affair. But he committed two tactical blunders which placed the blame for the massacre squarely on his shoulders and increased substantially the membership of the opposition. The outburst called for an immediate investigation, trial, and prosecution of those responsible, particularly the actual murderers. The riot had received the unpublicized blessings of the city authorities and it had been perpetrated in flagrant disregard of existing laws. No attempt was made to prosecute

the actual murderers. An angry North concluded self-evidently that what had occurred at New Orleans was bound to happen at other places in the South. Had Johnson taken an active part and insisted upon the arrest and conviction of the actual murderers, he would have abated the animosity of the North.

The more damaging blunder was committed by Johnson on his "swing around the circle." In his speech at St. Louis which was dedicated to the destruction of the thirty-ninth Congress, he innocently committed a critical faux pas by defending the rioters. He denounced "the members of the convention as traitors who had inflamed the negroes to riot" and threw "the responsibility of the whole affair back upon Congress as having originated and fostered the plan to force negro suffrage upon Louisiana."<sup>74</sup>

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<sup>74</sup> Edward McPherson, op. cit., 137.

Chase's southern tour must be cited as another of Johnson's tactical blunders which helped to defeat presidential reconstruction, since, as was mentioned earlier in the chapter, the President had foolishly placed his stamp of approval on the undertaking. Johnson was confident that Chase would bring back an impartial survey. Sumner indicates how faulty that assumption was: "The Chief Justice started yesterday on a visit," wrote Sumner to Bright, "....and will on his way touch the necessary strings, so far as he can. I anticipate much from his journey."<sup>75</sup>

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<sup>75</sup> Edward L. Pierce, op. cit., 4:242.

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The journey was not an objective search for the truth, but a coolly planned attempt to see the preconceived conditions and to achieve Radical purposes, especially to pave the way for negro suffrage. Unfortunately, Chase was blessed with the services of Whitelaw Reid, a capable young journalist who possessed the happy facility of presenting drab materials in an interesting, convincing but prejudiced manner. He succeeded surprisingly well in convincing many Northerners that the negro was ready for and capable of handling the vote.

The injudicious Chase made his appeals directly to the negro and succeeded in inflaming them to the pitch of religious fervor. At Charleston he made a typical explosion to a motley mob of freedmen, "If all the people feel as I do, you will not have to wait long for equal rights at the ballot box; no longer than it would take to pass the necessary law."<sup>76</sup> To which

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<sup>76</sup> Whitelaw Reid, After the War: A Southern Tour, 81-86.

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the jostling, sweating black herd appended a boisterous, copious Amen. An unanticipated aftermath of Chase's tour was the fact that it gave great impetus to the efforts of the Union League Clubs of New York and Philadelphia. They had carried on an intensive Southern propaganda and organization campaign among the negroes. Their purpose was to encourage the negro to form and foster political negro clubs whose sole

object was to obtain an active part in the running of the governmental machinery. Of immediate interest was the procurement of the franchise.

The tour and report which did the most damage to presidential reconstruction and for which again Johnson was directly responsible was that of Carl Schurz. Johnson demonstrated a poverty of political judgment by sending Schurz South "to see for himself." Schurz had written Johnson of his misgivings and disappointment with the North Carolina Proclamation which said nothing of negro suffrage. Displaying a very generous attitude, but at the same time a shocking lack of political intuition Johnson sent Schurz on an executive mission to observe conditions in the South. The subsequent colored reports emphasize tellingly how badly Johnson had erred. This report of Schurz's proved to be a powerful factor in gaining recruits for the Radical cause. That Schurz was working hand-in-glove with Sumner and Stevens is apparent from the fact that Sumner and Stanton emphasized in letters to Schurz that it was imperative he go.<sup>77</sup>

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<sup>77</sup> Carl Schurz, Speeches, Correspondence, and Political Papers, 1:264-265.

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Johnson realized his mistake only after it was too late. A study of the report reveals it to be a document of "facts" necessary to support and uphold the Radicals' plan of reconstruction. Proof that Schurz purposely falsified the report is found in a letter Schurz wrote to his wife from New Orleans

September 2, 1865 in which he remarked, "If the President insists on taking a wrong course, he should not be surprised if, later, I take the field against him with the entire artillery that I am now collecting." He promised that, "He will find the guns rather heavy."<sup>78</sup> In fact, much of the re-

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<sup>78</sup> Ibid., 1:270.

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port was written before he ever went South.<sup>79</sup>

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<sup>79</sup> Ibid., 1:278;374.

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And again, on one occasion he wrote, "I have found all my preconceived opinions verified most fully, no more than that."

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<sup>80</sup> Ibid., 1:268.

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In making his report to the President, Schurz grouped the Southerners into four classes. According to him, not a single class could really be trusted with the government. The first class knew they lost the war and "honestly endeavor to accommodate themselves to the new order of things. Many of them are not free from traditional prejudices." He explained that this latter class "is composed, in its majority, of persons of mature age -- planters, merchants, and professional men." And then he adds pessimistically, "some of them are active in the reconstruction movement, but boldness and energy are, with a few individual exceptions, not among their distinguishing qualities." The second group are "those whose principal

object is to have the States without delay restored to their position and influence in the Union and the people of the States to the absolute control of their home concerns." The third group are the "incorrigibles, who still indulge in the swagger which was so customary before and during the war, and still hope for a time when the Southern Confederacy will achieve its independence." He then adds the warning that, "this element is by no means unimportant; it is strong in numbers, deals in brave talk, addresses itself directly and incessantly to the passions and prejudices of the masses, and commands the admiration of the women." The final group constitute "the multitude of people who have no definite ideas about the circumstances under which they live and about the course they have to follow." He feels that this class is composed in the main of "those whose intellects are weak, but whose prejudices and impulses are strong, and who are apt to be carried along by those who know how to appeal to the latter."<sup>81</sup>

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<sup>81</sup> Carl Schurz, The Condition of the South, 23.

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The conclusion of Schurz's address to the President was extremely pessimistic and purposely so. Schurz said that, "In point of spirit," the Southerners have not "accommodated themselves to the results of the war," and he goes on to paint his black picture, "The loyalty of the masses and most of the leaders of the Southern people, consists in submission to necessity." Schurz claimed that "There is, except in 'individual instances' an entire absence of that national spirit

which forms the basis of true loyalty and patriotism." With regard to the slave he added, "But although the freedman is no longer considered the property of the individual master, he is considered the slave of society," and "all independent State legislation will share the tendency to make him such." According to Schurz, trouble with the negro could be avoided only "by continuing the control of the national government in the States lately in rebellion until free labor is fully developed and firmly established."<sup>82</sup>

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<sup>82</sup> Ibid., 24.

Congress requested Johnson to send Schurz's report to that body for study. The President did so, but sent along the report of General Grant's tour. The prejudiced, exaggerated report of Schurz stands out in bold radical relief when compared with Grant's sober estimates of the South.<sup>83</sup>

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<sup>83</sup> James D. Richardson, Messages and Papers of the President, 4:372. Congressional Globe, 1st Session, 39th Congress, 78.

The Philadelphia Convention was endorsed by Johnson but was so poorly thought out and planned that it actually became a contributing factor to defeat presidential reconstruction.

"The executive committee of the National Union Club, a political organization established in Washington by supporters of the administration, issued on June 25, just one week after the submission of the report of the Committee on Reconstruction, a call for a national convention to be held in Philadelphia on August 14."<sup>84</sup>

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84 Edward L. McPherson, op. cit., 118;119.

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The convention was to embrace all loyal men who loved the Union. Many responded, representing all sections of the United States and all political parties. Prominent Southern leaders attended, including Alexander H. Stephens. The Democratic desires for recognition were particularly embarrassing to Johnson. Public demonstrations for Johnson by Democrats were especially disturbing. The President knew that for every Democratic cheer he would lose a Republican vote. And he knew, too, that many Democrats had probably joined the moderate movement with the hope of dominating it.

The convention, far from achieving its purpose, actually created more openings for Radical abuse. The spectacle of copperheads, Southern rebels, and Republicans marching down the aisle arm in arm headed by the Union Major-General Couch and Governor Orr of South Carolina was capitalized upon liberally by the Radicals. They dubbed the convention the "arm in arm" convention. The Radical cartoonists Thomas Nast and Petroleum V. Nasby made the affair ludicrous with their facetious drawings; the Radicals compared the "Wigwam" with Noah's ark and compared the heterogeneous group of delegates, "two and two" with that of the "clean beasts, and of beasts that are not clean, and of fowls, and of everything that creepeth upon the earth."<sup>85</sup>

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85 James G. Blaine, op. cit., 2:223.  
N. Y. Tribune, August 15, 1866.

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The Philadelphia Convention was a desperate effort of the moderates to stave off defeat. It actually had the opposite result. The convention was really an attempt to form a new party --the Union party. Because of its hasty formation, its vague objectives, and its close, fraternal associations with copperheads and rebels it was doomed to inevitable defeat.

The Radicals retaliated in kind by calling a convention of "loyal Northern and Southern Unionists" which negated the pronouncements of moderates in the August 14th convention by unanimously endorsing congressional reconstruction.<sup>86</sup>

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<sup>86</sup> Edward L. McPherson, op. cit., 243-245.

Calling the Cleveland Soldiers and Sailors Convention, September 17, was hardly a brilliant political move. The soldiers and sailors who had risked their lives and seen their "buddies" slain by rebel bullets were hardly the group to interest in a moderate policy. The main effect which the Cleveland Convention had was to arouse a greater interest in the anti-administration convention of soldiers and sailors in Pittsburgh on September 25th and 26th.<sup>87</sup> It was designed to nullify

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<sup>87</sup> James G. Blaine, Twenty Years of Congress, 2:230-233.

the effects of the Cleveland convention and it did. The servicemen eagerly endorsed the harsh radical measures as just and wise. At Pittsburgh, the rabble-rousing Radical Ben Butler carried the torch for congressional reconstruction. To the

thunderous cheers of the Union fighters, he denounced the President's plan and convincingly expounded the conquered province theory. He concluded his oratorical pyrotechnics by anathematizing the seceded South as "poor stuff to make states out of."<sup>88</sup>

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<sup>88</sup> N. Y. Times, September 27, 1866.

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Johnson was crucified largely on the cross of his own political inaptitudes, ignorance, and self-confidence. Had he kept himself more in the background and spent his time in building a powerful, well-knit supporting party he might have achieved his purposes. His lack of realistic party leadership evidenced by his inability to weld together into a compact political organization the diverse and sometimes conflicting elements supporting him was another significant factor in the defeat of presidential reconstruction. Johnson had inherited Lincoln's plan, but not the machinery of his party. And he ignored completely the powerful engine of executive patronage to organize the moderate Republican wing into an effective allied force. Henry emphasizes the conspicuous absence of organized Republican activity within the states. He points out that there was a great

"lack of an effective organization in each State through which the voter of moderate sentiments could express his wishes. In most Northern States one party was controlled by the Radicals, while anti-war Democrats were so prominent in the councils, or even in the control, of the other party as to repel Conservative Republicans and war Democrats who might otherwise have voted with the President."<sup>89</sup>

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89 Robert Selph Henry, The Story of Reconstruction, 196-199.

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Welles was convinced that the "greatest reason for not succeeding was bad management of Johnson's campaign." The Republicans wanted to get along without the support of the Democrats, but were eventually forced to seek their aid, even though they instinctively despised them. Welles goes on to say,

"The Republicans respected a beaten rebel more than a copperhead. The Democrats on their part were not strong supporters of the President. They could hardly be enthusiastic over a president whom they did not help to elect, and whose policy they doubtfully sustained. The Democrats were devoted to party. Instead of openly and boldly supporting the President and his policy showing consideration and wisdom in the selection of candidates, they pressed forward men whom good Unionists could not willingly support. Prudent management might have given a different Congress."<sup>90</sup>

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<sup>90</sup> Welles, op. cit., 2:596.

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The Northern Democrats "strove to install their old party organization," unaware that it had "made itself odious by its anti-war conduct and record." The consequence was that instead of winning, they had entrenched the Radicals in power. "Never was a political campaign so poorly managed." It had been an election "without any test, statement or advocacy of principles, except the false one that the Radicals forced." Johnson had had many friends in the country anxious to sustain him, "if

they could get at the question, but a large portion of them would not vote to restore the old obnoxious Democrats to power on old issues."<sup>91</sup>

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<sup>91</sup> Ibid., 2:616-618.

Welles believed that the worst mistake in managing the campaign was dodging, at the critical time, the main issue, that is, Johnson's reasons for opposing the Fourteenth Amendment. Instead of the President's being credited with wishing to follow a conservative course, he was accused by his enemies of being a Southern sympathizer. Welles remarked, "...the people have an impression that the President is leagued with the traitors and Copperheads and wishes to bring them to power."<sup>92</sup>

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<sup>92</sup> Ibid., 2:600.

It would be unfair to Johnson and historically inaccurate to maintain that he was solely responsible for the defeat of presidential reconstruction. The Radicals must be given a measure of credit for the destruction of the conservative plan. They flourished in the fertile soil of moderate Republican and Democratic disorganization, for they were an effectively organized unit. They had a virtual monopoly of the communication and transportation systems. They controlled the moneyed, manufacturing, and business interests of the country. They had secured a majority in the legislative, executive, and judicial branches of all the state governments except two. Prac-

tically all Federal office-holders were Radicals.

The Radical press was of paramount significance in bringing about the victory of congressional reconstruction. A large proportion of the Northern newspapers were Radical. On every occasion Johnson spoke, the Radical reporters were on hand to make their distorted reports to the nation. The control of so large a portion of public opinion through control of the press was a tremendously significant factor in the Radical successes of 1866. Practically all of the Republican publications were under Radical dominance.

In the contest for journalistic support, the Radicals had the advantage over Johnson. The editors of the Union had become accustomed to speaking harshly and hatefully of the South because of the demands of war propaganda. It was a natural step to continue their war drum beats by demanding harsh terms for the rebels.

Furthermore, the press was to a great extent dependent for its existence upon advertising and party support. The Radicals made particular use of the fact. Radicals in a position to advertise did so only with those newspapers which subscribed to Radical convictions. Many a newspaper was forced into the Radical ranks through fear of possible financial ruin if it supported Johnson and his policies.

What was infinitely more calamitous for Johnson was the fact that the various departments of government refused to advertise in any publications except those which were openly antagonistic to Johnson. Stanton and the War Depart-

ment did a greater amount of advertising than any other department. This left the way open for Stanton to make certain that only Radical papers received government patronage in the way of advertising.

The pressure was so great that even Raymond and his New York Times and "several other leading journals" were "compelled, on pain of financial ruin, ....to relinquish the support of the President."<sup>93</sup>

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<sup>93</sup> Frazier's Magazine, LXXV, (1867) 243.

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The influence of the Radical controlled newspapers and magazines upon the nation's voters was overpowering. Had Johnson been able to command the services of more publications he might have exposed the Radicals in time to see them defeated in the congressional elections of 1866.

He, unfortunately, did manage to have the support of most of the Democratic publications, but this did more to hinder than help Johnson in his struggle with the Radicals over reconstruction policies. Copperheadism was too extensively associated with the Democratic party. Democratic papers, therefore, soon received the same condemnation as the copperheads.

Most of the intelligent and informed voters were subjected to a constant flood of Radical propaganda, since the Radicals commanded the influence of the three largest newspapers -- the New York Tribune, New York Herald, and

the Chicago Tribune -- and also the two most widely circulated magazines -- Harper's Weekly and the Nation.

The fact that newspaper reporting and newspaper ethics were in their infancy during the period of reconstruction, did not help Johnson. Editors wanted the latest news and were not too particular where they got it, nor how trustworthy and accurate their sources of information. The widely circulated story of Johnson's attempt to overthrow Congress is a typical example of undocumented reporting which tellingly damaged Johnson and his cause. Even though the story was later refuted, it was believed by a huge proportion of the American public.

Newspaper reporting of strict news was seldom the presentation of the objective facts. Reports describing social events or everyday occurrences were in the majority of cases presented subjectively. Facts were suffixed with partisan reactions and conclusions. Printing of a news article as we interpret that phrase today was practically non-existent.

Still more damaging to Johnson was the fact that most readers of newspapers were rabid followers of a party and read only the prejudiced, colored, and often deliberately fabricated accounts of partisan newspapers and magazines. In a majority of cases, an unauthenticated report of a party organ was accepted as gospel-truth in spite of the documented proof to the contrary of an opposing party periodical. There were no non-partisan papers or magazines during the reconstruction period.

In assigning the causes for the failure of presidential reconstruction one must go deeper than the verbal surface explosions of Radical writers, speechmakers, and journalists. They were really nothing more than clever subterfuges designed to hide from the public the main reasons for the Radical opposition to Johnson's plan. Welles emphasizes this point effectively:

"Other pretexts, frivolous and false, were assigned, but the real and true cause of assault and persecution was the fearless and unswerving fidelity of the President to the Constitution, his refusal to proscribe the white people in the rebel States and the States themselves by *ex post facto* laws, his opposition to central Congressional usurpation, and his maintenance of the rights of the States and of the Executive Department of the Government against legislative aggression."<sup>94</sup>

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<sup>94</sup> Welles, op. cit., 13:664.

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Howard K. Beale who made an exhaustive and scholarly study of this period substantiates this view. He says,

"The Radical movement (politically) was twofold; it sought to concentrate power in the national government, substituting high centralization for our existing constitutional system; and it then hoped to locate that centralized authority in an omnipotent Congress to which executive and courts should be subordinated."<sup>95</sup>

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<sup>95</sup> Howard K. Beale, op. cit., 211.

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And again,

"During the War the central government had from necessity acted in high-handed fashion. To win the War the states acquiesced in temporary infringement of their rights. Then when peace came, the Radicals sought to rule the country from Washington as they had fought the War from Washington."<sup>96</sup>

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<sup>96</sup> Ibid., 216-217.

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Stevens, the leading spokesman of the Radicals did not always succeed in masking completely his intentions to create a congressional dictatorship through the destruction of presidential reconstruction. In his famous Lancaster speech of September 29, 1866 he said,

"Congress is the sovereign power because the people speak through them; and Andrew Johnson must learn that he is your servant and that as Congress shall order he must obey. There is no escape from it. God forbid that he should have one tittle of power except what he derives through Congress and the Constitution. This is the whole question."<sup>97</sup>

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<sup>97</sup> New York Herald, September 29, 1866.

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And in order to consummate this political usurpation the Radicals would have to secure a permanent Republican party ascendancy in national politics. But Stevens hypocritically states this idea in his own words, "For I believe, on my conscience, that on the continued ascendancy of that party (Republican) depends the safety of this great nation."<sup>98</sup>

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<sup>98</sup> Congressional Globe, 2nd Session, 39th Congress, 252.

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The country was fortunate that Stevens' conception of safety never was able to gain a permanent foothold.

Furthermore, Stevens revealed his real reason for supporting negro suffrage when he said, "I think there would always be Union men enough in the South, aided by the blacks, to divide the representation and thus continue Republican ascendancy."<sup>99</sup>

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<sup>99</sup> Ibid., 1st Session, 39th Congress, 74.

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Stevens and Sumner both expressed nothing but contempt for the Constitution whenever they believed it stood in the way of achieving the coveted goal of congressional centralization.<sup>100</sup>

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<sup>100</sup> Welles, op. cit., 13:669.

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Coupled with the Radicals' attempt to secure Congressional centralization of governmental authority was their desire to obtain permanent economic ascendancy. Beale aptly states it in this way: "If Southern economic interests had coincided with those of the rising industrial groups of the North, there would have been no Radical reconstruction."<sup>101</sup> What the Radicals feared most in the successful

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<sup>101</sup> Beale, op. cit., 225.

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prosecution of presidential reconstruction was the almost certain merger of Southern and Western agrarian forces and the subsequent destruction by that merger of the prosperous Radical economy of the Northeastern industrialists.

The expensive, altruistic-appearing Freedman's Bureau and the Bureau of Education were nothing less than well-calculated agencies designed to ruin the Southern whites economically. And the Fourteenth Amendment, so piously hailed by the Radicals as an epoch-making landmark in humanity's battle for personal liberty, was in reality a cleverly designed "bulwark of business against state regulation."

In arguing the case of San Mateo vs the Southern Pacific Railroad in 1882, Conkling who had been a member of the Committee of Fifteen claimed that the Amendment was designed to afford corporations with "congressional and administrative protection against invidious and discriminating state and local taxes....and oppressive and ruinous rules .... applied under state laws." The Radicals of 1866 had "intrenched" in the Constitution, Conkling testified, a provision "to curb the many who would do to the few as they would not have the few do to them."<sup>102</sup>

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<sup>102</sup> Conkling produced the journal of the Committee of Fifteen, hitherto unpublished, to prove his point. His testimony is quoted in B.B. Kendrick, Journal of the Joint Committee of Fifteen, 28-36.

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Another economic factor which prompted the Radicals to destroy presidential reconstruction was their desire to

control the nation's taxing machinery. The Radical woolen manufacturers, in particular, believed that the only way to lighten taxes was to place a staggering tax on Southern cotton. The New York Herald justifiably indicted this abominable and unwise tax on cotton by saying,

"Congress not only cripples our own resources, but encourages cotton growing in rival countries. In reality the radicals have accorded protection in favor of foreign cotton growers and against those of our country to the amount of twenty-five millions per annum."<sup>103</sup>

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<sup>103</sup> New York Herald, August 5, 1866.

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George Fort Milton introduces another economic factor which demanded the defeat of presidential reconstruction.

"The Northern industrial leaders had determined that a protective tariff must be maintained for their self-protection, and that greenbacks must be retired. For these reasons, the great financial interests of the North, save those of merchants and importers, were cast practically solidly against the low-tariff, currency inflationist Democratic president."<sup>104</sup>

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<sup>104</sup> Milton, op. cit., 370.

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Previous to 1860 the West and South successfully defeated the Northeast's attempts to introduce a high protective tariff. As soon as the war came, the tariff rates were revised upward to obtain war revenues. This was the main function of the tariff of August 5, 1861. The bill of

July 14, 1862 gave protection to Northeastern manufacturers and substantially reduced the free list. "Compensatory protection because of wartime taxation" was the chief feature of the tariff act of June 30, 1864. The manufacturers dictated the tariff rate they believed essential for protection and obtained it. The war closed with duty on some articles as high as 100%. The average duty was about 47% which was more than double the average of 1857.

When the war ended three war taxes on industry were removed, but the compensatory tariffs which had been established to off-set the loss to manufacturers through taxes were not repealed, but remained as a source of easy-gotten wealth. The war tariff which should have disappeared became an essential feature of the post war economic structure. Could the Radicals do anything else than oppose Johnson's plan of reconstruction? This fear for the protective features of the tariff should Johnson's plan be accepted is evident from a portion of the letter written by the Radical Brewer to Sumner. Said Brewer,

"In a selfish point of view, free suffrage to the Blacks is desirable. Without their support, Southerners will certainly unite, and there is too much reason to fear successfully, with the Democrat of the North, and the long train of evils sure to follow their rule is fearful to contemplate....a great reduction of the Tariff doing away with its protective features --perhaps Free Trade to culminate in Repudiation....and how sweet and complete will be the revenge of the former if they can ruin the North by Free Trade and repudiation."105

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105 Sumner MSS, LXXIV, Beale, op. cit., 274.

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If the South had been granted representation in Congress under Johnson's plan of reconstruction the tariff would have been sharply reduced if not eliminated entirely. It was an absolute Radical economic necessity that presidential reconstruction be defeated.

Another economic factor which the Radicals desired to inaugurate after the defeat of Johnson's plan was the full exploitation of national resources. The Radicals wanted to offer the mineral lands for sale and settlement. "This would produce, they estimated, five hundred million dollars of gold and silver; and, by reducing the speculative value of gold, would deprive the Democrats of political capital."<sup>106</sup>

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106 According to Conkling of Cincinnati, Harlan, Dennison, Chase, John Sherman, and Julian advocated this plan. E. Conkling to A. Johnson, Johnson MSS, LXXIX, Ibid., 265.

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In the early part of 1866 the Radicals in Congress succeeded in obtaining passage of "an Act to enable the New York and Montana Iron Mining and Manufacturing Company to purchase a certain amount of the public lands not now on the market."<sup>107</sup> Johnson's condemnation of this Radical at-

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107 Richardson, op. cit., 6:416.

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tempt to speed up the economic ascendancy of the Northeastern capitalists again indicates one of the genuine reasons for congressional opposition to presidential reconstruction. In vetoing this bill Johnson said,

"The public domain is a national trust, set apart and held for the general welfare upon principles of equal justice and not bestowed as a special privilege upon a favored class....It was soon discovered that the surest and most speedy means of promoting the wealth and prosperity of the country was by encouraging actual settlement and occupation and hence a system of preemption rights, resulting most beneficially, in all the Western Territories. By progressive steps it has advanced to the homestead principle....Now, supposing the New York and Montana Iron Mining and Manufacturing Company to be entitled to all the preemption rights which it has been found just and expedient to bestow upon natural persons, it will be seen that the privileges conferred by the bill in question are in direct conflict with every principle heretofore observed in respect to the disposal of the public lands."<sup>108</sup>

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<sup>108</sup> Ibid., 6:416-418.

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The final, culminating factor responsible for the defeat of presidential reconstruction was, of course, the Radical victory in the congressional elections of 1866. As soon as the election returns from Vermont and Maine had been tallied, it was obvious to all that Johnson's appeal to the people had ended in disastrous failure. After the final returns were in from all states the Senate showed a gain of 42 Republicans as against 11 Democrats, and the House -- 143 Republicans as

against 49 Democrats. With a substantial majority in both houses of Congress, the Radicals jubilantly proceeded to relegate Johnson's plan to the limbo of forgotten ideas and enacted into law the harsh measures of congressional reconstruction.

FINIS

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Milton depicts the struggles of Johnson with the Radicals. It is an interesting journalistic, historio-biographical presentation of the Johnsonian era.

Randall, J.G., The Civil War and Reconstruction, New York, Heath, 1937.

The Civil War and Reconstruction, an excellent survey text of the period, is especially valuable because of the exhaustive bibliographical references.

Rhodes, James F., History of the United States from the Compromise of 1850, New York, Macmillan, 1893-1906. Vols. V and VI.

Rhodes' work was helpful as a general history of the period. Rhodes stresses the political and neglects economic factors.

Stryker, Lloyd P., Andrew Johnson: A Study in Courage, New York, Macmillan, 1929.

Stryker, thoroughly sympathetic with Johnson, presents the President's life with the purpose of explaining his shortcomings and apparent failures.

Winston, Robert, W., Andrew Johnson: Plebeian and Patriot, New York, 1928, Henry Holt.

This is another biography in defense of Johnson and his policy. It is neither as effective nor as accurate as Stryker's, however.

"The Purpose and the President of the United States," Fraser's Magazine, LXXV (1867), 243-261.

This article is another criticism of Johnson's plan of reconstruction and an emphatic endorsement of impeachment as the only logical and just means of punishing him.