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Freese**

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Title: Secrets of the Late Rebellion, Now Revealed for the First Time

Author: Jacob R. Freese

Release date: June 10, 2014 [EBook #45928]

Language: English

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**SECRETS OF THE LATE  
REBELLION, NOW REVEALED  
FOR THE FIRST TIME.**

**By J. R. Freese**

Philadelphia: Crombargar & Co.

1882



An English Lord (Brewerton) and a Rebel Colonel (Abercrombie) in disguise, making their way from Washington to Richmond, through the Union and Rebel Lines. (See Chap.V.)

ILLUSTRATED EDITION.—PRICE, \$2.

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SECRETS  
OF THE  
LATE REBELLION,

NOW REVEALED FOR THE FIRST TIME.

By DR. FREESE,

AUTHOR OF "TRAVELS IN THE HOLY LAND, SYRIA, ASIA MINOR, AND TURKEY;" "TRAVELS  
IN THE LAND OF THE PHARAOHS;" "TRAVELS IN SWITZERLAND, ITALY, GERMANY,  
AND OTHER EUROPEAN COUNTRIES;" "BOOK OF JOB, TRANSLATED FROM THE  
HEBREW HEMISTICH TO ENGLISH RHYTHMIC VERSE, WITH LIFE OF JOB,  
ETC.;" "ELIZABETH'S MISSION;" "PARADISE LOST AND PARADISE  
REGAINED, TRANSPOSED FROM BLANK TO RHYTHMIC VERSE,  
WITH LIFE OF JOHN MILTON;" "BIBLICAL BIOGRAPHY,  
EMBRACING 1121 NAMES;" "LIVES OF THE PRESI-  
DENTS;" "THE CURSE CONSUMMATED, OR LES-  
SONS FROM HISTORY;" "ST. JOHN'S REV-  
ELATION, AS REVEALED IN HISTORY,"  
AND "CRAYON SKETCHES FROM  
THE LIFE OF CHRIST."

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PHILADELPHIA:  
CROMBARGAR & CO.  
1882.

Entered according to Act of Congress, in the year 1882, by  
CROMBARGAR & CO.,  
In the Office of the Librarian of Congress, at Washington.

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FORT SUMTER.

Original

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## SECRETS OF THE LATE REBELLION.

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### CHAPTER I. INTRODUCTORY. EXPLANATIONS AND PLEDGES.

**T**HE "History of the Great Rebellion," as some have called it, or of "The American Conflict," as others have called it, has been written over and over—by Greeley, by McClusky, by Abbott, by Kattell, by Pollard, and by others—and it is not my intention to write it again: but I Purpose, as Macaulay says in the first two words of that wonderful History of England in which, by the magic of his pen, he has made facts, which, until then, had lain only in the brains of old women, in the traditions of old men, in forgotten newspapers, and in neglected pamphlets, come forth in all the habiliments of life; some grinning with merriment, and others frowning with despair—some as angels of heaven, and others as demons of hell—I Purpose, throughout the whole of this volume, to write of the sayings and doings of those who, in the great war between the United States and the "Southern Confederacy," stood in the side wings, or *behind* the scenes, as proprietors, as stockholders, as lessees, as stage managers, as prompters, as scene-shifters, as curtain-droppers, as wire-pullers, and without whom the acts *before* the scenes could not have been, and would not have been, enacted.

Many, yea, most of those who attended to their various parts behind the scenes, while those in front were attending to theirs, have gone to their long homes. Like the hero of a hundred battles—

"They sleep their last sleep and have fought their last battle,  
No sound can awake them to glory again;"

yet a few remain, scattered throughout the North, scattered throughout the South, in cities, in towns, in offices, in workshops, in negro huts; and from these, and such as these, we have gathered and now propose to put on record, the *inner* or *secret* history of the greatest war of the nineteenth century—a war in which more

men were engaged, more deeds of valor done, more lives lost, and during which there was more of masterly diplomacy exercised, on both sides, than in any war which has occurred since the days of the Roman empire.

Eighteen years ago! Only three words, uttered in a single breath and seeming but as yesterday, when looking backward, and yet where is the tongue that can tell, or the pen that can write all that has transpired within that time?

Fields made desolate by battles then are now waving with grain, covered by green swards, or bedecked with flowers; what were then hastily constructed earthworks are now grassy mounds; covered over with shrubbery; what then were rifle-pits are now pleasant pathways for man and beast; cities then burned, or otherwise made desolate through the ravages of war, have regained more than their former size, beauty, and commercial prosperity; plantations then laid waste have been restored to more than their former productiveness; wounds, ghastly, bloody wounds, then made by shot or shell, or sabre cut, are now so healed that even the cicatrices are scarcely observable; and, but for vacant chairs in many households, and too well-filled cemeteries at Arlington Heights, at Gettysburg, and all over the land, it would be difficult for us now to realize that a terrible, desolating war had swept over this country within so short a time as eighteen years.

Time is indeed the great leveller, bringing king and subject, master and slave, to a common platform; nor is it less the great assuager and healer. Passions which burned in the breasts of men with the fierceness of a furnace, eighteen years ago, have so smouldered and died out, that not even a spark can now be found on the hearthstones of their hearts; and hence it is that what could not have been told fifteen, ten, or even five years ago, without the risk of inflaming passions and leading to greater harm than good, may now be told without the slightest objection either from actors or subjects. In history, as in law, there are *statutes of limitation*, and when these bounds are once passed, all that occurred previous to those dates is wiped from the record of *personal* responsibility, and becomes the property of the historian.

Most, if not all, of the facts which I purpose to incorporate in this history will be new—that is, such as have never been published before. They have been known, of course, to the actors and to a few confidential friends, and vague hints of their existence have found their way in newspapers from time to time; but never before have they reached the public eye or ear in book form; nor would they now, but for the fact that the limitation of responsibility has so far passed, that no possible harm can come from their publicity. To make the new facts intelligible as to time and bearing, old facts will, in some cases, have to be repeated, but in all such cases the old facts will be but the frames, while the new facts will be the pictures.

Though we are not at liberty in all cases to give the sources of our information, yet no one need question the substantial correctness of every statement found in this volume, though it may occasionally happen that names have been given incorrectly or misspelled, or that the dates are not precise. To remember names and dates is not easy for any one, and that, after a lapse of fifteen years, some of these should have been partially or entirely forgotten by some of our informants, is not at all strange. Of course we can only give the statements as received. Most of them we have had direct from the lips of those who were participants in the scenes, others from official sources, that is, from those who were in, or directly connected with, governmental departments; others, from hints given at the time, but the details of which could not be stated until the prejudices and passions of the war had subsided; and still others, from those who had them from the lips of the participants.

Some of the facts and incidents hereafter to be related are but new manifestations of the Fabian policy, and however unfair they would have seemed to Northern people had they been known at the time, yet now, few, if any, will regard them other than as acts of masterly diplomacy upon the part of Mr. Davis and his cabinet. But for this policy, the Southern Confederacy would have had to succumb at least two years before it did; and, on the principle that "while there is life there is hope," the longer they could prolong the contest the more to their credit. The relative strength of the North and South, at the beginning of the war, may be fairly represented by the numbers 20 and 10. Now take one off from each at five successive engagements, and the figures will stand 15 and 5. Before, the smaller equalled the one-half of the larger number, now it equals only the one-third. Again take one off from each at four more engagements, and the figures will stand 11 and 1—the smaller representing only the one-eleventh part of the larger, while one more engagement wipes out the smaller number entirely, and yet leaves the one-half of the larger. From this plain mathematical statement it will be seen how important it was for the Southern Confederacy to pursue the Fabian policy of delay, both as to its operations in the field, and in its diplomacy with English and Northern capitalists.

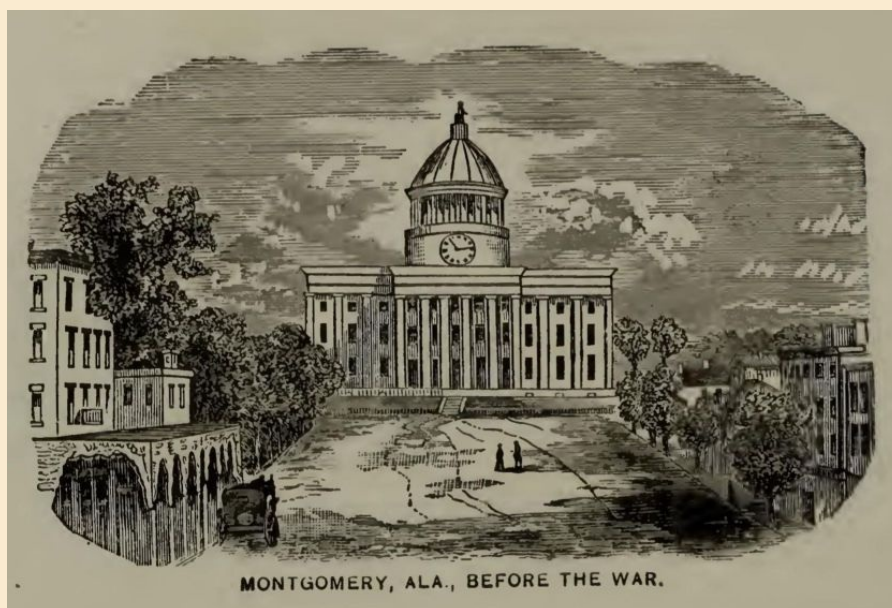
The learning of these "*Secrets of the Late Rebellion*" has had the effect to increase, rather than lessen, our admiration of Jefferson Davis as a statesman, and such we think will be the effect upon all who may read this book. However much we may condemn his political principles, however much we may condemn the rebellion, and however rejoiced we may be that he and it failed of success, yet, now that we know of the secret as well as the open difficulties with which he had to contend, we cannot but admire the talent, the energy, and the perseverance with which he overcame them all for months and years; and at last only yielded to necessities which no foresight, no talent, no energy could have overcome.

Nor is he the only one of the "Lost Cause" whom these "Secrets" make us to admire the more. Others, many others, as will be seen by the following chapters, acted their parts nobly and well, and deserve more credit than has ever yet been accorded to them by the historian; while others whose secret fiendish acts are herein recorded, acted worse, a thousandfold worse, than the public ever knew or probably would have known but for the appearance of this volume.

In putting on record the following facts and incidents of the war, my aim shall be to view everything from a historic standpoint only. As a Northern man, and as a late officer in the army, my partisanship and prejudices during the war were doubtless as strong as those of any other man; but so far as I know my own heart, not a particle of that partisanship or prejudice now remains, and I believe that I can write of both sides with equal impartiality. In relating the incidents, I may not have occasion to express any opinion at all for or against; but if I should, my readers may rest assured that it will be done without a particle of prejudice. With these explanations, and these pledges, I am now ready to begin the relation of facts and incidents as they occurred *Behind the Scenes* during the late War. J. R. F.



## MONTGOMERY, ALA., BEFORE THE WAR.



*Original*

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## CHAPTER II. RUNNING THE LAND BLOCKADE. KING COTTON BEHIND THE SCENES.

**O**N the 4th of February, 1861, the Confederate Congress met at Montgomery, Ala. It was composed of nine delegates from Alabama, three from Florida, ten from Georgia, six from Louisiana, seven from Mississippi, three from North Carolina, seven from South Carolina—forty-five in all.

They adopted the old Constitution of the United States, with the exception of five clauses. The first was a change in the preamble—making the States named, other than "We the people," the contracting parties; the second change related to the "importation of African negroes," etc.; the third related to the escape and delivery of slaves; the fourth related to adjusting disputes between the contracting States; the fifth empowered Congress to "lay and collect taxes, duties, imposts, etc." The Constitution, as amended, was adopted February 8th, and on the same day Jefferson Davis, of Mississippi, was elected President, and Alexander H. Stephens, of Georgia, Vice-President, by a unanimous vote.

On the 18th of February Mr. Davis was inaugurated, and immediately after he nominated, and Congress confirmed, the following cabinet:

Secretary of State.....Robert Toombs.  
Secretary of the Treasury.....C. G. Memminger.  
Secretary of War.....L. Pope Walker.

This same Congress authorized a loan of fifteen million dollars, secured by an export duty on cotton, and passed an act "To modify the navigation laws, and to repeal all discriminating duties on ships and vessels"—by which the entire coasting trade from Charleston to Galveston was thrown open to the British flag. Had English capitalists framed the law, they could not have made it to please themselves better.

On the 17th of April, 1861, President Davis issued a proclamation offering to grant letters of marque and reprisal to aid the Southern Confederacy in resisting what he called "the wanton and wicked aggressions" of the United States government.

To this President Lincoln immediately responded by issuing a proclamation, dated April 19th, declaring the Southern ports in a state of blockade.

The Congress of the Southern Confederacy assembled at Montgomery again on the 29th of April, 1861. President Davis, in his message, advised the immediate passage of a law authorizing the acceptance of proposals for privateers. He denounced the proclamation of President Lincoln in relation to Southern ports as a mere paper blockade. "The loan authorized," he said, "had been promptly taken (by whom, or on what terms, he did not say); and that a much larger amount had now become necessary to defray the expenses of

the war," etc., etc.

This Congress authorized President Davis to issue letters of marque and reprisal, and prescribed regulations for the conduct of privateers. It also passed an act prohibiting the export of cotton or cotton yam from any of the Confederate States, except through their own seaports, under a penalty of forfeiture of the cotton, a fine of five thousand dollars, and six months' imprisonment. It further proposed that the planters should be invited to put their crops into the hands of the government, and accept Confederate bonds for their value. On the 20th of May, 1861, this Congress adjourned, to reassemble at Richmond, Va., in two months.

On the 20th of July, 1861, the Confederate Congress reassembled at Richmond. Meanwhile the cabinet had been enlarged as follows:

Secretary of the Navy.....S. R. Mallory, of Florida.  
Postmaster-General.....J. H. Reagan, of Texas.  
Attorney-General.....J. P. Benjamin, of Louisiana.

This Congress included sixty-eight members, of whom fifteen were from Virginia, ten from North Carolina, nine from Alabama, three from Florida, ten from Georgia, six from Louisiana, seven from Mississippi, eight from South Carolina.

President Davis stated in his message that "fifty million dollars had been subscribed in cotton," and that "late crops had been abundant." Among the first acts of this reassembled Congress was to adopt the convention of Paris in 1856, in respect to maritime law, whereby the wishes of Great Britain were acceded to in all respects. This was, in effect, that enemies' goods should be respected in neutral ships, and that privateering should be abolished in time of war. The United States government had demurred to these propositions, for reasons ably stated at the time by Secretary Marcy, and afterwards reaffirmed by Secretary Seward. Had they become a part of national law, Great Britain could have taken every bale of cotton from the ports of the Southern Confederacy without let or hindrance. So far as the Confederacy was concerned, this act of their Congress gave full consent; but the United States still objected, nor had the propositions been concurred in by all other nations. This same Congress empowered President Davis to appoint two commissioners, with full powers, to proceed to Great Britain and other European countries, to negotiate a recognition of the Southern Confederacy, and, if practicable, make treaties of commerce.

Having thus briefly stated the organization, the acts, and the position of the Southern Confederacy with regard to financial and cotton questions—the only questions now under consideration—we will next trace the acts of the United States government bearing upon the same questions.

When the Confederate Congress first met at Montgomery, Mr. Buchanan still occupied the Presidential chair at Washington; but he had done nothing to interfere with the organization of the Southern Confederacy, nor, in his view of the case, had he any power or authority to interfere. One month after, on the 4th of March, 1861, Abraham Lincoln, of Illinois, was inaugurated President, Hannibal Hamlin, of Maine, Vice-President, and immediately after the cabinet of Mr. Lincoln was formed as follows:

Secretary of State.....Wm. H. Seward, of New York.  
Secretary of the Treasury.....S. P. Chase, of Ohio.  
Secretary of War.....Simon Cameron, of Penna.  
Secretary of the Navy.....Gideon Wells, of Conn.  
Secretary of the Interior.....Caleb B. Smith, of Ind.  
Postmaster-General.....Montgomery Blair, of Md.  
Attorney-General.....Edward Bates, of Mo.

After the inauguration of President Lincoln, the United States Senate remained in session until the 28th of March, occupied most of the time with confirmations.

Immediately after the attack upon Fort Sumter, April 14th, 1861, President Lincoln issued a call for 75,000 troops; called an extra session of Congress to meet on the 4th of July following, and on the 19th of April, as heretofore stated, issued a proclamation declaring all the Southern ports in a state of blockade. The blockading squadron on the Atlantic coast, on the 4th of July, 1861, consisted of twenty-two vessels, with 290 guns and 3300 men, under command of flag-officer Stringham. The Gulf squadron, at the same time, consisted of twenty-one vessels, with 282 guns and 3500 men, under flag-officer Mervin.



FARRAGUT AT MOBILE.

*Original*

This Congress authorized a loan of \$ 170,000,000; but made no effort at all to negotiate a loan abroad, as it was well understood that English capitalists were passively hostile to the war, and, so far as they could consistently, favored the Southern Confederacy. With them cotton was king, and from the first moment of its life the Southern Confederacy did what it could to increase the love between King Cotton and his British admirers. Indeed, it was felt all over the North (and hoped for in the South) that there was some danger of European interference, since the desire for cotton, the eagerness for free trade, and the hope of immediate gain might prompt to an interference which the aristocratic element of Great Britain, and the friends of despotism in France, would have rejoiced to see undertaken.

Not long after the United States government had given notice to other nations of the blockading of Southern ports, efforts were made to break or disregard it. Liverpool merchants claimed that, under the treaty between this country and Great Britain, they had the right to enter any port of the United States, and that the attempt to enforce the blockade against British ships was an infringement of national law. The English government having already recognized the blockade as a belligerent right, the British minister in reply told the Liverpool merchants that "if any British ship, being a neutral, knowingly attempts to break an effective blockade, she is liable to capture and condemnation."

Notwithstanding this notification, scores of British merchants resolved to take the risk of running the blockade, because of the immense profits to be made therefrom. To buy cotton for ten cents, and then sell it for thirty cents, per pound, and then to pay the ten cents in arms, accoutrements, and other English manufactured goods, on which they could make a profit of at least one hundred per cent., were opportunities which seldom occurred, and which, in their estimation, would justify great risks. Nor were British merchants the only ones who took this view of the case, as the sequel of this history will show. The merchants and other moneyed men of New York, Philadelphia, and Baltimore were just as eager for the "almighty dollar," and

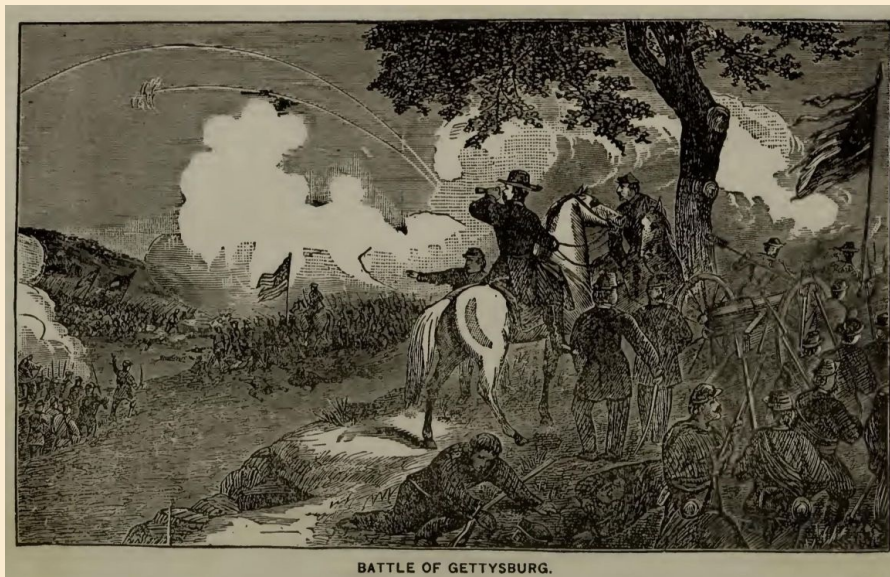
were quite as ready to take risks to obtain it. The risk was lessened from the fact that the coast to be guarded extended over three thousand miles; that the number of vessels to guard it (heretofore given) were but few in proportion to the length of coast; and that the Southern Confederacy was as anxious to have them bring their goods and take their cotton in exchange, as English and Northern merchants 'were to do it. Every Confederate fort and every Confederate soldier was ready to render all the aid possible to every blockade runner, no matter whether from London, Liverpool, Nassau, New York, Philadelphia, or Baltimore. As an evidence of the extent to which trade by blockade running was carried on, it has been estimated that the amount of ships and cargoes sent in by English capitalists to the one port of Wilmington, N. C., from January, 1863, to December, 1864, amounted to \$66,000,000. What, meanwhile, was the extent of trade between Wilmington and other Southern ports with New York, Philadelphia, and Baltimore capitalists is not known, but probably as great, if not greater, than with English capitalists.

Another fact, which greatly contributed to blockade running and other clandestine trade, was that all through the North there were warm sympathizers with the South—some of whom had been born in the South, others had relatives and friends there, others had had extensive business relations with Southern men, and still others sympathized with the South from a political standpoint—each and all of whom were ready to help the South in any way they could; and yet to save themselves from censure, if not from arrest, felt obliged to call themselves "Union" men. These men were everywhere, and often where least suspected.

Kattell, in his "History of the Great Rebellion," in writing of the difficulties under which President Lincoln's administration labored for the first few months, says: "The diplomatic corps abroad and the incumbents of office at the North were most of them inclined to thwart the action of the new administration, and in their train was a large number of active men on whom the government could not depend, if it had no opposition to encounter. The new administration found itself thus completely in the power of the secession party, and all its secrets, from the cabinet debates to the details of orders, were known to the South. The bureaus of the departments, the judiciary, the army and navy, and the offices were all filled with persons who were eagerly watching to catch up and transmit every item of information that might aid the Confederates, or thwart the government."

The above is true so far as it goes, but it is only a very small part of the whole truth—not the one hundredth part of what we now know to be true, some parts of which will be told in the following pages.

Macaulay's description of the condition of England, immediately preceding the signing of the treaty of Ryswick, portrays the condition of the United States government during a portion, if not during the whole time of the war, quite as well as if written for the purpose. He says: "Her secret enemies had commanded her fleets and armies, had ministered at her altars, had taught at her universities, had swarmed in her public offices, had sat in her Parliament, had bowed and fawned in the bedchamber of her King." The facts and incidents hereafter to be related will show, in part, and would show wholly, if all were told that is known, that what Macaulay says of the condition of England from 1689 to 1697, was no less true of the United States from 1861 to 1865. Of course, all this inured greatly to the benefit of the Southern Confederacy, but was as greatly detrimental to the United States government, and at times made final success seem very doubtful, if not impossible.



BATTLE OF GETTYSBURG.

*Original*

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### **CHAPTER III. ESTABLISHING STATIONS— FIRST TRIP AND FIRST PASSENGERS.**

## BRAINS AND CAUTION SHIFTING THE SCENES.

THE battle of Gettysburg, fought on the 2d and 3d of July, 1863, was one of the most important, if not *the* most important, battle of the whole war. The conflict had now been going on for over two years with varying success. Each side had used its utmost efforts for success, and to the general public the end seemed no nearer than in the beginning; but those behind the scenes saw things in a different light, and especially was this true of President Davis and his cabinet. While he and they well understood the advantages of keeping up a fair outside show, they knew equally well that the proportion of strength had greatly changed between the North and the South. Commencing with proportions of two to one (20 to 10) they had reached the proportions of three to one (15 to 5), and another such battle as that which had just occurred—in which the losses on both sides were immense, and in which both sides thought themselves defeated, and were making preparations for retreat on the day following—would make the disproportion still greater.

They knew, too, that every day made their situation more and more desperate; that every day increased the effectiveness of the blockade; that food, clothing, and all the necessaries of life were every day becoming scarcer; and while they still had almost any quantity of cotton, they knew the people could not eat that, and unless some new source of nutrition for the Confederacy could be opened, it must soon succumb from mere exhaustion. To add still further to the difficulty, their communication with the North seemed about to be cut off entirely. Up to that time their letters from their Northern sympathizers, from England, and from other parts of the world, had reached them through blockade-runners, mostly by the way of Nassau; but the recent capture of some of these blockade-runners, and the stricter watch now kept by the United States blockading squadron, made this source look more and more doubtful, and certainly less and less reliable.

Mr. Davis, when United States Senator and when Secretary of War, had credit for brains and great shrewdness; but never did he need them so much as now, and as "necessity is the mother of invention," the fact of the need called forth from his fertile brain a plan of domestic diplomacy which would have done credit to Pitt in his palmiest days. However good a conception or plan may be, still it is of no use unless it can be put into execution, and just here was President Davis's greatest trouble. He had scores of officers about him ready to do his slightest bidding, but among them all he could think of no one exactly fitted for the kind of service he then had in view. When in his greatest distress of mind, walking the floor for hours at a time, thinking, thinking, thinking, it happened that Colonel Ralph Abercrombie, who was in command of a Louisiana regiment in General A. P. Hill's corps, came into Richmond, and, as was his custom, called immediately at the executive mansion. The Colonel had been known to Mr. and Mrs. Davis since a boy. Mr. Davis, when Secretary of War, had appointed him to a lieutenantancy in the regular army. Both Mr. and Mrs. Davis were on the most intimate terms with his widowed mother, and though the Colonel was now about thirty years of age, they still called him Ralph.

When, on this visit, he observed the President's anxiety, he naturally inquired the cause, and soon learned from Mr. Davis the outlines of his plan. The Colonel at once offered his services to put the President's plan into execution, only suggesting that, instead of opening the route to Washington via Chesapeake Bay and Leonardstown, Md., he would prefer a more northern route, for the reason that he was better acquainted with the Potomac between the Great Falls and Cumberland than with the route proposed by President Davis. When a lad, he had attended St. James' College, near Hagerstown, Md., and, by frequent drives through the country, had learned every foot of ground between that point and Washington city.

Mr. Davis listened attentively, and when the Colonel had finished, he quickly replied that his offer of services had relieved his mind of a great anxiety; that he would accept them most gladly; and that he would agree to any route upon which the Colonel might fix. He told the Colonel, in addition, that he would appoint, to assist him, any one whom he might name, and that in opening and establishing the route he could employ whoever he pleased, and use any amount of funds that might seem necessary, as the project involved millions of money, if not the very life of the Confederacy; and that the few thousands it might cost would only be as dust in the balance, as compared with the advantages to be gained.

Colonel Abercrombie immediately turned over the command of his regiment to Major Charles Hall (the Lieutenant-Colonel, John H. Black, being on sick leave from a wound received at Gettysburg), and entered upon the duty of opening this new route to Washington. From Richmond to Orange Court-House (General Lee's headquarters) was by rail, and involved no difficulty. From thence to the Rapidan River, on the southerly side of which lay the Confederate army, and on the northerly side the Union army, was easy enough; but from thence, to first get through the Union line of pickets, and then traverse about seventy miles of country, until the Potomac was reached at or near the Great Falls, about twelve miles above Washington, was the tug of war. To establish this latter part of the route involved the employment of about twenty men—some as guides from point to point; some to furnish horses, or other conveyances, to the blockade-runners and their passenger guests; some to entertain and conceal them whenever they came that way; some to be on the constant lookout, and pass the word from post to post, if any danger threatened the blockade-runners or any of their employees; some to row them across the Potomac, and meanwhile keep their boats concealed from the eyes of Union troops and guards; and others to pass them through safely from the Great Falls to Washington and return. The men so employed included planters or farmers, doctors, merchants, and day-laborers, all of whom received pay for their services from the Confederacy, through the hands of Colonel Abercrombie or Colonel Kill-gore. Besides these, the guides had under pay three old negro women, at whose huts they stopped and concealed themselves and guests, whenever occasion required. At Great Falls, Messrs. Garrett & Morse, merchants, were the principal agents. Upon them depended mainly the keeping open of the line from that point to Washington city; the crossing of the Potomac at or near that point; and to see that the guides on the Virginia side of the Potomac were always ready for service. At Washington city the grand depot, or end of the line, was at Ben Beveridge's saloon, and the "Washington House," kept by Ben's mother, at the corner of Third Street and Pennsylvania Avenue. Ben furnished the disguises for both conductors and passengers on this line, and was always ready to lend a helping hand in any way in which his services could be made available. His first advance pay for services was two thousand dollars in gold, to which additions

were made from time to time until he received from eight thousand to ten thousand dollars, all in gold. All these men were in entire sympathy with the Southern Confederacy, and nearly all offered their services gratuitously when first spoken to on the subject by Colonel Abercrombie; but his plan was to bind every man to greater faithfulness by having him to accept pay from the Confederacy, and hence he would not accept of gratuitous service from any one. How many thousands or tens of thousands of dollars were distributed by Colonel Abercrombie and Colonel Killgore, for the Confederacy, in this service, we are unable to say, but certainly a good many. It took about six weeks of faithful service for Colonel Abercrombie to open this new line, and, when completed, he returned to Richmond and reported to President Davis that the line was now ready for business.

Mr. Davis approved of all that had been done, and asked Colonel Abercrombie whom he would have as an assistant. The Colonel named his personal friend, Colonel Newton Killgore, who was then on detached service at Charleston, S. C. Killgore was a graduate of West Point, and a Lieutenant in the Topographical Engineer Corps, U. S. A., previous to the breaking out of the war. He was then about twenty-seven years of age, active, energetic, wide-awake, and just the man, as Colonel Abercrombie thought, for such service. Mr. Davis sent for him, and after explaining the kind of service to be done, placed him upon the duty, and directed him to hold himself in constant readiness for orders, which he did from that time forth.

The first service, on this new line, required by President Davis of Colonel Abercrombie, was to carry eleven letters to, and open personal negotiations with, Major Weightman, of Washington; George Thomas, John P. Grundy, Alexander Gibson, of Baltimore; Dr. Charles Howell, C. C. Pollard, George J. Platt, of Philadelphia; Mr. McLane, President of the New York Pacific Mail Steamship Company, Mr. Waddell, of the same company, and John Lamb and Alexander Goldsmith, brokers, of New York city.

With Major Weightman Mr. Davis had been on most intimate terms of friendship for many years. Both were Mississippians, both had been in the Mexican war, where Major Weightman gained considerable notoriety, was badly wounded, returned home, married a rich lady at Jackson, Miss, (a Miss Willowby), resigned his commission in the regular army, removed to Washington, and from thenceforth lived a quiet, retired life in that city. When the war broke out between the North and South, Major Weightman still continued his residence in Washington city, and soon became on most intimate terms with Secretary Seward and President Lincoln. When rallied about his position, he always replied that he was "a Union man," and there left it. His word was regarded as law, and no one questioned him further. Meanwhile, however, all his sympathies were with the South, and he was in almost constant communication with Mr. Davis. Through him Mr. Davis first learned of these other gentlemen to whom he now wrote, and with some of whom he had, after learning of them, kept up a correspondence. Mr. Davis now wanted arms, provisions, clothing, while these gentlemen, he knew, wanted cotton, and the object of the present letters and negotiations was to exchange the one for the other—to the great advantage of the Confederacy, and with immense profit to those who might take part in the speculation. The Confederacy had taken in exchange for bonds, had taken for taxes, and had otherwise become in possession of millions upon millions of dollars' worth of cotton. The gentlemen to whom these letters were addressed possessed, or could control, millions upon millions of dollars in money, and with this money could purchase what the South then stood so much in need of—arms, food, and clothing. The cotton was greatly needed by American and English manufacturers, and could be sold at a price five times greater than Mr. Davis would sell it to them for. On the goods which they would exchange for the cotton, immense profits could be made. The only difficulty was in getting the cotton out of the Confederacy, or in securing it from destruction while it had to remain there. To effect this they must either run the blockade, or so cajole President Lincoln, his cabinet, and his generals in the field as to secure the cotton whenever the Union armies reached the places where the cotton was deposited. The risk in all this was considerable, but the immense profits to be gained far more than overbalanced the risks.

On reaching Washington, Colonel Abercrombie went directly to the house of Major Weightman. The two soon after met at Ben Beveridge's, and then and there negotiated for a suite of rooms in the "Washington House," to be all the time kept for the agents of, and all the while paid for by, the Southern Confederacy. An order for two thousand dollars in gold was handed Ben Beveridge at once, as an earnest of what he might expect if he proved faithful and true. Three days after, Major Weightman and Colonel Abercrombie went to Baltimore to call upon Mr. George Thomas. After the delivery of President Davis's letter, and a general talk over the matters to which the letter referred, Mr. Thomas concluded to call together a few well known Southern sympathizers at a dinner-party next day, when and where the whole subject could be thoroughly canvassed. The dinner came off next day, as proposed, and around the table were gathered the following well-known gentlemen: Mr. George Thomas, John P. Grundy, Dr. Leslie Buckler, Alexander R. Gibson, Major Weightman, Colonel Abercrombie, James Wilson, J. W. Jenkins. The result of this conference was entirely in favor of President Davis's wishes.

Next day Major Weightman and Colonel Abercrombie, accompanied by Mr. James Wilson, went to Philadelphia, and called at once upon Dr. Charles Howell, then living on Rittenhouse Square. After delivery of letters and talking over matters somewhat, Dr. Howell, like Mr. Thomas, decided to call together at a dinner-party next day a few well known Southern sympathizers, when and where the whole subject could be thoroughly discussed. This was done, and the following gentlemen were present: Dr. Charles Howell, C. C. Pollard, George J. Platt, Philip Swift, Charles H. Mason, Jacob Florence, Major Weightman, Colonel Abercrombie, and Messrs McLane, Lamb, and Waddell, of the New York Pacific Mail Steamship Co., who had been invited by telegraph. Here, too, the result of the conference was entirely favorable to Mr. Davis's wishes; but, before a final conclusion of the negotiations, it was deemed best that Messrs Lamb and Waddell should accompany Colonel Abercrombie back to Richmond, see President Davis personally, take a general trip through the Confederate States, and, on their return, report to an adjourned meeting. Meanwhile, whatever funds Mr. Davis might need should be furnished Major Weightman, to be deposited by him with Mr. Riggs, the banker at Washington, to the credit of the Southern Confederacy.

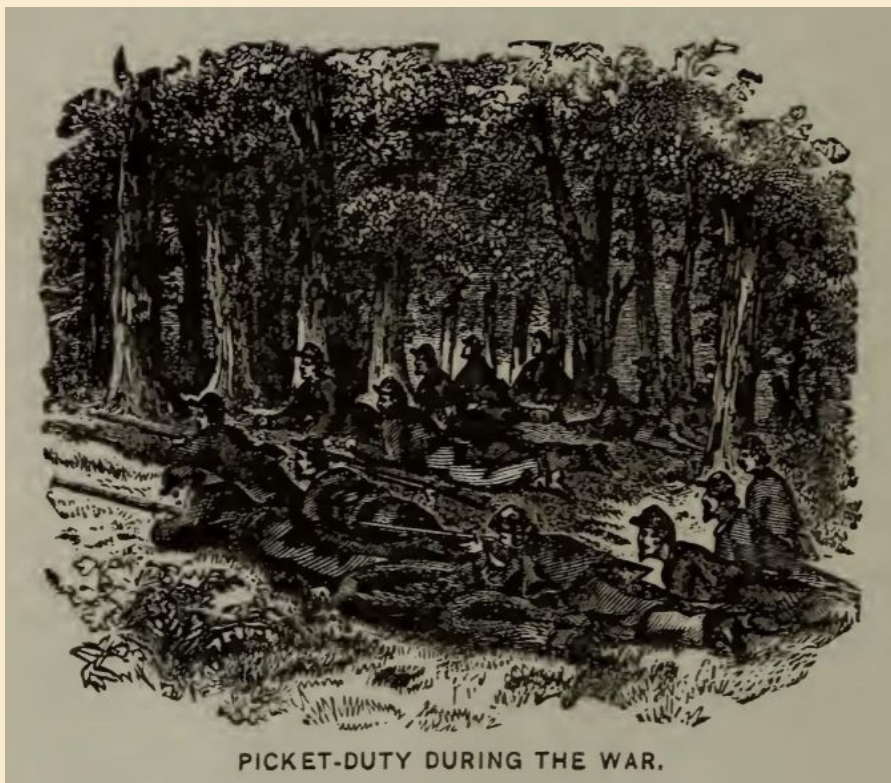
These arrangements were all satisfactory to Colonel Abercrombie except the piloting of Messrs. Lamb and Waddell through the Union lines to Richmond. This, he feared, would be a difficult, if not an impossible, task.

While he recognized the fact that both these gentlemen might sit in their Wall Street banking-offices with

all the dignity of a Sir Josiah Child, or grace a lady's parlor with all the urbanity of a Lord Chesterfield, yet he feared that when disguised as farmers or day-laborers, when required to tug along on foot for several miles at a time, and then ride, pell-mell, on horseback for a score of miles at a time; when compelled to sleep in garrets or in the loft of a negro-hut; when required to prevaricate, or even to lie, in order to get by a Union sentinel, they might not be quite equal to the occasion. The Colonel tried to persuade them to go by the way of Nassau, and from there run the blockade into Charleston, as he himself had done when he first entered the Confederate States; but the more he tried to persuade them to this course, the more determined they were to go with him. Over the difficulties and hardships mentioned by the Colonel, they only laughed, said they could stand it all, that it would be as holiday-sport to them, and that, in a day or two, both would meet the Colonel at Ben Beveridge's, in Washington, and from thence make their way with him to Richmond.

The third day after, Messrs. Lamb and Waddell were in Washington, and that night, between eleven and twelve o'clock, left Beveridge's, *en route* for Richmond. Ben and Weightman accompanied them to a Mr. Thecker's house, in Georgetown, where the disguises were to be put on. Lamb first placed himself in the hands of the manipulators. He had been wearing long chin whiskers; these Ben cut off at one fell swoop, leaving his face as bare as a child's. Next, his hair was nicked and chopped over, as if done with a pair of sheep-shears, in the hands of a country bumpkin, instead of by a Broadway barber. Then he was stripped of his latest-fashioned coat, vest, and pants, and in their place was supplied with a suit which would have done credit to an ox-team driver. Waddell came next. His magnificent beard, covering his entire face, was cut clean off, and, in place thereof, two false "mutton-chop" side whiskers and a false moustache, both butternut-color, were put on his face. Next, Ben applied the shears to Waddell's head, and pretty soon his hair presented the appearance of a country ox driver's. Then he, too, was stripped of his Broadway suit, and in a few minutes transmogrified into a fat, jolly farmer, or a Conestoga team-driver. The Colonel was already in disguise, and had been ever since he left his uniform at Mr. Joseph Mix's, about eleven miles within the Confederate lines, and now it only required a little touching up, which the Colonel did for himself while the others were laughing over their own outlandish appearance.

About one o'clock in the morning all were ready for a start. Ben consented to go along until the first guard was passed—Major Weightman to wait at Thecker's until Ben returned. It was the latter part of August, 1863, and the nights, just then, were not only very warm, but very dark. Ben led the way, Lamb and Waddell followed, and the Colonel served as rear-guard. When Ben, who was several hundred yards in advance, reached the canal-lock, near which a guard was stationed, he played the drunkard, and cursed the lock-tender loud enough for the guard to hear. The lock-tender was one of the Colonel's men, and in the pay of the Confederacy. He knew Ben's voice, and knew, too, that the Colonel was not far off. Ben told the lock-tender, in a voice loud enough for the guard to hear, that he had plenty of whiskey and plenty of cigars in his pockets, and wondered if the guard would n't like some. The lock-tender thought it probable, whereupon Ben staggered off towards the guard, flourishing a bottle of whiskey as he went, and crying out to the guard, "Don't shoot! Don't shoot!" The bait took. The guard gave no challenge—allowed Ben to approach him—took a good swig of whiskey from Ben's bottle—lit a cigar which Ben had handed him—entered into a rip-raving-swearing conversation with Ben; and, while all this was going on, the Colonel and his guests slipped quietly by, and were a good half-mile beyond the guard before Ben bade him good-night.



*Original*

A further walk on the tow-path of the Chesapeake and Ohio canal, for over two miles, brought the three travellers to Widow Ennis's farm- and lock-house. She was in the pay of the Confederacy; and within a half-

hour from the time of reaching there, the three travellers were in the saddle, and, accompanied by her son, to bring the horses back, on their way to the Great Falls. They rode along at a brisk trot, and part of the time the New York gentlemen were nearer the ears than the tails of their horses, nevertheless they managed to hold on, and, after a ride of nine miles, reached Hendrickson's, about a half-mile from the Falls. Here they dismounted. Joseph took the horses back to his mother's stable, while our three travellers walked on, about one mile, until they reached the garden-fence in the rear of the hotel, which they clambered over, or through, and finally got into the back-building of the hotel, through a private door. The Colonel knew all the points, and Lamb and Waddell had only to follow him to secure themselves and him from observance by the Union sentinel, whose station was but a little way from the front of the hotel. At Hendrickson's they left the main road, and followed a by-path until they reached the garden in the rear of the hotel. In creeping through the garden-fence, Waddell tore his coat badly about the shoulder, which distressed him not a little, and for which he was heartily laughed at by his companions. Mr. Morse, who kept the hotel, was soon with his back-door customers, and certainly no guests ever received a more hearty welcome.

Great Falls, it may here be said, once for all, is neither a town nor a village; but consists of a large three-story stone building, used as a hotel for summer visitors, and as a private residence in the winter, and a large store-building, with numerous out-houses, used for transportation purposes—all of which belong to the Chesapeake and Ohio Canal Company; but were at this time rented, and the business carried on by Messrs. Garrett & Morse, the former of whom gave more especial attention to the store, and the latter to the hotel. Both were Marylanders; both sympathized heartily with the Southern cause, though nominally "strong Union men;" both were under the pay of the Confederacy; and both, or as a firm, received from the Southern Confederacy, at different times, through the hands of Colonels Abercrombie and Killgore, sums in gold amounting to between six and eight thousand dollars. Both were first-class business men, of high character, and, from their love of the Southern cause, would, doubtless, have rendered it all the aid they could had they not received one cent of pay; but such was not the policy of President Davis or his agents. They insisted that all who aided should be paid, and so long as cotton could be converted into gold, this was possible, and certainly the true policy.

It was now about three o'clock in the morning, but the Colonel would not retire until he had sent for, and consulted with, Garrett, as to future movements. From him the Colonel learned that the line was open, and in good working order, that guide No. 1 would be on hand the next night to row them across the Potomac, and conduct them to guide No. 2, and that, meanwhile, all three should retire, and keep themselves entirely out of sight until the following night. The retiring and resting part suited Lamb and Waddell exactly. Both were thoroughly tired from their long walk and horseback ride, neither being at all used to that kind of exercise. Lamb was then about fifty, Waddell about forty years of age; the first was lean, the latter fat; both knew how to handle gold and greenbacks, but neither knew how to handle reins or sit a saddle, especially when on the back of a rough trotting country farm-horse. Their feet would slip through the stirrups; in descending hill, they would, somehow or other, slip from their saddles towards the ears of their horses; and in going up hill it was with difficulty they kept from slipping off their saddles towards their horses' tails. They knew how to walk Broadway and Wall Street with as much grace as a French dancing-master; but when it came to walking on the tow-path of a canal, to creeping through garden-fences, and such like performances, neither of them could do it half as well as a country clod-hopper. Bed! rest! of course they were ready for bed and rest, and the sooner the better; and, suiting the action to the word, both were soon in bed, and snoring away for dear life.

For some cause or other, guide No. 1 did not put in an appearance next night, and our travellers were obliged to keep themselves concealed for another day. The following night, however, he came, and between nine and ten o'clock the three slipped out of the back-door of the hotel, made their way to the boat, which was in waiting about a mile up the Potomac, were rowed across by the guide, then walked about a mile to a negro-hut, and then about three miles more to a farm-house. Here horses were procured, and then for about thirty miles, mostly through private lanes and pig-paths, through woods and over fields, over torn-down fences and through open gates, they trudged along until they reached the farm-house of Dr. Carrico. It was now nearly daybreak, and our travellers were thoroughly tired out. The Doctor, who was in the pay of the Confederacy, though within the Union lines, and nominally a "Union man," received the travellers with open arms, and in a little while had them safely tucked away in bed-chambers, where the eye of no chance Union soldier or visitor could see them.

Here they remained until the next night. Then with a new guide (guide No. 2 having returned with the horses) they left Dr. Carrico's shortly after nightfall, and, upon horses furnished by the Doctor, rode about thirty-two miles to the farm and mill of Mr. Henry Budd. In this long ride, like the other, most of the way had to be made through private roads and pig-paths, as Union forces were in all that country, and on the public highways there was danger of meeting Union cavalry or infantry, as patrols or sentinels, at any moment. It was about three o'clock in the morning when they reached Budd's mills. Just before reaching there our travellers dismounted, and the horses were slipped into Budd's stable, as there was a Union sentinel at this mill who could not be passed on horseback, and with whom some diplomacy had to be used to get by at all. To effect this, the Colonel, Lamb, and Waddell approached as near the mill as possible, and then secreted themselves, while the guide (No. 3) went forward to interest the sentinel in conversation, until they could slip by. The guide knew everybody in that neighborhood, and fortunately, knew the sentinel, so that with lively conversation, and an occasional drink from a well-filled canteen, he soon had the sentinel so engrossed that the three travellers stepped across the mill-race, slipped around on the other side of the mill, and soon were a good half-mile beyond the sentinel. Here they waited in a woods for their guide to come up. He, on the plea that he was going to see an "uncle", on the other side, got away from the sentinel ere long, and soon after overtook the three travellers.

From the point where the guide rejoined them, all four walked to the farm-house of Mr. Jonathan Brisco, about four miles from Budd's mill. Here a Union sentinel had been placed as a safeguard, while easterly and westerly from the house, sentinels were placed only a little way apart. This was the extreme outer line of the Union army, and was guarded, of course, with extra vigilance. If once through this line our travellers thenceforth would be within the lines of the Confederate army and entirely safe, but just how to get through



was now the problem to be solved. The plan resolved upon was that Colonel Abercrombie, Lamb, and Waddell should remain concealed some distance from the house, while the guide should go forward and make arrangements with the sentinel to allow the three to come up and go into the house to see his "uncle," and then, while he interested the guard with lively conversation and occasional drinks of whiskey, the three to slip out of the back-door, down through the garden, over a meadow, through a creek, and as far and as fast as possible in the pines beyond. The plan all worked like a charm, except that while the three were making their way from the house the sentinel chanced to observe them. He at once asked the guide what it meant. The guide replied that they were going to another neighbor's house, a little beyond, to see about some corn, and would soon return to remain the balance of the night with his "uncle." The sentinel still seemed troubled about having let the three men pass his post, and the guide, seeing this, and wanting to keep in the good graces of the Union sentinel, as he might need his services again, slipped fifty dollars in gold (which the Colonel had handed him for the purpose) into the sentinel's hand, which at once eased his mind and made everything seem exactly right.

From this point the three travellers walked about six miles to Mr. Andrew Mitchell's. Here they procured horses, mounted at once, and rode thirteen miles, to Mr. Walter Randolph's, near a railroad station called China Grove, about ten miles north-easterly from Orange Court House. Probably no three travellers ever rejoiced more over the completion of a trip than these three on reaching China Grove station. They were now among friends, and from this point they could go by railroad to Richmond. The Colonel soon doffed his disguise, and was again in the uniform he had left there when on his way to Washington. Messrs. Lamb and Waddell could not procure new suits until they reached Richmond, and therefore had to content themselves with the old until then. About ten o'clock the cars came along, our three travellers jumped aboard, and within an hour were at Orange Court-House, seated around the best breakfast that mine host of Freeman's Hotel could get up. At two p.m. they took the cars for Richmond, and before nightfall were at the Spottsylvania Hotel, in the capital of the Southern Confederacy.

Next morning early, Messrs. Lamb and Waddell were in quest of new suits, which they obtained from a readymade clothing-store, not far from the hotel. Next, they went to Mowrey's banking-house to exchange some of their gold for Confederate notes, which at that time was exchangeable at the rate of eight dollars in Confederate notes for one dollar in gold. Then they returned to the hotel, and soon after were introduced to President Davis's private secretary, N. Burton Harris, Esq. He took them to the Executive Mansion and introduced them to Mr. Davis. With him they had a long conference on business affairs, after which he introduced them to and put them in special care of certain prominent gentlemen at the capital, whose duty and pleasure it would be to give them such additional information as they might need, and accompany them to such other cities of the Confederacy as they might desire to visit. The Colonel called upon the President the same evening, made a full report of all that he had seen and heard and done while at the North, and then left to visit his regiment, which lay near Gordonsville.

Messrs. Lamb and Waddell, after spending a few more days in and about Richmond, seeing what was to be seen and learning what was to be learned, left for Newbern, Wilmington, Charleston, Savannah, Mobile, and other places where Confederate cotton was in store. At all these points they found immense quantities of cotton, some of which they were told had been seven years gathered, and held meanwhile for better prices. At each place they found government agents, and others, who assured them that the cotton could be got through the blockade, if they only had ships on which to load it.

They saw, too, at every place they visited, a determined spirit on the part of the people never to give over the struggle, until their separation was achieved. Of course they did not see, and great care was taken that they should not see, anything like destitution among the people. The tables which they saw were all well spread, though it took the last loaf of bread from the pantry or the last pickle from the jar. It was a part of the masterly diplomacy of President Davis, and of those who surrounded and upheld his hands, never to show a want, or cry *peccavi*, where a Northern ear could see the one or hear the other. "Not one cent for tribute, but millions for defence," was their cry from first to last,—was their cry, indeed, until, when the egg was finally broken, nothing was found but an empty shell.

Having finished their journey through the States of the Confederacy, occupying between two and three weeks, Messrs Lamb and Waddell returned to Richmond and reported to President Davis that they were entirely satisfied with what they had seen and heard, and that, so soon as they could report the facts to Messrs McLane, Thomas, Howell, and others, there would be no difficulty whatever in his obtaining all the money and all the supplies he might at any time need in exchange for cotton. Colonel Abercrombie was then telegraphed for, and on the day following reported at the Executive Mansion. From the President he received full instructions as to further operations. He then informed Messrs Lamb and Waddell that he was now ready to conduct them back to Washington. Next day they started by rail for China Grove station. Here, at Mr. Randolph's, they exchanged uniform and fashionable suits for their former disguises, and from thence traversed about the same route, rode and walked about the same distances, met with about the same incidents as when on the outward trip, until they finally reached Ben Beveridge's in Washington city. Here they met Major Weightman and informed him of all they had seen and learned. Then on to Baltimore, where they called upon, and reported to, Mr. Thomas and his associates. From this point the Colonel returned to Washington, while Messrs Lamb and Waddell went on to Philadelphia, where they reported to Dr. Howell and his associates; and then to New York, where they reported to Mr. McLane and others. All to whom they reported expressed entire satisfaction as to the result of their trip, and were ready to invest in the enterprise to the extent of their means. Not long after, a general meeting of all the "cotton ring" associates was held at Dr. Howell's, in Philadelphia, when plans were perfected to charter or purchase ships to send to Newbern, North Carolina, to be freighted with needed articles outward and cotton inward. It so happened that three of their vessels were seized by the blockading squadron, not many weeks after, and this for a time threw a cloud over their enterprise; but so soon as the loss was reported to Mr. Davis he gave them enough additional cotton to make up for the loss of the three vessels and their cargoes. From thenceforth they met with but few, if any, losses, though they continued operations, at various points along the coast, until the fall of Fort Fisher, on the 15th of January, 1865. How much the "ring" made in their cotton operations it would be impossible to say; but we have it from an intimate friend of Mr. Gilmore Meredith's, of Baltimore, that his share of the

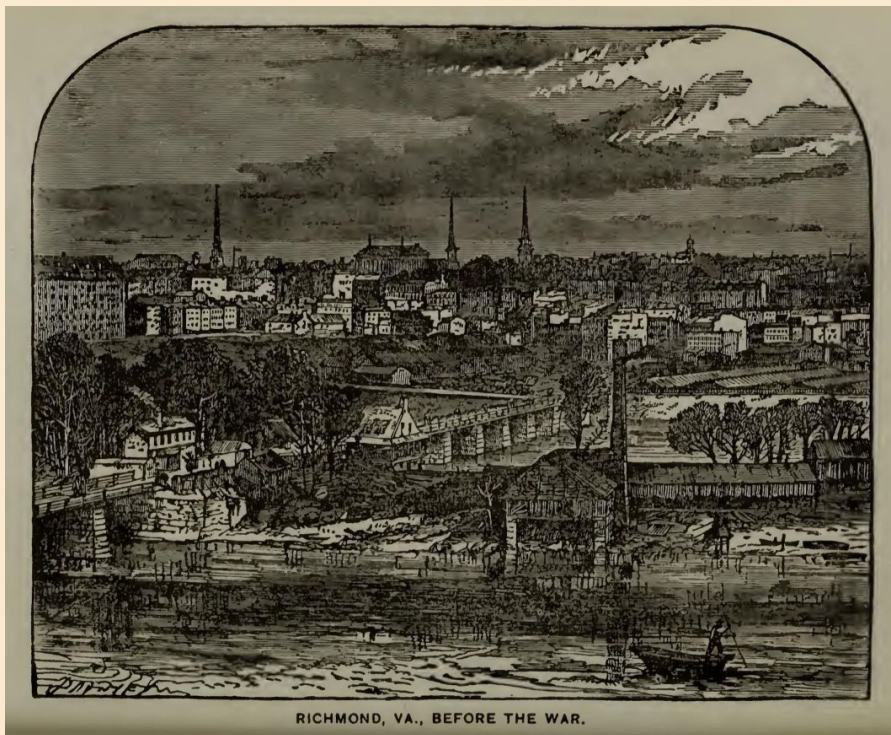
profits amounted to a "million of money," and if his share reached that amount, others, whose investments were far greater, must have reaped still larger amounts.

This cotton ring, made up of the gentlemen whom we have heretofore named as seated around the dinner-tables of Messrs. Thomas and Howell (besides Messrs. Gilmore Meredith, of Baltimore, Samuel Harding, Alphonso Lip-pincott, and Alexander Goldsmith, of New York), must not be confounded with the one, or more, mentioned by General L. C. Baker, chief of the national detective police, in his letter of January 30, 1865, to Hon. E. B. Wash-burne, chairman of committee on commerce, in which the names of Thurlow Weed, Ward Lamon, Leonard I. Sweat, Wm. P. Dole, D. Randolph Martin, B. F. Camp, Prescott Smith, A. H. Lazare, H. A. Risley, T. C. Durant, Samuel Norris, and Simeon Draper, occur as playing principal parts.

These last named gentlemen were nearly all avowed Republicans, and several of them personal and intimate friends of President Lincoln and Secretary Seward. The others were mostly avowed Southern sympathizers (though nominally "Union men"), and some of them had long known, and been on most intimate personal terms with, President Davis, besides having friends and relatives scattered all over the South. The one had no object but to make the almighty dollar. The other had friendship, as well as the almighty dollar, as a basis for action. Which of the two is most to be commended, or most to be condemned, each reader must decide for himself.

And before closing this chapter we again beg to say—as stated in the introductory chapter—that, while vouching for facts, we cannot in every instance vouch for the names and dates given throughout this volume. Our informants in every case meant to give us exact names and exact dates; but the many years elapsing between the events and the relating of them to us, had caused a partial forgetting of names and dates, although the incidents remained as fresh in the minds of the relators as though they had occurred but the day before. In second and all subsequent editions of this work, these errors (if such there be) will stand corrected, for so soon as this work gets before the public, errors, if any there be, will doubtless be observed and corrected by such as were, or are, cognizant of the facts. The author most earnestly invites such corrections, or any others that may be found in the work, as his aim from the first has been to "set down naught in malice," nor to say anything of anybody, or in the relating of any event, but what is strictly true.

### **RICHMOND, VA., BEFORE THE WAR.**



*Original*

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## **CHAPTER IV. ANOTHER CONDUCTOR ON THE NEW LINE. CAUTION SLIDING THE SCENES.**

**I**N the preceding chapter, mention is made of the fact that President Davis placed Colonel Newton Killgore on this same service; and in the same paragraph a brief account is given of his accomplishments, and the position he held in the United States army previous to the war. In this chapter we purpose to give a bird's-eye view of his services as conductor on this new line, for running the land blockade.

Not long after the time when Colonel Abercrombie had started on his first trip for Washington, President Davis sent for Colonel Killgore, and desired him to carry an order for arms and ammunition to Major Weightman, of Washington. He was directed, however, to await, at China Grove station, Colonel Abercrombie's return to that point, and then to go on or return to Richmond, according as the negotiation of Colonel Abercrombie had been successful or otherwise. Accordingly, when Messrs. Abercrombie, Lamb, and Waddell reached Mr. Randolph's, they found Colonel Killgore awaiting them. A consultation resulted in sending him forward on his mission with all convenient speed.

His general route was the same as that over which our three travellers had just passed; his stopping places the same; his guides the same; and in due time he found himself in the rooms of the Confederacy at Ben Beveridge's. Ben sent for Major Weightman. To him Colonel Killgore delivered his orders, letters, and verbal messages; received from the Major whatever of information and messages he had to send to President Davis, and within six hours was ready to start on his return trip for Richmond. He returned as he went, and within five days from the time of leaving Washington stood in the presence of Mr. Davis, ready to give an account of his mission. Everything had been done to the entire satisfaction of the President, and the Colonel was directed to hold himself in constant readiness for like orders.

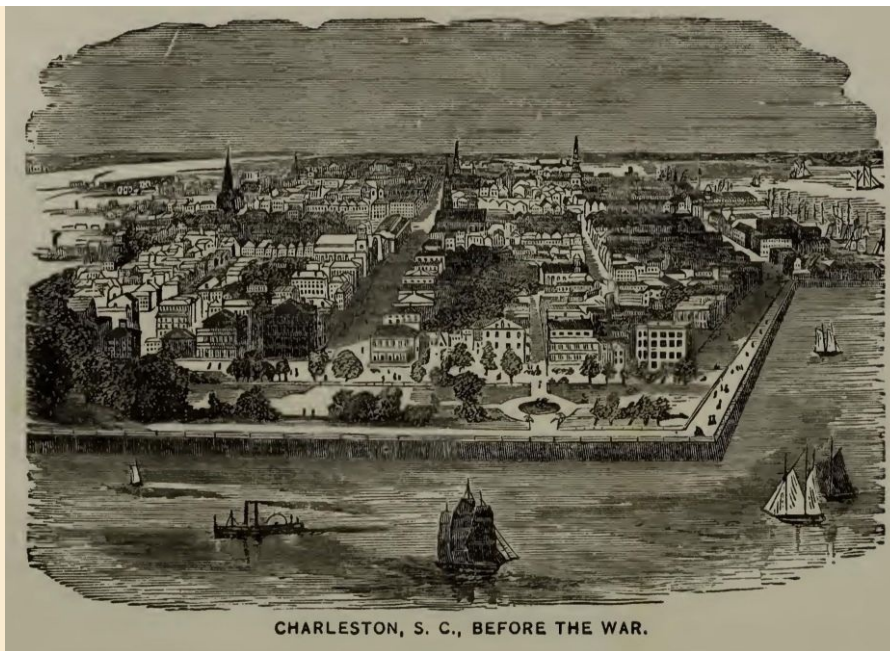
After this, Colonel Killgore made frequent trips between Richmond and Washington. Of course he wore a disguise, and acted the part of a green country bumpkin: and so well did he wear the one, and assume the other, that never, but on two occasions, did he meet with incidents worthy of special record.

The first of these occurred as follows: After delivering messages and documents to Major Weightman, he proceeded to Baltimore, to deliver others to Mr. Thomas. While at the Fountain Hotel it chanced that his false moustache became loose, or somewhat disarranged. He stepped before a mirror, in the public reading-room, to readjust it, and, while doing so, observed a gentleman watching him very closely. Leaving that hotel instantly, he went to Barnum's, but was scarcely there before he noticed the same gentleman, who had watched him in the other hotel, again eyeing him closely. Soon the gentleman stepped up to him, and called him by his first name. The Colonel immediately recognized him as an old army friend, whom he had not seen for many years, and whom he had little thought to meet there, and under such circumstances. The gentleman was a Southerner; recognized, and entirely approved of the Colonel's new position as Ambassador Extraordinary between high contracting parties; and in a little while after they were drinking the health of each other, and confusion to their enemies. The Colonel at first feared that one of Baker's detectives had discovered his disguise while he was arranging his moustache, as before related, and felt not a little relieved when his observer turned out to be a friend instead of an enemy. He never again adjusted his false moustache in the reading-room of a hotel.

The other incident occurred as follows: He had been to Washington, and was on his return to Richmond. Crossing the Potomac, at a point above the Great Falls, he was accosted by a man on the Virginia side, who wanted to know where he had come from, and where he was going? Colonel Killgore replied that he lived in Maryland, not far from the Falls, and was on his way to visit a friend on the Virginia side. Other conversation followed, until the Colonel thought his questioner was satisfied, though he meanwhile had fully made up his mind that his questioner was none other than one of General Baker's secret detectives. The Colonel finally bade his questioner good-bye, and started to leave, when his questioner cried out, "Stop! I believe you are a spy—you are my prisoner!"

"No, I am not!" answered Colonel Killgore, and instantly sent a bullet whizzing into the brain of his questioner. The man fell, and died at once. An examination of the papers upon his person proved him to be, as the Colonel had suspected, one of the captains of General Baker's National Detective force. His body was left precisely where it fell, while Colonel Killgore proceeded on his journey, and in due time arrived in Richmond. When the body of the captain was found, some days after, it was discovered that a bullet had pierced his brain; but it was not known then, nor, except to a very few, was it ever known afterwards, who sent it there. This is the first publication of the real facts of the case, though the newspapers of the time were full of suppositions, not one of which was true, or anywhere near true.

Colonel Killgore continued one of the conductors on this line until the line was closed. After the war he returned to Charleston, studied law, was admitted to practice, and when last heard from was doing a large and successful business, and was regarded as among the first men of the State.



*Original*

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## CHAPTER V. NOBILITY AFTER THE NUGGETS. DIPLOMACY PROMPTING THE ACTORS.

**I**N September, 1863, cotton was quoted in New York city at 70 cents, gold at \$1.29. The first indicated the great want for cotton by the manufacturers of this country, of England, and of other parts of the world. The second indicated the want of confidence, then existing, among the moneyed men of the world in the stability of this government.

The great divorce trial then going on in the court of last resort—the Court of Arms—in which the South, as representing the wife, was complainant, and the North, as representing the husband, was defendant, had thus far been attended with varied success. In the first contest, at Fort Sumter, the wife spit fire at the husband, and the husband quickly succumbed. In the second contest, at Bull Run, the wife flew at the husband's eyes and ears, and he, to save both, ran back to Washington. In the next, General Lyon, on behalf of the father, made a dash at General Price, at Booneville, Mo., when the latter suddenly remembered that he was needed elsewhere and left without ceremony. In Western Virginia, General McClellan sprang for the scalp of General Garnett, when the latter concluded that some point nearer Richmond would be more healthy. And thus the trial had been dragging its slow length along, sometimes favorable to the complainant and sometimes to the defendant, up to the time mentioned at the opening of this chapter.

Meanwhile the children on both sides only seemed the more determined to win finally, the oftener they were defeated temporarily; and criminations and recriminations became harsher and fiercer on both sides. The children of the North sided with the father, and claimed that the letter of the original contract must be kept; that in that contract there was no provision for divorce, nor was it admissible now. The children of the South sided with the mother, and claimed that the father had ill-treated the mother, had outgrown the mother, because of advantages taken of her, and by every law, human and divine, she was entitled to a divorce. The children of the North claimed that even if a legal divorce was possible, an equitable division of the estate was impossible. That a considerable portion of the estate had been purchased with blood, or treasure, or both, since marriage, and was so located that division was impossible; that Texas, California, and New Mexico had cost thousands of lives and one hundred and thirty-five millions of dollars, and could not now be divided; that Louisiana and the free navigation of the Mississippi River had cost fifteen millions of dollars, and could not now be divided; that Florida had been purchased of Spain at a cost of six million dollars, and that it had cost twenty-five millions more to get the Seminole Indians out of its swamps, and that it could not now be divided. To all this the children of the South replied, that not only what the mother had brought to the estate, but all that had been since obtained, contiguous to that which she had before marriage, belonged of right to her and her alone, and that they would maintain her in this right against all comers: The children of the North further complained that over three millions of the children of the common household were held in bondage by Southern masters, and that they must be liberated ere we could hope to have permanent peace at home, or the respect of nations abroad. The children of the South replied that those held in bondage were the descendants of Ham, whom Noah, with God's approval, assigned to perpetual bondage to the sons of Shem and Japhet. To this the children of the North replied that the New Dispensation of Christ,

teaching forgiveness to all, kindness to all, love to all, had done away with the Old Dispensation of "an eye for an eye and a tooth for a tooth," and that the command, "Come unto me all ye ends of the earth," included the black man no less than the white. The children of the South replied that they had not brought slavery into the family, nor would they drive it out, and if others of the household attempted to do so, they would maintain it; and thus, too, this question stood up to the time mentioned in the opening of this chapter.

In the second chapter of this work we mentioned the fact that among the first acts of the first Confederate Congress was the authorizing of a loan of \$15,000,000. Also, the fact that, at a subsequent meeting of the Congress at Richmond, President Davis stated in his message that "\$50,000,000 had been subscribed in cotton." In neither case was it officially stated who had subscribed for these loans, but there is scarcely a doubt that much the larger part was subscribed by British capitalists. English manufacturers wanted the cotton; English capitalists wanted a profitable investment for their surplus funds; the sympathies of the English nobility and of the upper classes generally were then almost wholly with the Southern Confederacy; they believed, as Europeans generally believed then, that the South would succeed in establishing a separate government; that, whether they succeeded or not, the English government would so far interfere as to secure the getting of any cotton which English manufacturers and English capitalists might purchase of the Confederacy; and, under all these circumstances, it is not at all surprising that a large part of the sixty-five millions named should have been subscribed for by British subjects; nor is it surprising that after they had thus subscribed, and in some cases paid their money in advance by cashing Confederate bonds, they should have used extraordinary means—strange and eventful means—to secure the cotton.

Having thus made the frame and stretched on it the canvas, we are now ready to paint the picture, and, when finished, it will, we think, fully justify the caption given to this chapter, "Nobility after the Nuggets"—"Diplomacy Prompting the Actors."

In the latter part of September, 1863, Lord John Brewerton arrived in the city of New York direct from London. So soon as the steamer in which he came arrived at the wharf, he directed his valet to have his baggage taken to the Astor House, while he, taking the first cab he found at the landing, directed the driver to drive him with all possible speed to the office of the Pacific Mail Steamship Company, 88 Wall Street. On reaching the office he inquired for the president of the company, Mr. Allan McLane, found him in, and for the next two hours was closeted with him. That same evening Mr. McLane called upon Lord Brewerton at the Astor House, dined with him, and again spent several hours with him in close and confidential conversation—mostly with regard to the Southern Confederacy.

The two following days Lord Brewerton spent in New York attending to various business matters, and on the third day he and Mr. McLane went together to Baltimore. At Philadelphia Mr. C. C. Pollard joined them. At Baltimore they met Colonel Ralph Abercrombie, who chanced to be in Washington at the time, and who had been telegraphed for, through Major Weightman, to meet them at Baltimore. That night and the following day were spent in consultations with Messrs. Thomas, Grundy, Wilson, and others. In the evening McLane and Pollard returned to New York, while Lord Brewerton and Colonel Abercrombie went to Washington. They walked from the depot direct to Ben Beveridge's, where a scene occurred which is difficult to put upon canvas—a scene much easier imagined than described. When the two came into the saloon Ben was absorbed in conversation with some gentlemen, and did not see them enter. The Colonel, desiring to attract Ben's attention without calling upon himself the attention of others, stepped up to the bar and asked for "Bourben whiskey," putting special emphasis on the word Bourben, as this was the Confederate password which had been agreed upon between him and Ben. The clerk behind the bar sat a bottle of Bourbon whiskey upon the marble counter for the Colonel to help himself; but still Ben did not come up, and kept on chatting and laughing with his friends. The Colonel, determining to attract his attention, put the glass to his lips, and then, with an oath loud enough to wake the dead, smashed the glass into a thousand pieces on the marble counter, and declared that such BOURBEN as that was not fit for a dog to drink. Of course, Ben rushed to the counter to see who had dared commit such an outrage in his saloon; the Lord shrank back aghast, as though an earthquake was about to open under his feet; some Indians who chanced to be in the saloon at the time became very much excited and seemed about to raise a war-whoop, and, for a moment, confusion worse confounded prevailed; but so soon as Ben recognized the Colonel he comprehended the whole situation, acknowledged that his clerk had made a mistake in setting out some other bottle than "Bourben," made a thousand apologies for the mistake, and then, in a tone as mild as that of a sucking-dove, invited the Colonel and his friend "John" into a side room, where they might take a drink alone by themselves. The outsiders had been completely hoodwinked, while the insiders had a hearty laugh all to themselves over the incident and its happy ending. Major Weightman was then sent for, and when he came he and Lord Brewerton had a conference of some hours. When this had ended, a cab was called, and Lord Brewerton was driven direct to the residence of the British Minister, Lord Lyons, while the Colonel was driven to his sister's (Mrs. Professor Joseph H. Saxton), on Capitol Hill.

Lord Brewerton remained with Lord Lyons some days, and then returned to New York, with the expectation of returning at once to England; but, on reaching there, he found a cablegram awaiting him which required his immediate return to Washington to see Lord Lyons, and, if possible, to make his way from thence to Richmond, to see President Davis. He accordingly returned next day to Washington, saw the British Minister, saw Colonel Abercrombie, and finally succeeded in making arrangements with the latter for an overland trip to Richmond. The Colonel explained to him the hardships which he would have to endure in making the trip overland, and tried hard to persuade him to return to New York and go by the way of Nassau; but Lord Brewerton insisted that he could stand the hardships, and would much prefer it to a trip by sea. He was at this time about fifty years of age, a gentleman of high mental culture, of elegant manners, had spent all his life in the very highest walks of society, and had not probably ever endured one hour of real hardship; but his health was good, and he thought he would rather enjoy, than otherwise, the hardships of which the Colonel spoke. At all events, he insisted upon trying it, and so the matter was finally agreed upon.

Next night, about ten o'clock, Major Weightman and Colonel Abercrombie left Ben Beveridge's saloon in a close carriage; called at the English embassy for Lord Brewerton; then on to Thecker's, in Georgetown, where Ben was waiting with the disguises. Here, under Ben's skilful hands, Lord Brewerton underwent a complete

transmogrification. His mutton-chop whiskers were cut off; his hair chipped and hacked as though done with a broad-axe; his fashionable suit laid aside, and a rough farmer's suit substituted; in place of his fine patent leather boots, a pair of negro clodhoppers were put upon his feet; in place of his fine beaver, a coarse slouch hat; all of which my lord enjoyed and laughed over as heartily as the others. The Colonel being in disguise already, it only took a rub or two here, and a scrape or two there, to make him ready for the trip.

By midnight all were ready. As before, in the case of Lamb and Waddell, Ben led the way, and, by playing drunk, and treating the sentinel with whiskey and cigars, got them safely by the first post. From there they walked about two miles to Widow Ennis' farm-house; thence rode to Hendrickson's, nine miles; thence walked to the Falls, one mile. Here Garrett and Morse received them with open arms, and furnished such refreshments as were needed. Mrs. Morse seemed specially impressed at the presence of a live lord, and honored the occasion by putting on her best silk dress before coming down-stairs to be introduced. The guide was in waiting, and within two hours all three left their friends to cross the Potomac. To reach the place where the boat for crossing had been concealed required a walk of about two miles; and, when across, it required a walk of another mile to reach the negro hut of old "Aunt Rachel." It was now so near daylight that the Colonel deemed it unsafe to go further, so that all that day the three remained concealed in Aunt Rachel's humble quarters. They could not venture outside the door even for a moment, and at times the lord seemed in great distress at such close confinement; but the day wore away at last, and soon after nightfall the three walked about four miles to Mr. Francis Latimer's. Here the Colonel had expected to get saddle-horses, as before, but the horses were away, and nothing remained in the shape of a conveyance but an old mule, blind in one eye, and a two-wheel dirt-cart. After some consultation and delay, it was decided to take these, and in a little while after the blind mule and two-wheeled cart, with an old darkey, "Uncle Jarrett," as driver, stood before the door. Some straw had been thrown in the cart, on which our travellers might lay; but Mr. Latimer thought this beneath the dignity of a live lord, and therefore had an old splint-bottom chair set in the cart, on which the lord might sit, while the Colonel could lay upon the straw at his side.

The night was very dark, besides which the age and blindness of the mule made him to stumble frequently. They had not gone half a mile before Lord Brewerton found that his seat was a very uncertain and a very uncomfortable one. Down would go one of the wheels into a deep rut. "Ha! hi! be careful, my man! be careful! What a bloody road this is, to be sure!" the lord would cry out. On a little farther, and down would go the other wheel into a deep rut. "Ho! ha! hi! here we go over, to be sure! Be careful, my good man; be careful! Why, Colonel, I never saw such bloody roads in all my life. Do they ever work them?"

"Yes, sometimes," the Colonel replied, as sober as a judge, though almost dying from suppressed laughter. Indeed such a scene would have made a dog laugh, and surely the blind old mule would have laughed outright could he have laughed at all. The Colonel, lying upon the straw on the bottom of the cart, felt no fear at all when it sidled over; but Lord Brewerton, on the chair, was indeed in danger of being spilled out every time the cart made a sudden lurch. A little farther and one of the wheels strikes and passes over a good sized stone. "Ha! hi! he! here we go sure this time! Be careful, my dear man, be careful! And did you ever see such a bloody road in all your life, Colonel? Are you sure, my dear man, that you are in the road?"

"Yes, massa, I'se sure. I knows'em well. I'se trabelled dis road many times, massa," replied old Jarrett; and then, turning to his mule, said, "Git along, Jack, git along! Lift yer feet high, Jack; lift yer-feet high! Git up, git along, Jack!" And thus for full two miles they trudged along, the lord in danger every five minutes of being thrown over the wheels, and calling everything "bloody! bloody! bloody!" while the Colonel could not help occasional outbursts of laughter, though all the while trying to suppress it, out of respect for the feelings of Lord John.

At length Lord Brewerton's patience gave way entirely, when he seized the old chair and hurled it from the cart, and then laid down in the straw beside the Colonel. The other six miles, to Wilson's mill, were made without any incident worthy of record.

Old Aunt Rachel's negro hut was probably the first in Virginia that ever gave shelter for a whole day to a live lord; and it is safe to say that no live lord ever rode behind a blinder mule, in a more rickety cart, or with a safer driver, than Lord Brewerton did that night. To show his appreciation of treats so rare, we may add, that before leaving Aunt Rachel he handed her two twenty-dollar gold pieces, and before bidding Uncle Jarrett goodbye, he made him happy for life by handing him five twenty-dollar gold pieces.

"God bless you, massa, God bless you!" was all the answer either of them could make to such unexpected generosity; but this, to one whose nature was nobler than his blood, was quite sufficient.

At Wilson's they procured horses, and rode about eight miles to a grove. There they dismounted, as it was dangerous to travel the public road farther, and sending the horses back with the guide, the two trudged along on foot, over fields and through by-paths for about five miles, until they reached Mr. Joseph Berry's. Here they stayed all day, and at night rode on horseback, about seventeen miles, to Mr. Frederick Hutchings. At this farm-house they again changed horses, and then rode six miles farther to Nathan Allen's. Again they changed horses, and then rode about fifteen miles to Budd's mill. It was now near morning, and for the balance of the day they remained concealed in Mr. Budd's house. When night came, they managed, as the Colonel had before, to pass the sentinel at the mill, and then walked four miles to Mr. Brisco's. Here they obtained horses and rode eleven miles to Dr. Charles Worthington's. Here one of the outside Union sentinels was stationed. The guide knew him personally, and slipped one hundred dollars in gold into his hands. The sentinel became suddenly stone-blind, and our travellers passed by without difficulty. They were now within the Confederate lines, and no longer in fear of arrest.. After a short walk they procured horses, and then a ride of nineteen miles brought them to Randolph's, at China Grove station. This route, it will be seen, varied some little from that taken by Messrs. Lamb, and Waddell. A change of Union troops and sentinel-stations made a change of route sometimes necessary. The conductors of the line, Colonels Abercrombie and Killgore, had no less than five different points at which they crossed the Potomac, and at each point, look-outs and guides were all the while in waiting and all the while in the pay of the Confederacy.

At Randolph's, Colonel Abercrombie laid aside his disguise and again assumed his uniform; Lord Brewerton brushed up as best he could; both took seats in the next passing train; and in a few hours thereafter were at the Ballard House, in Richmond. No sooner was Lord Brewerton in his bed-chamber than he kneeled (inviting

the Colonel to do the same) and offered up a most earnest prayer of thanks to God for his deliverance from dangers, and for the safety which had attended him thus far in his travels.

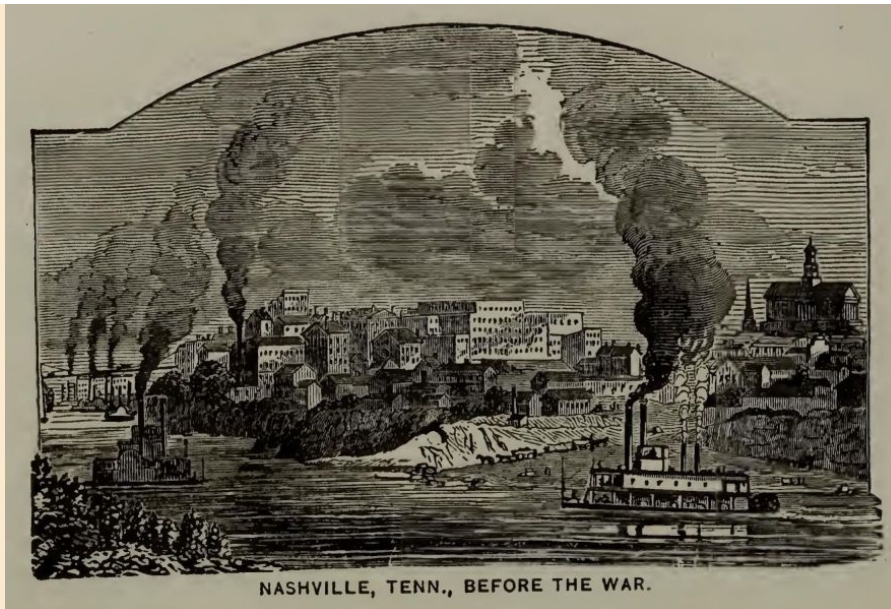
Of course, the arrival of Lord Brewerton was at once made known to Mr. Davis, and on the following day the President not only called upon him, but insisted that he should make the Executive Mansion his home while he remained in Richmond, to which Lord Brewerton finally consented, and at once accompanied Mr. Davis to his home. For a day or two they were in close consultation. After that, members of the cabinet, army officers, and other prominent gentlemen commenced to call upon Lord Brewerton. It was soon after arranged that a reception ball should be given him at the Executive Mansion. The programme included the illumination of the grounds with brilliant fire-works, the attendance of military bands, with special invitations to all the leading civil and military officers of the Confederacy. The reception and ball came off, and was even more brilliant than had been anticipated. Among those present, were Generals Lee, Breckenridge, and Beauregard. The ladies, it had been arranged, should all dress in calico, from the President's wife down. This was observed to the letter, and the lord was given to understand that it was done as a compliment to the cotton manufacturing interests of England, though the fact was that but few Southern ladies had any of their silks and satins left to wear. Although the South, even in the very highest circles of society, was beginning to feel the pinch-ings of poverty in dress, food, and in almost everything else, yet this was carefully concealed from the eyes and ears of Lord Brewerton during the whole time of his stay in the Confederacy.

About two weeks after the grand ball, Lord Brewerton, accompanied by a few friends, started on a tour of inspection through the Confederate States, especially to places where cotton was stored in large quantities. They visited Wilmington and Newbern, N. C., Charleston, Savannah, Mobile, and many other points. The entire trip occupied about two months. On his return to Richmond, Lord Brewerton expressed to President Davis and others his entire satisfaction with what he had seen and otherwise learned, adding that he had not the shadow of a doubt as to the final success of the Confederate arms. He assured Mr. Davis that whatever money, arms, and provisions the Confederacy might need would be promptly furnished by himself and his associates, in exchange for cotton; and that the cause of the South would continue to receive, as it had all along received, the sympathy and moral support of all the *upper* classes of England. He also assured him that if the ministry of England could have the least possible excuse for interfering between the North and the South, they would be more than glad to espouse the cause of the South, as England's material interests all lay in this direction, and the moral sentiment of the nation could not stand for one moment in the way of its moneyed interests.

Lord Brewerton remained in Richmond after his return about one week, in consultation with President Davis and his cabinet; Colonel Abercrombie was then telegraphed for; all the needed arrangements were made; the two left Richmond, and in less than a week were at the English embassy at Washington. Their return was by the same route as that on which they had gone; walking and riding about the same, except that they missed this time a ride behind old Jarrett's blind mule; nor did they have the luxury of spending a whole day at Aunt Rachel's negro hut. Lord Brewerton told Lord Lyons all about the incidents of their trip (as well as all that he had seen and learned of the Confederacy), and the two had over them and their wine many a hearty laugh.

It so happened that on the evening following the return of Lord Brewerton and Colonel Abercrombie to Washington, there was to be a grand reception at the White House. The lord invited the Colonel to accompany him to this reception, and to be introduced as his friend. The Colonel hesitated at first, as he feared he might possibly be recognized by some of his old Washington acquaintances, or by some of Baker's secret detectives. He finally consented, however, and, in the disguise of a "French exquisite," did attend President Lincoln's grand reception, and saw and heard all that was to be seen and heard on such occasions. Of course, Lord Brewerton was the observed of all observers, and was recognized by all (save those who knew to the contrary) as a staunch friend to the Union. A few days after, Lord Brewerton and the Colonel went to Philadelphia, where they met a party of gentlemen at Dr. Charles Howell's, and where future business arrangements were talked over and agreed upon. From here the lord went to New York, while the Colonel returned to Washington and from thence to Richmond.

Thus we finish the record of the visit of one English peer to the Southern Confederacy; but this, by no means, constitutes the whole of such visits during the war. In January, 1863, Lord Talbot was at Charleston, having reached there by the way of Nassau. He had a son who was a colonel in the Confederate army, and who continued in the service until the close of the war. In November, 1863, Lords Harvey and Kartwright were at Richmond; they, too, having reached the Confederate States by the way of Nassau. Major Hodges, one of General Beauregard's staff, was the son of an English lord, and did faithful service until the war closed. Adjutant-General Cooper said that upon the army rolls were the names of scores who were either the sons of, or nearly related to, English peers. Lord Cavendish, who was in very bad health, remained at Nassau during most of the time that the war continued, rendering such aid to the Confederacy as lay in his power. Indeed, the immense hotel at Nassau was crowded with English and Northern sympathizers with the South nearly all the while, from the beginning to the end of the war, watching chances for running the blockade, and otherwise aiding the Confederacy in whatever way they could. These gentlemen, however, while friends to the Confederacy, were still more friends to their own pockets. With them "cotton was king," and of this king they were trying to get as much in their pockets as possible, while English ministers and English consuls were aiding them to the extent of their ability. This was true not only at Washington and at Nassau, but generally with British ministers and British consuls throughout the world, which fact, added to what we have related of Lord Brewerton, who, doubtless, represented many other persons besides himself, and many other interests besides his own, fully justifies, as we think, the caption given to this chapter, Nobility after the Nuggets—Diplomacy Prompting the Actors.



*Original*

## CHAPTER VI. IN TIGHT PLACES AND OUT. SHREWDNESS PULLING THE WIRES.

**T**HE plan of our work admits of only one more chapter on the subject of running the land blockade, though, if space permitted, the entire volume might be filled with incidents connected with this one service. This chapter, therefore, must embrace a variety of incidents.

On one of the trips, Colonel Abercrombie conducted Mr. Charles R. Dangerfield from Washington to Richmond, and return. Mr. Dangerfield was a large manufacturer, or the agent of manufacturers, of English arms, accoutrements, etc., and his object in visiting Richmond was to make contracts with the Confederacy in exchange for cotton. Nothing of special note occurred on the way to Richmond, except that, while lying at the negro hut all day, two men came to the door, and asked "Aunt Jemima" if Colonel Abercrombie was not there? This Mr. Dangerfield heard, and it frightened him almost out of his wits. "Now Grant's men have us!" said he, and, springing up from where he lay, he was ready to surrender at once; but the military experience of the Colonel made him cooler and more courageous than the Englishman, and he, instead of surrendering, was getting ready to sell his life as dearly as possible, when "Aunt Jemima" called out, "All's right, honey, all's right! dese be your guides, Mas'er Colonel; all's right!" Had a ten-thousand ton weight been lifted from Mr. Dangerfield's breast, he could not have felt more relieved. He was ready to dance a hornpipe then and there, and would have done it, had he not been too old, fat, and clumsy for such a youthful sport. From Richmond, Mr. Dangerfield visited all the larger cities, and all the cotton-storing places of the Confederacy. On his return to Richmond he made contracts with the government to his entire satisfaction, and in due time returned to Washington, New York, and thence to London.

At another time the Colonel conducted another English manufacturer, Mr. Francis Willis, across the lines and back. He, like Mr. Dangerfield, visited the principal points in the Confederacy, and, on his return to Richmond, made contracts to furnish arms, accoutrements, saddles, clothing, etc., in exchange for cotton.

There were others who were passengers on this line, at various times; but as their object was to see friends or attend to domestic affairs, and had no direct connection with the war, we think it unnecessary to particularize them.

On one of the trips Colonel Abercrombie was arrested as a spy—though his duties, and those of Colonel Killgore's, were as foreign to those of a spy as one thing can be foreign to another—and as there were incidents connected with the arrest and escape never heretofore known, we will now relate them.

The Colonel was on his way from Richmond to Washington. Had reached Great Falls in safety, and was about half way between that point and Georgetown, when a sentinel suddenly called, "Halt! stand, or I'll fire." The Colonel, who was in the disguise of a farmer, tried to explain to the sentinel that he was a farmer, living near Georgetown; that he had been up to Garrett & Morse's store to see a friend, and was now on his way back; that he was an uncompromising "*Union* man," etc., etc.; but the sentinel's only reply was that his orders were to halt and detain any one who attempted to pass his post, and that the Colonel must stand precisely where halted until the corporal came around, and not move a step forward or backward, or he would fire upon him. The Colonel saw that he had a sentinel to deal with who could not be either cajoled or bribed, and that he could do nothing else than await the coming of the corporal, and then try his arts upon him. Could he have got near the sentinel, he would have disarmed him and escaped, but this was impossible. When the corporal came around to relieve the guard the Colonel told him the same story he had told the sentinel; but



he seemed to doubt the story, and told the Colonel he must "fall in" and accompany them to the Captain's headquarters, about a half-mile distant. On reaching there the Colonel repeated the same old story, to all of which the Captain listened attentively and respectfully. The Captain had just eaten his supper, and, learning from the Colonel that he had not yet had his, asked him to take a seat at the table and help himself. While the Colonel was eating, the Captain narrowly observed him, and pretty soon cried out, "Yes! I see you are a farmer from the way you handle your knife and fork! A pretty farmer you are, to be sure!" The Colonel was nonplussed for a moment and could make no reply; but after awhile managed to say that he "could n't see why a farmer could not handle a knife and fork just as well as anybody else." He was caught, fairly caught, by his "society manners," and the more he talked, the better satisfied the Captain became that he was not a farmer, and might be a spy. He was accordingly sent, that same night, to the headquarters of the Eleventh Pennsylvania regiment, and there put in the guard-house. Next morning the colonel of this regiment sent him to General Wilson's headquarters, near by, who, after some questions, sent him back to the guard-house. The next night Colonel Abercrombie made an attempt to escape, and nearly succeeded. This being reported to General Wilson, he ordered a heavy ball and chain to be strongly riveted to the Colonel's leg. Matters now began to look desperate; for, while the Colonel had no fear of being condemned as a spy, he was ready to do anything, rather than be brought before a court-martial and *recognized*. He bethought himself of some medicine he always carried with him. Of this he took a dose, and soon had a most violent diarrhoea. He now could ask, and did ask, to be sent to a hospital, and next day was sent to the Lincoln Hospital, near Georgetown. It changed that on the next couch to his in the hospital lay a Confederate captain, named Lawrence Norton, of Georgia. The two soon became acquainted. The Colonel told the Captain that if by any means the ball and chain could be taken from his leg, he could escape from the hospital. The Captain told his wife this when she visited him next day; the wife became immediately interested, and soon procured and brought to her husband a watch-spring file; the Captain that same night so filed the clasp, which held the ball and chain to the Colonel's ankle, that it could be slipped off at any moment. The Colonel watched the surgeon when he came into the hospital next day, and managed to slip a pass from the surgeon's overcoat pocket while it lay upon a stand near his bed. With this pass and two empty bottles in his hand, he rushed by the sentinel at the door, on the plea that he was in great haste to bring medicines which the doctor had just sent him after. Once outside the building, he sprang over a cemetery fence, and from thenceforth allowed no grass to grow under his feet until he was safe at Ben Beveridge's hotel. Here, of course, there was great rejoicing at the Colonel's wonderful escape; but, fearing pursuit, it was thought best that the Colonel should proceed at once to Baltimore, and from thence to Philadelphia. It was deemed best, too, that he should not start from the Washington depot, lest detectives be on the watch there for him. Accordingly, Ben ordered up his own spanking team of bays, and before daybreak had the Colonel at the Bladensburg station, where he took the first train that came along for Baltimore. Fearing, however, to go into the Baltimore depot, lest detectives might be there on the watch for him, the Colonel got off the train at the Relay House, and gave a man a twenty-dollar gold piece to drive him into Baltimore, a distance of about thirteen miles. He went direct to the Fountain Hotel, in Light Street, where he remained carefully concealed for several days, only seeing Mr. Thomas, Mr. Wilson, and such others as he knew to be firm friends of the Southern cause. Then he went to Philadelphia and remained at Dr. Howell's for about two weeks.

Meanwhile the newspapers of Washington and of the whole country were publishing accounts about the "wonderful escape of a rebel spy," and all sorts of guesses were made as to who he was, how he had managed to escape, who had helped him, where he had gone, etc., etc. Of course, the whole of Baker's national detective force and all the police and detective forces of New York, Philadelphia, and of every other Northern city, were specially charged to search out, arrest, and bring to speedy justice this "desperate rebel spy;" but not one of them all ever succeeded in arresting, nor even in ascertaining who this "rebel spy" was; and not until this shall appear in print will the world at large ever know who the arrested party was, how he managed his escape, or what became of him after his escape.

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## CHAPTER VII. JOHNSON IN A QUANDARY. THE HEART MASTERING THE HEAD.

**T**here was another incident connected with the running of the land blockade which, though hardly sufficient for an entire chapter, is too important and too interesting to allow to pass without notice: for not until this is published will it ever be known outside of some half-dozen persons. The incident was as follows:

On one of his blockade-running visits to Washington, Colonel Abercrombie learned that Senator Andrew Johnson, as it then was (though afterwards Vice-President, and still afterwards President of the United States), had rooms at Beveridge's Hotel, the very place that he was making his headquarters when in Washington. Knowing the Senator to be a fierce, uncompromising Union man, the news of his close proximity at first alarmed the Colonel; but, upon reflection, he remembered that Mrs. Johnson and his mother had long been on the most intimate terms,—that the Senator knew him personally, and had always treated him with the utmost kindness,—that he was a man of generous heart, and even though he should learn of his being there, the danger of his interfering with him was next to nothing. He therefore decided to stand his ground and take the chances.

As proximity to danger is always exciting, and, after a time, becomes attractive, so in this case, what at first seemed alarming, after a time became so attractive that the Colonel had a longing desire to see and converse

with his old friend, Andrew Johnson. He communicated this desire to his friend and co-associate in the blockade-running business, Ben Beveridge, and asked him what he thought of it. Ben, at first, thought it would not do at all; but, like the Colonel, after thinking over the matter some time, concluded that it would be a capital joke, and advised the Colonel to try it.

The Colonel was disguised—so disguised, indeed, that even his own sister would not have known him, had she met him in the street—and the arrangement was, that Ben should await in the entry, near the Senator's chamber-door, while the Colonel went in to talk with him; and that, if the Senator did not receive him kindly, or if he showed any disposition to arrest him, the Colonel should at once quit the room, and Ben would help him to escape.

Everything thus understood, the Colonel went to the Senator's door and knocked gently. A deep, stentorian voice replied, "Come in but the Colonel pretended not to hear this, and knocked again, as he wanted the Senator to come to and open the door, that he might at once step within the room, whether the Senator invited him to do so or not. The second knock brought the Senator to the door, which he opened far enough to face his visitor, when he said:

"How do you do, sir?"

The Colonel replied, and, while replying, stepped within the room, when the Senator shut the door, and invited his visitor to take a seat. The Colonel did not sit down, but, taking hold of the back of the chair offered him, he said to Mr. Johnson:

"You seem not to know me, Mr. Senator. When did you leave Greenville? and where is Mrs. Johnson and Bob?"

This confused the Senator more than ever, as the visitor seemed to be familiar with his wife and son, as well as with himself, and yet he could not recollect to have ever seen him before.

"Well, no," replied the Senator, "I really cannot place you, or call your name. By jingo! who are you, any way?"

"I guess you don't want to know me," replied the Colonel, "and I had better be going."

"Oh, no, sir; oh, no," replied Mr. Johnson; "sit down! sit down! When did you come from Greenville? But really, sir, I cannot recall your name—I cannot."

The Colonel observed the Senator's confusion, and so enjoyed the joke that it was some time before he would let himself be known. Then, suddenly tearing the false whiskers from his face and putting on a natural expression, he stood revealed before the Senator.

"My God! is this you, Ralph?" was all that Mr. Johnson could say for some moments; and then added, "Why, Ralph, ain't you in the rebel service?"

"Well, what if I am?" replied the Colonel; "you don't propose to arrest me, do you?"

"No, no; but, by jingo! what under heavens brought you here?" said the Senator; and, going to the door, locked it before the Colonel had time to reply. "Sit down! sit down!" he added, "and tell me all about it. What under heavens could have brought you here, or induced you to call upon me?"

The Colonel then took a seat and explained to Mr. Johnson why he was there, the nature of his business, and that he had only called upon him as a good joke, and to renew an old acquaintance; to all of which the Senator listened attentively, though trembling meanwhile from excitement. When the Colonel had finished, Mr. Johnson sprang from his chair, walked hurriedly across the room two or three times, went to the front windows and pulled down the shades, and then, turning to the Colonel, said:

"Does anybody know that you are here with me?" Just then Mr. Johnson heard a tittering in the entryway, and, turning to the Colonel, asked him if he had any companions waiting outside. The Colonel replied, that he thought it might be Ben, as he alone knew of his visit. Immediately Mr. Johnson stepped to the door, and, seeing Ben, asked him to step in. Ben did so, and now the Senator became more in a quandary than ever. He scolded both Ben and the Colonel pretty severely, and told them they did not appreciate the awkward position in which they were placing him; that, if the Colonel's visit to him were known, it would, under the circumstances, compromise him in a most serious manner. Ben tried to soothe the Senator by telling him that the Colonel's call upon him was only intended as a joke; that it could never be known outside of their three selves; and that it should never be repeated, if annoying to him. The Senator replied, that while he was glad, personally, to see Ralph, yet the fact that he was known to be an officer in the rebel army, and in his business of blockade-running might by some be regarded as a spy, made it doubly awkward for him, and, if it were known to the Senate, might cost him his seat, as well as his reputation as a consistent Union man; that nearly every one would say that he ought to have had the Colonel arrested and detained, at least as a prisoner-of-war, if not as a spy; and that, in holding communication with him without attempting his arrest, he made himself a party to his crime, whether as a rebel to the government or as a spy. The more the Senator talked about it, the graver he became over it, until the Colonel and Ben saw that what had been intended as a comedy might prove a serious tragedy with all concerned, and that the sooner they got out of the way the better. Before leaving, the Senator exacted from each a solemn promise that they would not repeat the joke under any possible circumstances.

There is no kind of doubt that Senator Johnson felt greatly troubled at receiving such a visit from an officer in the Confederate service, and in learning that his landlady's son, Ben, was just as much of a rebel at heart as the Colonel himself. He knew, too, that his official duty as a United States Senator was to have both of these men arrested, tried, and, if possible, convicted, while his heart prompted to a course directly the contrary. He had long known, and had high regard for, the mothers of both; the men he had known from childhood upward, and always liked them, as boys, as young men, as men in active life, and he would as soon have thought of having his own son, "Bob," arrested as either of these, and yet his duty plainly pointed in that direction. It was a conflict between his head and his heart, in which his heart gained the mastery.

That the Senator did not hold any ill-will against the Colonel or against Ben for this wild prank of theirs against his Senatorial and official dignity is proven from the fact that he still continued to board with Ben's mother at the "Washington House," and within two years after he became President he appointed the Colonel

as one of three commissioners to reopen and establish mail-routes throughout the late Confederate States.



*Original*

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## CHAPTER VII. PRISONERS, HOW USED AND HOW ABUSED. CRAFT AND CRUELTY

### PROMPTING THE ACTORS.

**I**N General L. C. Baker's "History of the United States Secret Service," four chapters are devoted to the subject of bounty-jumpers. In these chapters the startling facts are disclosed that on investigation, it was found that only one in four of the enlisted men reached the front that, in some instances, the entire quota of a township was filled with the names of bounty-jumpers, not one of whom ever really enlisted or went to the front; that desertions from the army became so common that to "even attempt to show, by actual figures, the number would be impossible;" that "to aid the soldier to desert was deemed to be as much the legitimate business and calling of the professional bounty broker as to enlist him;" that in one investigation it was shown, "out of 5,284 enlisted, only 2,083 actually entered the service;" that out of this number—less than one-half who really enlisted—not more than three-fourths ever reached the front, and of these probably one-fourth deserted and returned to the States, to reënlist and receive bounty again; that of one hundred and "eighty-three who enlisted in one day at Hoboken and were credited to the quota of Jersey City, every one was a bounty-jumper;" that case after case came to light where a single bounty-jumper had enlisted *three* times, and received three separate bounties, in *one* day, and that even gipsy-like gangs were organized, who travelled from city to city, enlisting such of their number as they could, assisting such as enlisted to escape, and then on to the next city or recruiting station to repeat the same thing. Of one such gang it is related that "in a trip of thirty-two days their total profits amounted to \$32,000."

It is also a matter of record that while skirmishes and battles were in progress, Union soldiers in the front ranks, and especially if sent forward as skirmishers, would sometimes throw down their muskets and run over to the enemy; and it not unfrequently happened that sentinels on the outposts were missing and never heard of more, or, if heard of, it would be found they had gone within the Confederate lines and surrendered.

These matters have all been told, and well told, by other historians, but not until these "Secrets of the Rebellion" have been published will it be generally known what became of those who thus threw down their arms, and of those who thus abandoned their posts, to go over to the enemy, and that to encourage bounty-jumping in the North, and thereby promote desertions from the Union army, became, after August, 1863, a part of the masterly diplomacy or tactics adopted by the Confederate Government.

Of the bounty-jumpers who first tried the game of going over to the enemy, under the belief that they would soon be exchanged or paroled, and thus have opportunities for procuring additional bounties, quite a number were shot as spies. The "dead-board," as it was called, of General Lee's army, had a summary way of dealing

with all cases which they deemed of a questionable character. A statement from the person making the arrest; where found, and under what circumstances; a few questions to the accused; a consultation of ten minutes among the seven officers who composed the board; sentence; and on the day following, and sometimes on the same day, the accused would be seen sitting on an empty coffin, on his way to execution.

But in August, 1863, a new thought crossed the brain of the Confederate authorities. They then concluded that, instead of shooting bounty-jumpers as spies, they could make them serviceable to the Confederate cause by using them as stool-pigeons, and like as stool-pigeons are used to draw whole flocks into the net, so these could be used to corrupt, and bring thousands into the Confederate lines. In pursuance of this new idea, five large tobacco warehouses, on Carey Street, each three stories high, directly opposite "Castle Thunder," in Richmond, were converted into a prison, and called "Castle Lightning." In this prison, bounty-jumpers alone were put, and the rations furnished them were doubly as good as the rations furnished the prisoners in other prisons. Whenever an exchange of prisoners was possible, those in Castle Lightning were always given the preference, and, when about to leave, they were told that they should take from the Yankees as many bounties as they possibly could; that, if again sent to the front, they should desert, and bring as many others along with them as possible; that they would always be well treated, and given the best rations the Confederacy could afford; that they would be exchanged, or otherwise sent back to their homes, at the first opportunity; and that to secure safety and good treatment, when coming into the Confederate lines, they should cry out, "Bounty-jumper! Bounty-jumper!" This was told them not only when about to leave, but again, and again, and again during their stay, and the superior treatment they received while prisoners, assured them that the promises made would all be fulfilled.

Within a few weeks after the return of the first batch of these bounty-jumpers to the North, the effect of the new policy began to show itself, and it steadily increased from that time onward. Hardly a day, and sometimes several times in a day, squads of Union prisoners arrived in Richmond, and were marched to Castle Lightning, who had voluntarily come within the lines, and claimed to be bounty-jumpers. Nor was there scarcely a day in which squads of these same men might not be seen leaving the prison, on their way to be exchanged, or otherwise sent back to the Union army, or direct to their homes. Like leaven, its tendency was to leaven the whole lump, as the authorities of the Confederacy believed would be the case when they adopted the policy. One such man in a company would, in time, taint the whole company; ten such men in a regiment would, in time, taint the whole regiment. When a battle is progressing, a single regiment, yea, a single company, going over to the enemy will sometimes so change the tide of battle that what seemed an assured victory, will prove a most disastrous defeat.

Of course it is not known, never can be known, how many millions of dollars, nor how many thousands of lives the adoption of this policy by the South cost the North; nor can the South ever know the amount of advantage which they derived from adopting the policy; but that it was a new mode of warfare, and showed great shrewdness on the part of those who conceived and carried out the project, all will agree in admitting.

Having thus shown how the Confederate authorities used Union prisoners to benefit their own cause, we will next proceed to state some additional facts as to the abuse received by other Union prisoners. The facts which we now purpose to state are not from hearsay, not from one-sided newspapers, nor from partisan historians, but directly from the lips of one who had occasion to visit Confederate prisoners frequently during the war, whose whole soul was in, and with, the Confederate cause, and who could not be, and would not be, by any who knew him, accused of sympathy with the "Yankees," as he usually styles Union soldiers when speaking of them. We have not space to write of all, and will limit our remarks to only four of the many places throughout the Confederate States at which Union prisoners were confined.

*First.*—"Libby Prison." This was located in Richmond, and had been a tobacco warehouse previous to its use as a prison. It was an immense brick building, three stories high, rough floors, no plastering, a great number of windows, no fire-places, and no means for heating other than for the office on the first floor. In this, hundreds of Union prisoners were thrust and kept for weeks, months, years—some with scarcely enough clothing left to cover their nakedness, and with no chance for a change; many without a blanket, even in the coldest winter weather; all without beds, or mattress, or anything but the hard floor to lie upon. Their ordinary daily ration consisted of a loaf made from one pint of corn-meal and one pint of rice soup. Occasionally, though rarely, they would have bread made from wheat flour and soup made from meat and bones. Once in a great while they were served with meat, but the quantity served to each man was so small that it could be taken at a mouthful. Our informant says he knows of a certainty that some *actually starved to death*—that others *actually froze to death*—that many were *wantonly shot* while thoughtlessly looking out of the windows, by sentinels on the sidewalks, who had positive orders from Lieutenant Turner, the officer in command of Libby, to shoot any "d——d Yankee" whose head might be seen at the window-bars; and that hundreds, yea, thousands, died from sickness brought upon them by the privations from which they suffered. We could give other details, but they are too horrible to write, and would be too sickening to read.

*Second.*—"Castle Thunder." All that we have said of "Libby" will apply equally well to this prison, except that in some cases the cruelty of treatment might be *multiplied by two*, and in some instances by *three*. Here our informant saw prisoners with ball and chain to their legs, and handcuffed together; chanced to be in the room when the brains of one of the prisoners were spattered against the wall, by a ball from the musket in the hands of a sentinel on the pavement two stories below, and only because the prisoner had dared to look out at a window; learned of many like cases which occurred before and after that visit; nor has he any doubt that scores were there inhumanly shot, because of orders from the officer in command, Captain Alexander. At least one Union prisoner, a Captain Dayton, was hung on the charge of being a spy. In this prison, dogs that chanced to stray in were seized, killed, and eaten; and rat-meat was regarded as a dainty dish.

*Third.*—Salisbury, N. C., was a large enclosure within a high board fence, on the outside of which was a walk for sentinels, and within which was the "dead-line," about thirty feet from the fence, to cross which meant instant death to any prisoner. The "sinks" for the camp were located on this "dead-line," and at one of his visits our informant saw the dead body of a prisoner lying in one of the "sinks," who had been shot by a sentinel in the afternoon of the day before while sitting on the pole at the "sink." The sentinel, when asked why he had shot the prisoner, replied that he thought he was trying to come over the dead-line and therefore

shot him. At this same visit our informant saw sentinels, with guns on their shoulders, pacing their rounds on the outside of this fence, who were not over twelve years of age, and the one who had shot the prisoner at the "sink" was scarcely over this age. The whole regiment on guard at that camp, at that time, was made up of boys from twelve to sixteen years of age, and of very old men—not one of all of whom was fit for a soldier. The officer in command, a Major Gee, was himself a brute, and no more fit to have the care of human beings than a hyena would be to be placed in charge of a sheepfold. Here, as at Libby and Castle Thunder, the usual ration was a loaf made from one pint of corn-meal, each day, and occasionally a small bit of meat. For shelter most of them had to burrow for themselves, like rabbits, in holes under ground; and so poorly were they off for clothing and shoes, that our informant saw scores of men standing about the doors of hospitals, waiting for the clothing and shoes of those who might die within. Every morning carts came around to gather up the dead, to take them without the camp and throw in trenches.

*Fourth.*—Andersonville, Georgia. This was an enclosure of about twenty-five acres, surrounded by a high stockade, and by earthworks mounted with cannon. One end of the enclosure was a swamp, through which crept a sluggish, muddy stream, and this was the only water to which the prisoners had access. To add to the filthiness and consequent unhealthfulness of this water, a Confederate camp was located upon it, above the point where the stream entered the stockade. The few buildings within the enclosure were scarcely enough for hospital purposes, and here, as at Salisbury, the prisoners had to burrow in the earth for shelter. Even in the coldest of weather thousands had no blankets, nor scarcely clothing enough to cover their nakedness. Their ordinary ration here, as at the other places named, was a loaf made from one pint of corn-meal each day, and when, as occasionally they did, receive anything beyond this, it was regarded as a rare treat. The shooting of men on the "dead-line" was almost of daily occurrence.

Indeed, many of the prisoners became so crazed from suffering that they sought death in this way. General Winder was commander of the camp, and under him was the Captain Wirz who was tried, convicted, and hung at Washington near the close of the war. Thousands at the South, as well as at the North, believed then, and believe still, that General Winder, instead of his subordinate officer, should have stood beneath the hangman's noose. Undoubtedly he could have corrected these terrible wrongs had he tried. That he did not try is proof positive that he did not care. The world at large always gives to commanders the chief credit of all done by their subordinates, and, on the same principle, holds them responsible for all that their subordinates fail to do or do wrongfully. Had General Winder desired his prisoners to have had better treatment, neither Captain Wirz, nor any other of his subordinates, would have treated them as they did. How much they suffered none will ever know. The horrible things related in the foregoing pages, and the thousands of other terrible things related by others who have written the history of the Rebellion, are but as drops to the ocean, as sands to the sea-shore, to all that occurred during the war. Dark deeds seek to hide themselves always, and while the "secrets" of this volume, and a few others, have oozed out since the war, others doubtless quite as bad have never yet, and probably never will, see the light of day. And possibly it is best so. There are some deeds that so harrow up one's feelings that, if related, they would, as said by Hamlet's ghost:

"Freeze the young blood;  
Make the two eyes, like stars, start from their spheres;  
The knotted and combined locks to part,  
And each particular hair to stand on end  
Like quills upon the fretful porcupine."

Or, after hearing them, make us to cry out with Hamlet (slightly varied)

"O all you host of heaven! O earth! what else?  
And shall I couple hell? O fie! Hold, hold my heart;  
And you, my sinews, grow not instant old,  
But bear me stiffly up!—Remember them?  
Yea, from the table of my memory

'T'll wipe away all trivial records,  
All saws of books, all forms, all pleasures past,  
That youth and observation copied there,  
And these base deeds alone, alone shall live

'Within the book and volume of my brain

'Unmixed with baser matter;

And on my tablets I will set it down  
That one may smile, and smile, and be a villain!"

We could ourself add more, much more, from what our informant told us; but our heart sickens over such recitals, and our readers, we are sure, have had quite enough of it.

The first question, and the most natural question for any one to ask, after reading the terrible atrocities just recited, would be, Who was or is accountable for all this suffering?

The gentleman from whose lips we gathered most of the foregoing facts had opportunities of learning the individual sentiments of President Davis upon this subject, as upon many others, quite as well, perhaps, as any man within the lines of the Confederacy, and he assured us that Mr. Davis regretted, as much as any man could regret, the sufferings of Union prisoners, and that, whenever reports of their ill-treatment came to his ears, he at once gave them attention. That, time and again, Mr. Davis appointed gentlemen of high character to visit the prison-places we have named, and report to him any and all abuses of which they might learn;

that, again and again, he cautioned, reprimanded, and in some cases removed, officers charged with cruelty to Union prisoners; and that he did whatever it was possible for him to do to mitigate their sufferings. In view of the high personal character which Mr. Davis bore before he became President of the Confederacy, and, of the consistent Christian character he has since borne, it is to be hoped that this is a correct interpretation of his sentiments with reference to Union prisoners. It would almost make one lose faith in humanity were it otherwise.

If President Davis was not responsible, the next most natural question would be, Who is? and to this answers would differ with almost every one who might attempt to make reply. While the outrages were being perpetrated, the people of the North generally held Mr. Davis responsible for all of them, on the principle heretofore stated; but towards the close of the war, and during the ten years following the war, public opinion greatly changed, until few, if any, held him longer responsible; and now there are not probably ten men in the whole United States, of such as know anything of the facts, who hold him personally responsible for these outrages.

Our informant thought the responsibility lay most, if not wholly, with the officers in immediate command of these prisons and camps. That, while food was undoubtedly scarce in the Confederacy, still he believed the prisoners did not get all that the government allowed and paid for; that while charged only with the safe-keeping of the prisoners, the officers in command went far beyond this, and made security a pretext for severity; that they were malicious, vindictive, devilish, and, while dressed in a "little brief authority," allowed these traits of their own characters to have full play in torturing those committed to their keeping. If this, or half of this, be true, God have pity on their souls when they stand, as all must, before Christ's judgment-seat!



*Original*

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## CHAPTER VIII. GUERRILLAS ON THE WAR-PATH. CUNNING AND DUPLICITY PROMPTING

### THE ACTORS.—DESTRUCTION IN THE BACKGROUND.

**T**HE remark is attributed to General Grant that he had "less dread of the whole of General Lee's army than of Colonel Moseby's cavalry." To one unacquainted with the irregular, predatory mode of warfare of these bands, such a remark, from such a source, would seem impossible; but when it is known that cunning, deception, downright lying, and any amount of cruelty needed to their ends, were principles and practices which they regarded as fair; that they did not hold themselves amenable to army regulations, nor to the law of nations, but were in all cases a "law unto themselves," then the wonder ceases, and we can understand that even so fearless and so wise a general as Grant might have made just such a remark.

During the war the newspapers of the whole country had considerable to say about Moseby and his marauding band; and, since the war, all who have written histories have had more or less to say about him; and yet not the one-hundredth part of his depredations have ever been recorded, nor is there one in a thousand, either North or South, who know how his band was organized, how they operated, or what were the results, except in a few cases, of their operations. With our army experience of nearly three years, and with all our reading of newspapers and histories, we admit to have known nothing, or next to nothing, of the plan on which his band was organized, of the principles on which they operated, and of the terrible results of

those operations until quite recently. It chanced, not long since, that we met a gentleman who was an officer in the Confederate army during nearly the whole of the war, who was personally acquainted with Colonel Moseby and many of his men, and who had from their own lips carefully detailed accounts of many of their daring exploits, at a time when they gloried in them and delighted to tell them to their friends; and whose personal relations with President Davis, Adjutant-General Cooper, and others gave him the opportunity of knowing what was going on *behind* the scenes, as well as upon the stage. From him we gathered most of the following facts, and as many of them have never been published before, we are sure they will be of great interest, as showing another phase of the acts going on behind the scenes while the armies of the Union and of the Confederacy were fighting their battles on the public stage, with all the world as spectators.

It will be recollected that in the beginning of the Confederate government troops were called out by proclamation of the President, the same as at the North. But that, after a time, as the war progressed and volunteering became less and less, conscription had to be resorted to, and, finally, that every man at all able to bear arms was called into the service.

Early in the war Colonel Moseby proposed to the Confederate War Department to raise a company for "special and *independent* service," meaning guerilla service, though of course he did not use a word so objectionable in making the application. He was then a practising lawyer in a small town in Western Virginia, and wanted to keep up his own dignity as well as that of his profession. The War Department granted his request, and in a little while his company was full. Finding others eager to join him, as the young men of his own and of adjoining counties much preferred to join an "independent" command than go into the Confederate army (and they soon found they must do one or the other), he next proposed to the War Department to raise a regiment on the same basis. This, too, was granted him, and in due time he had about fifteen hundred men on his muster-rolls, divided up into companies, each with its captain, lieutenants, sergeants, etc., many of whom were not known to the general public, nor scarcely beyond their immediate friends and relatives. All his officers and all his men lived at their homes, on their farms, in their offices, in their stores, in their workshops, pursuing their usual vocations; but each was careful to carry, concealed about his person, a certificate showing that he belonged to Colonel Moseby's regiment of "independent" cavalry, so that if called upon by a conscripting officer he could at once show that he was already in the service. The regiment was called "independent," and was really so, for the reason that it was attached to no brigade, division, or corps, but operated and cooperated with other commands only as chance happened to throw them together. His orders came from the President, or the War Department, through Adjutant-General Cooper, who directed him whom to obey as his superior officer for the time being, and to whom to report at any time for special duty. Many, a great many, of his acts, however, were done purely on his own volition, on his own responsibility, and without orders from any superior officer, nor were these acts always approved by those at the seat of government. Two or three times he was summoned to Richmond to answer complaints lodged against him; but such was the influence he exerted with members of the Confederate Congress, through members of his regiment, many of whom were the sons or near relatives of some of the most wealthy and most influential families of Virginia, that each time he came off scot-free, and was worse after than before.

His ordinary manner of operating was as follows: His officers and men, as before stated, lived at home, and were only known as citizens, pursuing their ordinary vocations; and, for the last two years of the war, a considerable number, probably more than half, lived *within* the Union lines, and called themselves "Union" men. From and after the time when the Rapidan River became the line of the two armies this was especially so; and after that time nearly all his operations lay between the Rapidan and the Potomac, mostly in the counties of Loudon, Fauquier, Shenandoah, and Rockingham. Occasionally he would cross the Potomac into Maryland, and operate at points between Cumberland City and the Great Falls.

When from officers and members of his own regiment living within the Union lines, or from others, he would learn of the contemplated movements of certain supply-trains, of certain paymasters, of certain small squads on special duty, he would at once issue orders to enough of his men to meet him at a particular house, or a particular cross-roads, at ten or twelve o'clock of a particular night, fully armed, equipped, and mounted for the service in which they were about to engage. Sometimes the number ordered out would be ten, sometimes twenty, sometimes fifty, and sometimes a whole company or more, according to the force which they expected to meet and overcome. Only when ordered to join and cooperate with some general commanding officer, would he call out his whole available force. He had no fixed headquarters, but his officers and men always knew exactly where to communicate with him, as he always knew exactly where to find them; and when he issued an order it was speedily conveyed from lip to lip, and seldom failed to meet with the expected response. He and his men were all the while on the alert, and seldom failed to take prompt advantage of any opportunity that offered. His own men not unfrequently applied for (as farmers' sons living in the neighborhood) and obtained temporary employment as team-drivers, blacksmiths, farriers, etc., in the Union army, and in this way secured information in advance of every contemplated movement, whether of the army, of supplies, or of detachments on special service. As soon as such information was obtained, it was conveyed from lip to lip, until it reached the ears of Colonel Moseby. Then he would decide whether a raid was practicable or not; and if it was, the needed number of men were summoned to meet him at a certain place at a set time.

To get through the line of Union sentinels without alarming the whole Union army, he had numerous stratagems. Having men on both sides of the line, he knew the exact location of every post, just the hour at which each sentinel was placed and relieved, and the precise strength of the squad or company, and where located, from which each sentinel was detached. Where only a single sentinel needed to be removed, to allow him and his squad to pass in and out of the Union lines, he was stealthily pounced upon, disarmed, killed, or otherwise taken care of. If more than one needed removing, the same operation might be practised on two or more. Where a whole squad or company needed to be gobbled up, he had enough of his men to quietly surround them, and, at the blowing of a whistle or other signal, suddenly pounce upon and take them all prisoners, usually without the firing of a gun, or with scarcely a word spoken above a whisper. Secrecy, celerity, and "dead men tell no tales," were his maxims—and most fearfully did he put these maxims into practice. It would fill this entire volume to tell all the times; but the following instances, selected from the

many, some of which have and some of which *never have been told before*, will fully corroborate all that we have heretofore said, and show the terrible character of the warfare carried on by this class of men *behind* the scenes, while the Union and Confederate armies were contending for the mastery in front of the scenes.

During the summer and fall of 1863, Moseby's guerillas were exceedingly active. Almost every night they had some enterprise on hand, large or small, and while most of them were of such a character as to excite but little attention and no alarm, yet now and then one would occur of so startling a nature, and of so villanous a character, as to arouse all who heard of it, and make every honest man wish that the perpetrators could be caught and hung higher than Haman. The first we purpose to relate was of this character, and, so far as we know, this will be its first publication in historic form, though well known at the time by everybody in the neighborhood, and by officers in both armies.

The position of Maryland during the war was exceedingly perplexing. Lying, as it does, midway between the North and the South, her soil was traversed by both armies, and her people were constantly subjected to annoyance, if not to danger, from both Union and Confederate troops. As a slaveholding State, the sympathies of her people were mostly with the Southern cause, and yet the business relations of many of her citizens with the people of the North, and her contiguity to Pennsylvania, had made many of her citizens strongly in favor of maintaining the Union. A considerable number of her citizens had joined the Confederate army; a considerable number had joined the Union army; while those who stayed at home endeavored to remain as nearly neutral as possible. To a Northern man or a Union soldier, they were all for the Union; to a Southern man or a Confederate soldier, they were all for Jefferson Davis and the Confederacy; to one who did not care a fig which side won, they were quite as indifferent as he dared be. Moseby and his midnight marauders seemed to have taken, for some cause, a special dislike to the Marylanders, and the first four instances we purpose to give occurred on that side of the Potomac.

Mr. B. (our informant had forgotten the name, though he had been at the place and was entirely familiar with the incident, having obtained it from the lips of one who was a participant)—Mr. B. was a quiet, inoffensive old man, who endeavored to live at peace with everybody, and who was probably as little of a partisan as any man in the State. He seldom, if ever, talked upon politics, rarely about the war, and, when upon either, was always careful to do it in such a way as not to offend his listener. He kept a small country store at a point where two roads crossed each other, and was as ready to exchange his coffee, sugar, or molasses, his calicoes, hardware, or queensware, for country produce or for money, with a Confederate as with a Union man, or with a Union man as with a Confederate. There was no village about his store, not even the usual accompaniments of a blacksmith- and wheelwright-shop.

Moseby had taken a dislike to this man. Why, it is not known, except it be that he sold his goods to Union men and Union soldiers, as well as to Confederates, when opportunity offered. So far as is known, the man had never given any personal offence to Moseby or his men, though they had several times visited his store, usually, if not always, in disguise; and we may here add, once for all, that when Moseby or his men were moving about within the Union lines on spying expeditions, they were always in disguise, and when they went to perpetrate a diabolical act, they always had their faces blackened, or were otherwise in mask.

On a dark night, or rather about two o'clock in the morning, in August, 1863, ten of Moseby's gang approached this store. One of the men was lifted up to, and crept in at, a window, and, going to the front door, unlocked and opened it, that some might enter while others remained on the outside as sentinels. Closing and locking the door, that there might be no escape of the inmates, they struck a light and then commenced a search for persons. They soon found the old man (the owner), two young men (his clerks or assistants), and a negro boy, all of whom had been asleep in the house adjoining, or in the second story of the store. As there were no women in the house, it is probable that he and his clerks had kept "bachelors' hall." Of course the proprietor, clerks, and negro boy were very much alarmed at seeing these men with blackened faces before them, and inquired what it all meant? They were quickly informed that it meant death to them, and a burning of the building, with all its contents: All commenced to plead for their lives, fell upon their knees, and besought their captors to spare their lives at least, whatever other punishment or destruction they might think proper to inflict; but the more they plead, the more deaf and the more lost to every sense of humanity their captors seemed to become. Taking some trace-chains which they found in the store, the old man, the two young men, and the negro boy were bound, hand and foot, and then secured to a post or some other fixed thing within the store. The only reason their captors would give for all this was that they were "d——d Yankees," that they had "supplied Union soldiers with food and clothing," that they were "traitors to the South," etc., etc., etc., all of which was interspersed with most horrid oaths and curses. When all four had been securely bound, gagged, and fastened, and their captors had helped themselves to whatever they wanted of the articles in the store, they left the building, and in a few moments thereafter it was in flames. Had the bound captives within not been gagged they would have almost raised the dead with their cries; but, as it was, nothing was heard save the fierce crackling of the flames, and in a little while the building and its contents lay in ashes, mingled and intermingled with the bones of the four victims. Again Moseby's oft-repeated maxims had found a terrible illustration, "Dead men tell no tales"—"Dead men never bite!"

The next instance of the doings of this gang of desperadoes which we purpose to relate, occurred not long after, near Shepherdstown, Md., and was of a much milder type of villany. We relate it here that our readers may see, by contrast, that these murdering guerillas were as ready to do small, mean things, as great, horrid things; and that personal malice and personal advantage, rather than advantage to the Southern Confederacy, were sometimes the incentives to their acts.

Lieutenant-Colonel Phillips, though a Marylander, was from the beginning of the agitation a strong Union man, and, when volunteers were called for from Maryland, did not hesitate a moment to offer his services in the Union cause, and became lieutenant-colonel of one of the Union Maryland regiments. He left at home, in care of his father, a very fine horse. Colonel Moseby heard of this horse, and determined to become its possessor. With blackened faces, he, or some of his men, went to the Phillips' farm at night, stole the horse, and returned to Virginia the same night. The fact soon after came to the ears of a chivalrous Confederate officer, who had known Lieutenant-Colonel Phillips when at the same college with himself, and who, though not liking Phillips now, disliked meanness still more. He informed General Breckinridge, and afterwards



General Lee, of the theft. General Lee regarded such an act as a disgrace to the whole Confederate army, and at once sent a written order to Colonel Moseby to restore the horse. Colonel Moseby demurred, and tried to excuse the act as a legitimate capture from a well-known enemy; but General Lee was not to be deceived by any such sophistry, and insisted upon the return of the horse. The horse was returned!

The next instance, which occurred near Williamsport, Md., not long after, was of a far blacker and more diabolical character. A farmer living near this place, and known as a "Dunkard," was believed to have considerable quantities of gold and silver laid away in pots and stocking-legs about his house. He was not only a "neutral" in politics and with regard to the war, but his religion made him a non-combatant as well. Confederates, of course, denounced him as a traitor to the Southern cause, and thought he should at least contribute his money, if not his life, to defend it. He would say nothing, do nothing, no matter what others might say or do. One dark night three masked men came to his house, murdered him, and took his money. They were not recognized, not traced, nor did any one then find out, nor does any one now know, who really did the deed; but it was then believed, and is still believed, that Moseby's guerilla band were the perpetrators.

That same fall another instance occurred, in which Moseby's guerillas were certainly the actors, and which was of a much more warlike character.

To cut off, gobble up, capture, or destroy paymasters and their escorts, quartermaster trains; and commissary trains, Colonel Moseby regarded as his special and particular province, and every one of his men was on the special look-out for chances of this kind. On the occasion now under consideration, Brevet Major Paymaster Tilletson was on his way from Williamsport to Shepherdstown, Md., accompanied by a captain, three lieutenants, and six privates—the latter and one lieutenant as an escort, the other officers returning to their respective commands from sick-leaves. Suddenly, without a moment's warning, Moseby, with a number of his gang, sprang out upon them, and, holding a cocked pistol at the head of each, demanded their surrender. Of course, they could do nothing but submit. Each officer was securely bound, while the privates were either killed or made their escape. In due time the whole party arrived within the Confederate lines, when the Union officers would probably have been made to illustrate Moseby's maxim, that "dead men tell no tales," had not an officer who had his authority direct from the War Department met him and ordered him to send the prisoners to Richmond. Moseby and his men helped themselves to so much of the greenbacks as they could conveniently carry, while tens of thousands of dollars were found next day scattered along the road between Williamsport and Shepherdstown.

Not long after the capture just related, Moseby and his men gobbled up another squad of officers, consisting of one major, two captains, and three lieutenants, who had been absent on sick-leaves and were then returning to their respective commands. After they had surrendered as prisoners of war, their money, watches, and everything they had of any value was taken from them. When fairly within the Confederate lines they were taken into a dense pine-grove, some distance off the road, and then told they were all to be hung so soon as the needed preparations could be made. Had a thunderbolt fallen at their feet from a clear sky, these six Union officers could not have been more surprised. All protested against such unmilitary, unusual, inhuman treatment—some begged for life, some wept; but the only reply they could get from Moseby was, "Prepare for death!" Providentially, as it would seem, one young man of Moseby's band had a "heart of flesh," and determined, if possible, to save the lives of these officers. He knew that an officer who had the authority to command Moseby (the same referred to in the preceding incident) was at a farm-house only a few miles from the pine-grove in which they had stopped for temporary encampment, and where these Union officers were to be executed. Slipping away from his comrades, he hastened to the farm-house to tell this officer of what Moseby proposed to do. So soon as the officer was told, he determined to stop it, if they could only reach there before the men were executed. The officer and private mounted fresh horses, borrowed from the farmer, and rode with breakneck speed until they reached the grove. It was quite dark, but the camp-fires of Moseby and his men lighted them to the spot. Springing from his horse at the edge of the grove, the officer left the two horses in care of the young man and hastened to where he saw the camp-fire burning. Stopping for a moment to survey the scene before making his presence known, he observed the six Union officers seated on a log on the opposite side of the fire from where he stood, each with head dropped upon his breast, each with eyes glaring wildly into vacancy or suffused with tears, each with lips pale with fear or moving in silent prayer, and each the very picture of despair in feature and attitude. Moseby was walking to and fro in front of them, uttering oaths and imprecations against them; guards stood about them or walked their rounds silently; while only a little way off, in plain sight, others were busy throwing over or affixing ropes to limbs preparatory for execution. It was a scene which only the pencil of a Raphael might have sketched or a Correggio have painted.

The officer, having fully surveyed and comprehended the whole scene, suddenly sprang from the darkness into the light of the camp-fire, and in a sharp tone demanded of Colonel Moseby what all this meant.



### Original

"You see what it means," Moseby replied, pointing to the men who were affixing the ropes to the trees.

"Who are these prisoners, and what have they done that you propose to hang them?" asked the officer.

"They are d—d Yankee officers whom I captured this afternoon, and *purpose* to hang them to-night. Dead men never bite," answered Moseby.

"I purpose," said the officer, "that you do no such thing; that these officers be sent under guard to Richmond, and that you yourself report there at once under arrest." Of course a good deal more was said, and a great many oaths uttered on both sides, but the above is about the substance. The Union officers heard and saw all that was said and done, but were so dumbfounded that they could not say a word or utter a cry even to each other. When they did finally comprehend it all, they regarded their deliverer as one sent from heaven, and were ready to fall down and worship him. The transition from death to life was so sudden, so unexpected, that it was some time before they could fully realize whether they were in the body or out of the body, whether their natural senses were still of the earth, earthy, or whether they had been suddenly translated to another sphere, where angels only sing "peace on earth and good will towards men!"

In pursuance of the commanding officer's orders, the six Union officers were next day forwarded, as prisoners of war, to Richmond; while Moseby himself soon after reported at the Adjutant General's office under arrest, to await such action as the authorities might think proper in his case. And thus, and thus, were the lives of six more men saved from the infernal clutch and ravenous maw of this hyena in human form.

Not many days after, the same officer who had released from Moseby's clutch the six Union officers above spoken of, chanced to be riding along a public highway when he observed, at considerable distance off, in a deep gully, a man entirely naked, dodging from place to place, as if in fear or distress. The sight was so strange that the officer turned his horse's head and quickly rode to the place where he had first seen the man. Here he found not the one only, but three, all entirely naked, and all huddled together, as if to protect themselves from each other's sight. The officer demanded what it all meant. It was some moments before the men could answer at all, but when they did, they told the Confederate officer that they were three Union officers who had been gobbled up the day before by Moseby's guerillas, stripped of everything they had on earth, even to their shirts, and then left in that woods or ravine to do as best they might, with the warning, however, that if they made the least alarm they would be again caught and either hung or shot; that they had feared to approach any house in their nude state, lest they might be shot at as ghosts or wild men; that they had not had a morsel of food for a long time, and that even death was preferable to longer enduring such suspense and torture. The officer had seen inhumanity in almost every possible shape, but this, he said, was a refinement of cruelty which shocked him more than anything he had ever seen before. He went to a house, not far off, and obtained shirts for two, and a woman's chemise for one, with such other clothing as they chanced to have. Thus, partially dressed, he then took them to the house, where they remained while the officer went to other houses of the neighborhood to get enough additional clothing to cover their nakedness. He then had them accompany him to the nearest military command, where he turned them over as regular prisoners of war. And thus were three more clutched from the grasp of these bloodthirsty hyenas. Clutched from death, too, for had they not been seen and rescued by this officer, they would, in all human probability, have been sought for by the guerillas next day, and either shot or hung.

There was no month, and probably but few weeks or days, during the entire war that Moseby's guerillas were not planning or executing some villanous enterprise against the Union army or Union men; but we have room only for a few more, and these we will select from his operations in the Shenandoah Valley and vicinity during the summer and fall of 1864.

In August, 1864, General Sheridan was assigned to the command of the Middle Military Division, comprising the Middle Department and the Departments of Washington, the Susquehanna, and West Virginia. Occupying the Shenandoah Valley, in front of Sheridan, General Early lay, with about eighteen thousand Confederate troops. To drive these troops out of, or at least further up, the Valley, and to keep them so employed that no part of them should be detached from Early to send to Hood in his defence of Atlanta against the attack of Sherman, was Sheridan's first concern during the summer and fall of '64. In pursuance of this plan, on the 10th of August, Sheridan began to move out his forces from Halltown for the possession of the Shenandoah Valley. When Early's positions were reached, he fell back, and continued to fall back, until he

reached Fisher's Hill, beyond Strasburg. In pursuing Early, Sheridan had passed several gaps in the mountains which skirt the Valley, and left them unguarded. Moseby, learning of this, hastily got together as many of his guerillas as possible, dashed through Snicker's Gap on the 13th, struck Sheridan's supply-train, which was only guarded by Kenly's brigade of one hundred days' men, at Berryville, and, before the guard had fairly recovered from the panic, Moseby had captured the entire train, consisting of seventy-five wagons, from five to six hundred horses and mules, two hundred beef cattle, and a large quantity of stores. He also secured over two hundred prisoners. His own loss was only two killed and three wounded.

The attack and loss were so sudden, so unexpected, and so exaggerated in the telling from one soldier to another, that they seemed for the moment to paralyze Sheridan's entire army; so much so that he deemed it expedient to make a retrograde movement, which he continued until he reached, on the 21st of August, a position about two miles out from Charlestown. While Sheridan was thus falling back from day to day, Moseby's guerillas hung upon his rear and flanks, treacherously capturing and killing whenever opportunity offered. In one instance, it is alleged, after taking some Union cavalymen prisoners; after, indeed, they had fully surrendered as prisoners of war and *been disarmed*, Moseby ordered *every one of them* brutally murdered on the spot, in pursuance of his maxim that "dead men never bite." In retaliation for this terrible outrage, Sheridan ordered that from thenceforth every house and barn of these half-guerillas, half-farmers in the Valley, that could possibly be reached by his cavalymen, should be destroyed.

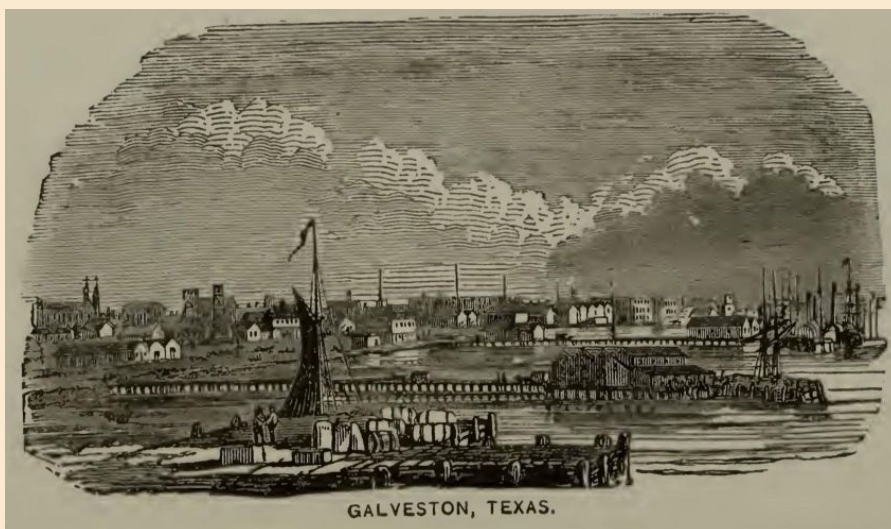
Not only in retaliation for this one act, but for scores of other acts of a like or worse character, of which they were cognizant, and with a view to strike terror into the minds of such men as had been, and still were, harboring and encouraging these guerillas—men who were farmers by day and robbers by night—both General Grant and General Sheridan determined to inaugurate a wholesale system of devastation in the localities where these outrages had been mostly carried on—especially in the Virginia counties of Shenandoah, Rockingham, Loudon, and Fauquier. As a result of this policy—or, more properly speaking, *as a result of the outrages which had been perpetrated by Moseby's guerillas* (for the policy would never have been thought of but for these outrages)—the following destruction of property is reported to have occurred in the four counties named, between the 1st of October, when the policy was inaugurated, and the forepart of December (1864), when Merritt's cavalry division crossed the Blue Ridge, and made a grand raid through the upper part of Loudon and Fauquier counties:

In Shenandoah and Rockingham counties—according to the official report of a commissioner of the revenue to the Richmond authorities—"there were burned 18 dwelling-houses, 215 barns, 11 grist-mills, 9 water saw-mills, 2 steam saw-mills, 1 furnace, 2 forges, 1 fulling-mill, besides a number of smaller buildings, such as stables, etc. The quantity of grain destroyed is immense. I cannot give you any idea of the amount of grain, hay, fodder, etc., destroyed, but the quantity is very large."

In Loudon and Fauquier counties—according to the official report made by General Sheridan to General Grant at the time—the property burned and captured was as follows: Burned—barns, 1168; mills, 49; tanneries, 1; factories, 2; distilleries, 6; tons of hay, 27,620; bushels of wheat, 51,500; bushels of corn, 62,900; bushels of oats, 2000; haystacks, 1121; wheatstacks, 57; stacks of other grains, 104. Captured—horses, 388; mules, 8; cattle, 5520; sheep, 5837; swine, 1141. Total estimated value of property destroyed and captured in these two counties, \$2,508,756.

It should be added, as a further reason for the destruction of wheat, corn, hay, etc., that General Lee had been drawing his supplies largely from these four counties, and it was therefore for the purpose of crippling Lee's army, as well as to punish these farmers for harboring and aiding Moseby's guerillas, that this wholesale destruction of property was planned and executed.

Those who have witnessed the distress following the burning of a single dwelling-house, or a single barn with contents, in a neighborhood of farmers, can form some faint idea of the distress which must have followed the burning of eighteen dwelling-houses, and 1383 barns, with all their contents, and with all the stacks of grain, hay, and fodder surrounding them! Even the thought is fearful,—how much more the reality! After what we have related of the operations of Moseby's guerillas—and what we have told is not a hundredth part of what might be told—none of our readers, we think, will question the propriety of the caption to this chapter, "Guerillas on the War-path—Cunning and Duplicity Prompting the Actors;" nor, after learning of the destruction of property which followed, will any one, we think, question the third line of the caption, "Destruction in the Background!"



## CHAPTER IX. WHAT BECAME OF SLAVES DURING AND AFTER THE WAR. THE ALMIGHTY

### DOLLAR PROMPTING THE ACTORS.—"WE NEBER SEED'EM ANY MORE."

**I**T is a well-attested fact, that there were many less slaves, or those who had been slaves, in the United States on the 9th of April, 1865, when General Lee surrendered to General Grant, near the Appomattox Court House, than when the war commenced by the firing on Fort Sumter, on the 12th of April, 1861.

Had there been no war, and had the ratio of increase been the same from 1861 to 1865 as it had been for the previous four years, there would have been several hundred thousand more in 1865 than there were in 1861.

It is also well known that from and after the 1st of January, 1863, when President Lincoln's proclamation of freedom to the slave—issued on the 22d of September, 1862—went into effect, many hundreds, if not thousands, of those who had been slaves were taken into the military service of the United States; that, when captured by the Confederate forces, they were not recognized as prisoners of war, but in many cases, as at Fort Pillow, were massacred like so many dogs; that thousands were destroyed in this way, and that many other thousands died on fields of battle; that many during the war tried to escape, but, being overtaken, were killed on sight by their former masters or their agents; that the excessive amount of labor which they were compelled to perform for their masters on plantations, and for the Confederate government, in digging rifle-pits and throwing up fortifications, lessened their power of reproduction, and caused thousands of premature deaths; but, notwithstanding all these facts, there still remains a very large number to be accounted for; and to account for these in part, if not wholly, is the object of the present chapter.

The facts which we shall relate in this connection cannot fail to be as startling to our readers as they were to us. They have *never before been related*, either in book or newspaper form; nor would they now be, but that time has wiped out the passions of the war and the limits of personal responsibility, and made the facts legitimate for the purposes of history.

That our readers may understand that no animosity towards the South, or the Southern Confederacy, nor sympathy with the slave in any way, has led to the divulging of these facts, we may say that Colonel Abercrombie, to whom we are indebted for the facts, is a Southern man (a Baltimorian) by birth, and from his earliest recollection was taught to look upon the negro as a different race from our own—as a chattel, to be bought and sold, the same as a horse or cow; that he was a captain in the Thirteenth United States Infantry in the early stages of the war, but, being convinced that his duty lay with the South, resigned his commission in the United States army, went South, joined the Confederate service, and remained as an officer in that service until the close of the war; and that it was not until soon after the war, when he went from New York to Galveston by steamship, and from Galveston travelled nearly all over Texas on horseback, that he became fully aware of the facts which he detailed to us, and which we now purpose to communicate to our readers.

The Colonel, Captain Philip Lander, and three others, left Galveston for Brownsville about the middle of June, 1865. From Galveston to Houston they went by steamboat; at Houston they purchased mules, and from thenceforth pursued their journey on muleback. At Columbus they found a considerable number of Confederate soldiers, who had belonged to General Kirby Smith's command, and were then on their way to their homes. At Bastrop they found two companies of United States volunteers doing guard duty. At Austin, the capital of the State, they found General Sturges with four companies of the regiment which he commanded, the Seventh United States Cavalry. About the middle of July, they left Austin for San Antonio. On the road they saw two men in one place, and one in another, hanging by the neck to limbs of trees, who had been strung up there by roving banditti—probably on the suspicion that they were Union men—and left to hang there as a warning to others. At San Antonio they found General Magruder, who claimed that he had not yet surrendered, though "lying around loose," and, as they afterwards learned, was probably looking after the interests of slave exporters, rather than the interests of the Southern Confederacy. It was the latter part of August when they left San Antonio for Brownsville. After five days' travel from San Antonio, and just before reaching the branch road which leads to Brazos San Diego, from the main military road to Brownsville, they overtook a gang of from six to eight hundred negroes, in charge of, and driven along by, about forty white men, part Americans and part Mexicans. The negroes consisted of men, women, and children. There were no old men or old women among them. Some were handcuffed together; others were tied together with ropes; others not bound in any way. Some women were carrying children in their arms. All were on foot and seemed weary from long travel. Their drivers were all on horseback, some at the front, some at the sides, and some in the rear, all armed with pistols, all with whips in their hands, and all with curses in their mouths, which were hurled at the poor negroes on the slightest provocation. Like cattle drivers, or worse, those at the sides and rear were constantly hallooing, cursing, and saying to the negroes, "Git along! git along! Faster! faster!" with an oath between each command. Many of the women, especially such as were carrying children, seemed ready to faint from exhaustion, and often turned their faces beseechingly, and with tears in their eyes,

towards their drivers, but their pleadings were only met by curses, still louder and still deeper, from their inhuman captors and drivers. Behind the gang were three two-wheeled carts and an old ambulance, in the first of which rations, etc., were carried; in the ambulance, besides old clothes, lay a woman whom the drivers said "was about to kid."

The Colonel and his party rode along with this negro-driving party some three or four hours, meanwhile gathering from their own lips all they could relative to the character and extent of the business; how, when, and where inaugurated; how and to whom they sold their human chattels; what the profits of the business, and with whom the profits were divided; what part, if any, the former owner got, etc., etc. The drivers were not at all disposed to be communicative, nevertheless a considerable amount of information was drawn from them, part of which led to other clues, which, being followed up, led to additional information, the whole resulting in a development of the facts embraced in this chapter.

When the branch road before spoken of was reached, the negro-drivers, with their drove of human chattels, turned off for Brazos San Diego, while the Colonel and his party pursued their way to Brownsville (opposite Matamoras), which they reached on the following day. Here, too, they saw a considerable number of negroes in confinement, awaiting boats to take them down the Rio Grande River and thence to a market. From Brownsville the Colonel and his party went into Mexico, where they remained about six months. In February, 1866, the Colonel returned to Texas, and while stopping some time with Mr. Higgins, a large landowner and extensive cattle raiser, near Bastrop, overheard a Mexican ask his son, William Higgins, to get up a fandango at his saw-mills and invite all the negroes of the neighborhood, in order that he (the Mexican) and his party might have opportunity to seize some of the negroes and run them off to a market. This, it will be borne in mind, was about ten months after the close of the war, about six months since the Colonel had seen the drove of negroes on the road to Brazos San Diego, and about *three years* after President Lincoln's proclamation went into effect, declaring freedom to every slave within the limits of the Southern Confederacy.

Of course, the Colonel was surprised at hearing such a proposition, and, though as much of a pro-slavery man as any one could be after all that had transpired, still felt curious to know all about this new business, or old business, as it might happen to be, of kidnapping, running off, and selling such as had been slaves. His inquiries resulted in developing the following facts:

For many years prior to the war the breeding and raising of negroes had become as much of a standard business in Virginia as the planting and raising of cotton had formerly been, or as the breeding and raising of cattle still is in Texas. As the lands became poorer in Virginia from long cultivation, the raising of crops became less and less profitable, until it was finally discovered that to raise about enough of crops to supply themselves and their negroes with bread and clothing, and to devote all else of their thoughts and energies to the raising of negroes for market and use in States where the climate and quality of soil made the raising of cotton and rice a remunerative business, would, in the long run, be much more profitable to them. This, therefore, became the general sense of the State, and from thenceforth was generally pursued throughout the State. This necessitated middlemen, or slave merchants—such as would purchase the slave of the Virginia farmer at such price as might be agreed upon, take him or her to his place of business, put them in the best possible trim for a market, and then take them off in droves to South Carolina, Georgia, Alabama, or wherever else needed, and sell them at private or public sale for the best prices they could obtain. Whatever inhumanity there might be in such business, it certainly resulted in large profits, especially to the dealers, and hence it is not at all surprising that a great many should have been engaged in it.

When the war commenced there were hundreds, if not thousands, of these slave-dealers throughout the South. Some went into the army; some, who had well-filled purses, fled to Cuba, to 'Canada, to Nassau, to England; while others, too poor to get away, too cowardly to fight, too lazy to work, and too ignorant to do any business other than what they had been doing, remained in the country and continued to ply their vocation whenever and wherever opportunity offered. It was a fixed policy with the Confederate Government not to allow slaves to be taken or sold beyond their bounds, and that every possible precaution be taken to prevent the escape of slaves into the Union lines; but the Government had no objection to the sale and transfer of slaves from Virginia to Georgia, or to any other of the Confederate States, and as the Union army advanced into Virginia, rather encouraged such sales and transfers, to prevent the escape of slaves into the Union lines. The effect of this was to make an active and very profitable business for slave-dealers, and to largely increase the number of slaves in the more southern of the Confederate States.

When, besides going into Virginia, Union armies commenced forward movements into Kentucky and Tennessee, into Missouri and Arkansas, it was deemed expedient to run off a large number of the slaves of those States into Texas, the better to secure them from capture by the Union armies, and have them where they could be shipped to foreign ports, if not thereafter needed by the States of the Confederacy, or if, peradventure, the Confederacy itself might fail of success. When, on the 16th of November, 1864, Sherman commenced his march "from Atlanta to the sea," a like necessity of getting slaves beyond the reach of Union soldiers existed in all the Gulf States, and so far as it was possible to get them into Texas it was done. How many thousands, yea, how many hundreds of thousands were thus driven into Texas from other Confederate States, God only knows, or will ever know!

This particular route was made necessary because of the blockading of Southern ports; and because once in Texas, they could be held there until the result of the war was known. It was not, as before stated, the policy of the Confederate Government to have the slaves taken beyond their control, as the corner-stone of the Confederacy was to be slavery, and the more they could have of it the greater, they thought, would be their prosperity; nor was it the policy of the slave-dealer to take his chattel beyond the reach of the best market in the world, so long as there was a reasonable prospect of that market being kept open. In Texas the dealer had the double chance—either to return with his human chattels to the Confederate States, in case it became an established government, or, if that failed, then to ship them from Brazos San Diego, from Brownsville, from Corpus Christi, from Powder Horn, or from any other port that might not be blockaded, to Cuba, to Brazil, or wherever else slavery existed and a market could be found. These slave-dealers watched the result of the contest between the North and the South with the same interest that stock-jobbers and gold-gamblers watched the rise and fall of stocks, and the rise and fall of gold, when they had a large quantity of either on

hand, and were waiting to turn their speculation to the best possible account. When news would reach them that the Union armies were carrying everything before them, off would go one or more cargoes of negroes to Cuba or Brazil. When, by the next mail probably, news would reach them that the Confederate armies were meeting with great successes, making it probable that a Southern Confederacy would be established, they would regret that they had sent any away, and hold the firmer to those they had left. The price at which slaves could be sold—especially at forced or hurried sales—in the Brazil and Cuban markets, was far less than what they could reasonably hope to obtain in the Southern Confederacy, *provided* it became an acknowledged government.

When shipments of negroes were commenced from the Texan ports heretofore named, and how often, or to what extent they were made, we are unable to say definitely; but the probabilities are that they commenced immediately after President Lincoln issued his proclamation of freedom to the slaves, September 22, 1862, and were made, to a greater or less extent, thereafter as news reached the dealers elevating or depressing their hopes of a permanent Southern Confederacy. After Sherman commenced his march from Chattanooga to Atlanta, in May, 1864, and especially after he resumed his march from Atlanta to Savannah, in November, 1864, and still more especially after he commenced his march from Savannah to Charleston, and thence to Richmond, in January, 1865, the slave-dealers in Texas thought they saw the handwriting on the wall, "Mene, mene, tekel, upharsin"—"Thou art weighed in the balances, and art found wanting," and from thenceforth every steamer, schooner, or water-craft of any kind, that could carry ten or more persons, and which they could possibly procure in any way, was secured to run the negroes from Texas to such markets as it were possible to reach. They could not be taken to the principal open ports of either Cuba or Brazil, lest, being seen by an anti-slavery man, the facts might be reported to United States consuls and thence to the United States government; but they were taken to out-of-the-way places along the coast of both countries, where copartners in the business were in waiting to receive and make further disposition of them. The money received from sales was sent back to the copartners in Texas by the partner or agent bringing out the last lot, and thus a flow of negroes in one direction, and a flow of money, with which to buy more, in another direction, was kept up constantly.

But it was not necessary in all cases to make purchases and payments. Indeed, towards the close of the war, actual purchases were seldom made, and after the close of the war, none at all, though the business still remained active. The plan pursued was this: a dealer would go to a planter, to a farmer, or to a man living in town or city, and ask him how many slaves he owned. The answer would be ten, twenty, fifty, one hundred, or more, as the case might be; but he would probably add, immediately after, that only one-half, or one-fourth, or less were then with him—the others were hired out, or with the army, helping to dig trenches, or running at large, he did not know where. The dealer, after explaining to the owner the nature of his business, would propose to take from him a written bill of sale of all the negroes he owned take his own chances of catching them when and where he could, send them to a market when and where he could, and divide with the owner whatever might be the net result of sales. The owner, reasoning from the standpoint that "a half loaf is better than no bread," and that if the Confederacy proved a failure he would get nothing at all for his slaves, would enter into such written agreement with the dealer. With this in his pocket, to assure him from interference from pro-slavery men, and to prove to all who might question him that his business was of a "mercantile," rather than of a kidnapping, character, the dealer and his agents would go forth to seize the negroes—men, women, and children—for whom he had bills of sale in his pocket. If resisted by a white man, out would come his bill of sale to prove title; if resisted by a black man, he was shot down or hung on the spot; if resisted by the alleged slave, he was at once handcuffed, gagged, and marched away; if identity was questioned by a white man, the questioner had to prove property, while the bill of sale held by the dealer was regarded as *prima facie* evidence of his right to the person claimed; if identity was questioned by the person seized, or by any other colored man, he was laughed at, gagged, or shot down. In this way thousands were seized, thousands driven from where seized into Texas, and tens of thousands run from Texas to Brazilian and Cuban ports.

After the close of the war, the fact that they had been made free by proclamation and by law spread rapidly among those who had been slaves, and from thenceforth the business of kidnapping and running them off became much more dangerous. While travelling through Texas, our informant met many negroes on the road with pistols at their sides, or guns upon their shoulders, and, when asked what it meant, they would reply, "Des am dangerous times, sa; we has to protect ourselves, you know."

He saw, too, as before stated, both black men and white men hanging to the limbs of trees by the roadside, some of whom, doubtless, had been hung there because of resistance to kidnappers. All manner of means were devised by these kidnappers to catch the negroes when and where they could make the least resistance and the least noise. Even *ten months after the war*; as before stated, one of these dealers—the partner, probably, of an extensive firm, made up of both Americans and Mexicans—proposed to William Higgins to get up a fandango, or dance, at his saw-mills, and invite thereto all the negroes in the neighborhood, for the purpose, and only for the purpose, of enabling these kidnappers to seize and run off as many as could be ensnared within the trap, or got hold of; and, as we have seen, it was *four months after the war* that the drove of from six to eight hundred negroes were seen on the road to Brazos San Diego.

It will be a wonder with some readers how it was possible to continue such a business after Union troops had been stationed at Austin, the capital of the State, under so able a commander as General Sturges; and after they had been stationed at Bastrop, and at other large towns throughout the State. The explanation is simply this: While the sentiment of the Union troops was entirely opposed to any such traffic, and while, in pursuance of law, their duty plainly was to hang any man whom they found engaged in such a business, yet the sentiment of the white people, among whom the troops were located, was largely, if not universally, in favor of the traffic, and hence they would not inform against those who were engaged in it; and had the troops learned of, and attempted to arrest, any of the parties, every white man of the town or neighborhood would have risen in arms and attempted the rescue of the parties. Law, without public sentiment to sustain it, is a dead letter, or nearly so, under all circumstances, and where public sentiment is decidedly opposed to a law, its execution is next to impossible.

Another wonder, scarcely less than the first, will be with some readers, how it could be possible that honorable men—men whose personal characters before the war were above reproach, either from Southern or Northern men; men who had led consistent Christian lives, and who had been regarded as bright and shining lights in their respective church organizations, could permit such things to be done before their very eyes, and look on indifferently, if not approvingly. The explanation is this: Most of this business of running off slaves was done without the knowledge of the Confederate authorities. Indeed, had it come to their ears during the earlier stages of the war they would have done what they could to prevent it, however indifferent they might have been to it during the last year or last few months of the war. But a far weightier reason is, that what seems so heinous, so diabolical, so criminal indeed, to a Northern anti-slavery man, was, in the eyes of a Southern pro-slavery man, only a fair business transaction, based on Bible authority, State law, and the law of self-preservation. They regarded these negroes as much the property of those who had owned them, as horses or cattle would have been. Nor did they regard the proclamation of President Lincoln and the acts of Congress, whereby slaves were declared free, with any more awe or respect than they would have regarded a like proclamation, or like acts of Congress, if issued or made with regard to horses or cattle. Hence, to their consciences it was no more of a sin to seize and run off to a market these negroes during the war, or even after the war, than it would have been to seize or run off from the grasp of an enemy a like number of horses or cattle. That conscience is largely dependent on surroundings, and on education, is no longer a disputable question among mental philosophers. That the cannibal, who kills and eats his fellow-man, is just as conscientious in what he does as the man who kills and eats a lamb, is now a generally admitted fact. With this philosophic truth as a stand-point from which to look at the subject, who can doubt that General Polk, who for so many years had been the universally respected and highly beloved Bishop of the diocese of Louisiana, was just as conscientious in his advocacy of slavery, and in his defence of the Southern Confederacy, as Bishop Simpson was in his opposition to slavery and his advocacy of the Union. Who can doubt that General Pendleton, who had been for so many years a reverend doctor in the Episcopal Church, and the head of a seminary near Alexandria, Va., and who never gave the order to fire without first raising his eyes heavenward and saying, "God have mercy on their souls," was just as conscientious in the belief that slavery was justified by the Bible, and approved of by God, as John Wesley was in the belief that "slavery was the sum of all villainies"? Who can doubt that General Jackson ("Stonewall"), with whom the Bible was a constant companion, who prayed while he marched, who prayed when he encamped, who prayed even while directing the movements of a battle, was just as conscientious in his belief that slavery was right, as Wendell Phillips was that slavery was wrong; just as conscientious in the belief that the Southern Confederacy should succeed, in order to make slavery perpetual in this country, as General Birney was that the Union cause should succeed, if for no other reason than to wipe out slavery once and forever from the United States. This, certainly, is the charitable view to take of the whole subject; nor, with our present knowledge of ethics and mental philosophy, is it any more charitable than true.

Reason about it as we may, however, the fact remains that tens of thousands, probably hundreds of thousands, were driven out and run out of the United States in the manner indicated, and are now, if still alive, toiling as slaves in other lands; and that many a father, many a mother, many a sister, and many a brother, after their loved ones had been thus kidnapped and taken away, without any knowledge upon the part of their friends, have had reason to cry out in the bitterness of their souls, "*We neber seed 'em any more!*"

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## CHAPTER X. THE CONFEDERACY AS SEEN FROM WITHIN. PRIDE, PASSION, AND WANT

### IN THE BACKGROUND.

**S**INCE the war, we have seen, and had long conversations with, a reverend doctor, whom we had known for many years previous to the war, who resided in Virginia when the war commenced, was among the first to take part in it, and who continued in the service until the war closed. We have also met other Confederate officers since the war, some of whom had extraordinary facilities for obtaining information while the war continued. From all these we learned much beyond anything we had ever known before, or ever seen in newspapers or books. To put on record some of the things so learned is the object of the present chapter.

The South well knew, in the very beginning of the contest, that in point of numbers, in wealth, and in material resources, it was greatly inferior to the North. They had hope, however, of dividing the North, or, rather, of having the North divide against itself; and had the one-hundredth part of the promises made them by Northern men been kept, there would indeed have been a division of force, as well as a division of political sentiment, in the North; and the result of such division might have given the final victory to the Confederacy, instead of to the Union cause. But what the South relied upon still more, was assistance from England. They had been led to believe that King Cotton was almost, if not quite, as powerful in England as Queen Victoria, and they had laid the "flattering unction to their souls" that so soon as King Cotton saw those who had made him king in distress, he would rush, pell-mell, to their rescue; scatter the Yankee blockading squadrons to the winds; throw open all the Southern ports; bring men, ammunition, clothing, and provisions to exchange for their cotton, and thus, beyond any reasonable doubt, insure success to the Southern cause.

As well assured as they felt of all this, they still regarded it as important to keep all the while the "best foot

foremost;" to keep up an *appearance* of strength, however weak they might be; to keep up a show of independence, however much they might be hoping and praying for help. Like as an expectant bride, though she has the plighted faith of her lover, will continue to smile, to dress, to allure in every way she can, up to the very hour of the marriage ceremony, so the South continued to smile, to dress, to allure, in every way she could, her Northern allies, who had solemnly plighted their faith to her, and her English sympathizers, whose pecuniary interests lay all in that direction, and these things she continued to do up to the very moment when the Confederacy collapsed, and when it was found that nothing was left of the egg but the shell. As our reverend friend said to us, over and over again, and as other Confederate officers have said to us, over and over again, "none but those within the lines, and behind the scenes, knew of the destitution, of the suffering, of the heart-aches, of the skeletons within closets while those who held the keys were smiling as if they were full of good things, of the turns and shifts which not only the army but which almost every family in the South had to make, in order to preserve life, and yet keep up a fair outside show, during those four terrible years of war." And now for the illustrations—little or none of which has ever before been published.

After the first year of the war, so much in want of food was the Confederate army at times, that, in one instance, an officer, with an escort, travelled sixty miles before he could purchase food enough to load one six-mule wagon which he had with him. Even then they had to go within the Union lines, and run very great risk of being captured.

The same officer from whom we learned the above incident, also told us that, on one occasion, he and the men with him were so ravenous from hunger that he shot an old sow that had had a large litter of pigs only the day before, and that while he and his fellow officers ate the meat (if meat it could be called) of the old sow, his men ate not only the one-day-old pigs, but even the very entrails of the mother.

On another occasion this same officer shot an opossum that had just been having its young, and while, under ordinary circumstances, he could no more have eaten its flesh than he could have eaten a viper, yet such was his hunger at the time that the dish seemed palatable. Often, he said, he had gone for a whole day, and occasionally two or three days at a time, without one "square meal;" and this he knew to be an ordinary experience among officers of the Confederate army, especially during the last year of the war, and largely so during the two or three last years of the war. Certainly, if there was an officer in that army who had opportunities to live on the "fat of the land," he was one of them, and if he suffered thus, God only knows what must have been the sufferings of others!

Early in the war, coffee became scarce, and, during the last year or two, hardly to be had at all within the lines of the Confederacy. To procure it, all manner of devices were resorted to. On one occasion, when two sentinels were within calling distance of each other—one on either side of an intervening deep ravine—a Confederate officer present told his sentinel to ask the Union sentinel whether his company had any coffee which they would exchange for tobacco. The Union sentinel inquired of his captain, and after a time halloed back that they had of their company rations a bag of coffee left over, which they would exchange for tobacco, provided they could make a good trade. The Confederate officer instructed his sentinel to reply that they would give twenty-five boxes of plug tobacco for one bag of coffee. The offer was accepted, and as soon after as the coffee and the tobacco could be brought to the spot, the Union sentinel rolled down the bag of coffee, the Confederate sentinel rolled down the twenty-five boxes of tobacco, to the foot of the ravine, when, with assistants, each took away the article traded for—hostilities being suspended meanwhile. Each of the parties was highly pleased with the trade. Before the war one or two boxes of tobacco would have brought in the New York market as much, if not more, than one bag of coffee.

Pins and needles became so scarce in the Confederacy that at least one man—a Mr. Webster Sly, of Charles County, Md., brother to a celebrated doctor in that vicinity—made quite a fortune by smuggling trunks full of these articles across the Union lines and selling them within the Confederate lines.

As early as 1863, one of our informants saw dogs in the streets of Charleston so emaciated that they could scarcely walk, and at one time saw one of these animals leaning against a fence and chewing upon an old shoe. In that city and in Richmond he knew of families who had once been wealthy that were, during the war, compelled to sell not only their clothing, but even their beds, to procure food to live upon. Our reverend friend himself, though at one time the owner of a handsome house and of slaves, had, while at Petersburg, been compelled to live, with his wife and daughter, in a garret, and upon food that a dog would scarcely have eaten under ordinary circumstances.

Not only did such destitution prevail throughout the Confederate States during the war, but still worse evils prevailed, engendered by pride, jealousy, and passion. While this fact was carefully concealed from Northern eyes and ears, and from English eyes and ears, yet it prevailed to an alarming extent, and when occasionally it would burst forth in such violence as to cause death, no mention of the fact was made in the newspapers at Richmond lest it might reach Northern or English ears.

Almost at the beginning of the war two parties sprang up in the Confederacy, known as the "Davis party" and the "Stephens party." President Davis advocated one line of policy; Vice-President Stephens advocated another line of policy. Their respective friends took sides, each with his chief, and so bitter became the strife between the two, that when the Government was removed from Montgomery to Richmond Mr. Stephens would not come there to preside over the deliberations of the Senate. At one time, in 1863, the strife between their respective partisans in the Confederate Congress, then meeting in Richmond, became so great, that a Virginian (a Davis man) shot and killed a Georgian (a Stephens man) upon the floor of the House for some words uttered in debate. The excitement for the moment was intense. Pistols and bowie-knives were drawn by dozens of Congressmen, and it seemed that many additional lives would have to be sacrificed then and there before the affray could end, but ere long quiet was restored and the dead body of the slain member removed from the chamber. Our informant saw the dead body as it was carried along the street, inquired after and learned all the incidents of the bloody affair, but neither on that day nor on any day thereafter was a word said about it in the Richmond newspapers.

Another cause of much irritation, much jealousy, and much bad blood, arose in the appointing of general officers for the Confederate army. Mr. Davis, being himself a "West-Pointer," it was not unnatural that he should prefer, in all cases, graduates of West Point; but, as the people of the several States had to furnish not

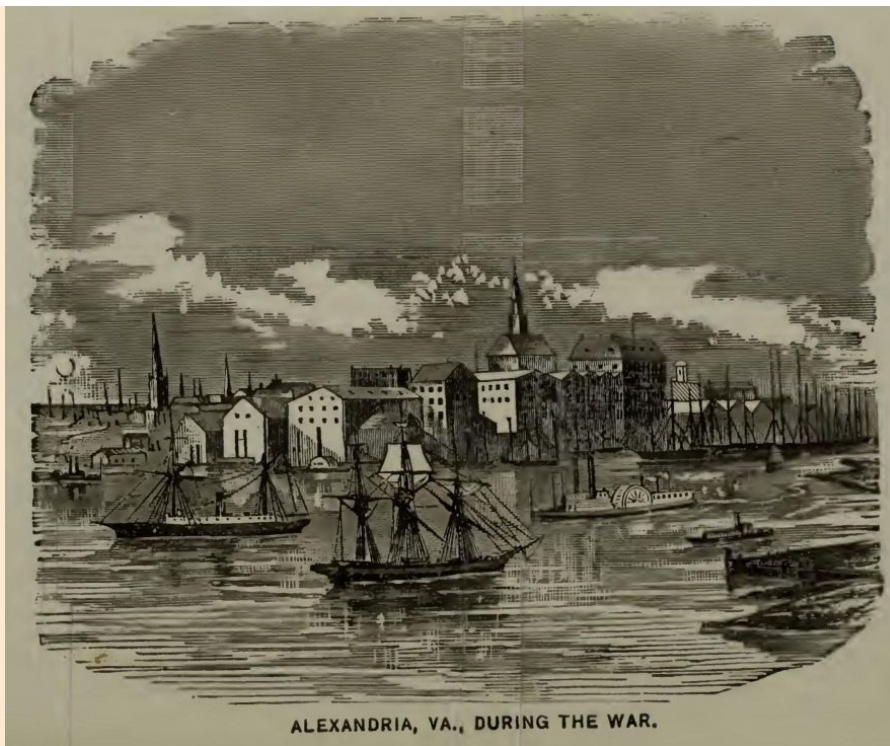


only the money, but the men for the army, it was not unnatural that they should desire to see some of their leading citizens in command of the men they furnished. The people believed that brains were quite as essential to success as technical military knowledge, and were not willing to trust all their interests, personal and pecuniary, to the direction of such as knew little or nothing beyond military tactics. The demand became so strong and so persistent that the administration yielded, so far as to appoint Bishop Polk, Rev. Dr. Pendleton, John C. Breckinridge, and Bradley Johnson, to generalships; but beyond this, few, if any, held high positions in the army, other than West-Point-ers. Towards the close of the war, General Lee said, at a dinner given to army officers, at Orange Court-House, near his headquarters, that from thenceforth the "policy of the government would be to give promotion to such, and such only, as fairly earned it on the field of battle, without regard to their previous military education." This speech was reported at once in every part of the Confederacy, and as he was presumed to speak by authority, it had the effect to quiet, in a great measure, the excitement which had so long existed relative to military appointments.

Another source of demoralization, and, consequently, of weakness in the Confederacy, was the disposition to gamble among so many of its officers and leading citizens. At Richmond, while so many, who had been affluent, were almost starving; while the gradual disappearance, and finally the entire absence, of cats and dogs in the city, proved that meat other than lamb was supplying the tables of many of its citizens; while even the highest officers of State were, at times, sorely perplexed about food for their families, the gambling houses of that city were doing a splendid business, and furnishing free lunches to their patrons far superior to what could be found upon the table of President Davis or any member of his cabinet. Indeed, it became well known among Confederate army officers, and among the leading gentlemen of the city as well, that the best eatables and the best drinkables to be had in the Confederacy were to be had at these gambling saloons, and many a one was induced to patronize them on this account more than on any other. It was said that the proprietors of these saloons could obtain, and did obtain, supplies from the North, when the highest officers and the wealthiest men of Richmond could not obtain them. How done, except through pals and noted gamblers, some of whom were well-known spies, and often in Washington, was never known. Notwithstanding the expensive free lunches given by these gambling houses every day, they made immense amounts of money. What they made in gold and greenbacks they carefully stored away, or made use of in the purchase of supplies. What they got in Confederate money they invested in real estate, so that, when the war ended, the gamblers of Richmond owned more real estate than any other class of persons, if not more than all other classes combined. What was true of Richmond, in all these particulars, was probably true of every other city in the Confederacy.

Still another source of weakness in the Confederacy was the lack of confidence; almost from the beginning, in the currency issued by the government, or by its authority. It was thought to be a terrible condition of things in the North when a gold dollar commanded \$2.85 in greenbacks; when muslin, that had sold for ten cents per yard, sold for thirty; when coffee, sugar, meats, almost everything, commanded double, and, in some cases, treble the prices at which they had sold before the war; but these were as nothing when compared with the South. A single chicken leg, or a single chicken wing, with a small piece of corn-bread tied to it, sold at from one to two dollars at many of the railroad depots; a drink of brandy or whiskey, at the Ballard House, Richmond, cost five dollars; a single meal, at the same house, ten dollars; a gentleman's dressing-gown, smuggled through from the North by a land blockade-runner, sold, in Richmond, for eleven hundred dollars. Of course, all these prices mean Confederate currency. Such as were wise enough to invest their Confederate money in real estate had something of real value after the war. Such as failed to do this, had large amounts in what purported to be money, but not one penny in real value, after the war ended. Every dollar of gold or silver that came within the Confederate lines, after the second year of the war, was either hoarded or hid away, or expended for needed supplies, in which case it soon found its way back to the North or to England.

And thus we close this tenth scene of the drama, in which we have endeavored to give our readers a glimpse of the Southern Confederacy as seen from within; and to show, too, that pride, passion, and want formed a fearful picture in the background.



ALEXANDRIA, VA., DURING THE WAR.

*Original*

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## CHAPTER XI. HOW ORDER WAS MAINTAINED. KINDNESS AND POWER (HAND-IN-HAND)

### BEHIND THE SCENES.

**T**HE city of Alexandria is situated about seven miles below Washington, on the Potomac River. It was at one time a part of the District of Columbia, but, by a subsequent arrangement, was retroceded to Virginia. Prior to the war it was a place of considerable business; contained, probably, thirty thousand inhabitants; had some fine streets, and a few handsome buildings; and was a favorite place of resort, as well as of residence, for the more wealthy and influential citizens of that part of Virginia.

After the war commenced, by the firing on Fort Sumter, the first object of the United States Government was to save Washington from falling into the hands of the enemy. Between the 18th of May and the 23d of June, 1861, thirty-one fully organized regiments and three independent companies arrived in that city. Of these, four were from Pennsylvania, also the three independent companies, four from Massachusetts, eleven from New York State, four from New Jersey, two from Rhode Island, three from Connecticut, one from Michigan, and two from Ohio. These regiments numbered about 28,000 men. Besides these, there were about 4,000 District of Columbia militia, organized under Colonel Stone, and about 4,000 regular United States troops. All these were concentrated, thus early, for the defence of the capital, and to form a pivot for future movements.

Though these volunteer regiments had had but little opportunity for drill, the impatience of the North soon made it necessary for them to make a forward movement of some kind; and, as Alexandria was the most approximate point, and as a considerable force of the Confederates were known to be concentrated there, it was resolved to make an attack upon, and, if possible, capture that city. Accordingly, at midnight on the 23d of May, 1861, a small force was pushed across the Long Bridge to the Virginia side, to clear and hold the head of the bridge; and at two o'clock on the following morning a considerable force left Washington on foot, while a regiment of Zouaves, under command of Colonel Ellsworth, left on two steamers—all for Alexandria. The movement was so concerted that the force on foot reached the outskirts of the city at the same time that Ellsworth's force reached the wharves. The Confederate force at Alexandria was far too small to contend with the Union force sent against them, and as the one entered the other retired from the city. But for the unfortunate death of Colonel Ellsworth, who was shot by James Jackson, the proprietor of the Marshall House, while the former was removing a Confederate flag which had been flying from the flag-staff of that hotel, and the killing of Jackson, which followed immediately after, there would have been no blood shed in the capture of that city.

Not only did the Confederate troops retire on the approach of the Union troops, but a large number of families and single citizens left at the same time. Indeed, for several days previous to the coming of the Union

troops, it was well known in Alexandria that they were coming, and many of its citizens, some of whom owned farms in other parts of Virginia, some plantations in other parts of the South, and others who had friends and relatives in other parts of the State, or in other parts of the South, had all quietly left for their respective farm-homes, plantations, or friends. Some who could not leave thus suddenly went as soon as they could thereafter, so that, before a Union line had been fully established beyond Alexandria, probably two-thirds of its citizens had left, leaving only about ten thousand out of a previous population of about thirty thousand.

Immediately thereafter, however, the Union forces commenced to establish camps at points beyond, yet not far from, Alexandria. Near the Seminary buildings, only a few miles from the city, a considerable number of troops were encamped; while, at Malvern Hills, at Edsall's farm, at or near Fall's Church, and at many other points, regiments, brigades, or whole divisions were located. As a consequence of this, notwithstanding Alexandria had been so largely abandoned by its own citizens, its streets were more thronged with citizens and soldiers combined, its drinking saloons were more frequented, and there was more of bustle and confusion generally in the city during the summer, fall, and winter of 1861 than there had ever been in any past period of its history.

With the hasty leaving of the leading citizens of Alexandria had gone whatever it had possessed of municipal, county, or State government. The mayor and members of the city council had fled; all the State and county judges had fled; the county clerk, the surrogate, and every other county officer had fled; nor was there a single justice of the peace, a single constable, or a single police-officer—or, at least, not one who declared himself as such—left in the city. There was no formal announcement of the establishing of martial law within the city limits, but its possession by Union troops made it virtually so from the moment they took possession.

The battle of Bull Run occurred on the 21st of July, 1861, and although Alexandria had been bad enough before that time, it was still worse after. For some time after that battle the Union army seemed utterly demoralized. The commanders of regiments, brigades, and divisions seemed for the moment to have lost all control over their men. Officers and men, instead of remaining in camp to drill, flocked into Washington and into Alexandria by scores, yea, by hundreds, every day. Hotels, drinking saloons, restaurants' houses of ill-fame were all doing a rushing business, and meanwhile the legitimate duties of the officer and the soldier were almost wholly neglected. General McClellan reached Washington, and assumed command of the Army of the Potomac, on the 26th of July, 1861, and on the 30th issued an order in which he said, "The general commanding the division has with much regret observed that large numbers of officers and men stationed in the vicinity of Washington (his command included Alexandria and beyond as well) are in the habit of frequenting the streets and hotels of the city. This practice is eminently prejudicial to good order and discipline, and must at once be discontinued." This order had a salutary effect to a certain extent, but it by no means cured the evil. It made officers and men more careful to procure leaves of absence and passes before leaving their camps; for, if found in Washington or Alexandria without such leave or pass, they were liable to be called upon by the provost-marshal, or arrested by the provost-guard; but, after the first week or two, in the lessening of numbers the effect of the order was hardly perceptible. The hotels, drinking saloons, restaurants, and houses of ill-fame still continued to do a thriving business; while fights in saloons, brawls in the streets, insults to persons walking the streets, thefts, robberies, and the like misdemeanors, were of almost daily and nightly occurrence.

Such was the condition of things in Alexandria, when, in August, 1861, General William R. Montgomery, who had been the Colonel of the First New Jersey regiment of volunteers, but had recently been promoted to a brigadier-generalship, was detached from his command, then encamped near the Seminary buildings, and assigned to the command (as Military Governor) of Alexandria. He had for his Assistant Adjutant-General, Jacob R. Freese, of Trenton, N. J., who had been an active business-man all his life (he was then about thirty-five years of age), and who for the four years immediately preceding the war had been the editor and proprietor of the *State Gazette*, one of the leading newspapers of the State. General Montgomery was then about sixty years of age, a graduate of West Point, had been connected with the regular army nearly all his life—a perfect gentleman in his manners, mild, quiet, unobtrusive, exceedingly kind and gentle; but knew comparatively nothing of business life, and had hardly been in a police-office or a courtroom during his whole life. Though no officer in the army was truer to the Union cause than he, yet so exceedingly kind was he in his general disposition, so disliked to refuse any favor asked of him, and so averse was he to punishment of any kind, that he soon found his new situation a very perplexing one. Hardly had he assumed command, before such of the secessionists as remained in Alexandria commenced to ask favors at his hands. In all cases, where he possibly could, it gave him as much or more pleasure to grant their requests than for them to receive the favors. This soon became known to extreme Unionists, who thereupon called the General "a rebel in disguise." When this came to the General's ears, it distressed him greatly. It also distressed him as much, or more, to learn that some Alexandrians who remained were practising great cruelty towards some white citizens, and especially towards their slaves, because they had dared to express Union sentiments. And still another source of great annoyance to him was, that great numbers of soldiers came into the city every day—some got drunk, abused citizens, created brawls in the streets, and then left without so much as saying "by your leave, sir." Other disputes and disturbances were occurring, almost daily, among the citizens, which, when all other means failed, would be referred to him for settlement, since, as heretofore stated, there were no courts left in the city to whom such disputes could be referred. To organize a court-martial and keep it in session all the while would take a number of officers from their regular duties, and seemed utterly impracticable. To undertake to arbitrate and decide all cases himself, seemed not less impracticable, if not impossible; and as to prescribing punishment to others, he would almost prefer to take it upon himself.

Every day he talked these troublesome matters over with his Assistant Adjutant-General, and finally requested him to draw up, and submit to him, in writing, a plan for governing the city. This he did on the day following the request. The leading feature of the plan submitted was to organize a provost-court, over which some officer should preside as provost-judge, who should hear and adjudicate all cases of whatsoever kind brought before him. To arrest delinquents and enforce the orders of the provost-court, the plan proposed that the soldiers, detailed for sentinel duty in the city, should be organized into a provost-guard, with a provost-marshal at their head; that both the marshal and guard should be subject to the direct orders of the provost-

judge; and that the provost-judge should submit his doings, every day, to the military governor for his approval, amendment, or reversal, since he alone was responsible to the general government for what was done within his command. General Montgomery considered the plan carefully and decided to adopt it. He then asked his Adjutant to accept the appointment of provost-judge, and perform its duties, in addition to such as he had as Assistant Adjutant-General of the post. At first the Adjutant declined, not seeing how it was possible for him to perform both duties, since either one of them seemed quite as much as any one man could perform. The General urged that, as he would be held officially responsible for whatever the provost-judge might do, he must have some one in whom he had implicit confidence, some one whom he could see and converse with at every meal-time, some one who was familiar with the workings of courts of justice, and since he, the Adjutant, had drawn up the plan, there was no one whom he could detail that could put the plan in operation so well as he. The Adjutant, on the other hand, urged that his duties were already quite as much as he could perform satisfactorily to himself; that almost every day he had quartermaster, commissary, and hospital reports to examine and sign; passes and permits to consider and issue, etc.; all of which involved the writing, "By order of Brigadier-General Montgomery, J. R. Freese, A. A. G.," from one hundred to five hundred times each day, which usually occupied every minute of his time. It was finally arranged that the General should detail two additional clerks for the Adjutant's office, and one to write up the records of the court at every sitting, and thereupon the Adjutant consented to enter upon the additional duty of provost-judge of the city. The General issued the necessary order, over his own signature, and on the day following the Adjutant entered upon his new duties.

The court-house had not been used for any purpose since the evacuation of the city by the Confederates. Men were now put to work in cleaning and fitting it up for the purposes of the new provost-court. A large building on the outskirts of the city, which had been used for the temporary detention of slaves, and therefore called a "slave-pen," was cleaned and fitted up as a guard-house. The old jail was cleaned, whitewashed, and renovated generally. A large, empty building, in the heart of the city, was fitted up for the provost-marshal's office, and as quarters for the guards. Captain Griffiths, of Pennsylvania, the senior captain of the companies then on duty as sentinels, was appointed provost-marshal, and the two companies then on duty organized as a provost-guard. The duty assigned them was to arrest every drunken man—officer, private, or citizen—whom they observed to be disturbing the peace of the city, whether at hotels, drinking saloons, on the streets, or elsewhere; to take them, so soon as arrested, to the officer in charge at the guard-house and report all the facts to him; if the officer at the guard-house deemed the complaint to be of such seriousness as to require a further hearing, the arrested party was to be locked up until the next sitting of the provost-court, when he was to be brought before that court for trial. This was to be the procedure not only in cases of drunkenness, but in all other cases of petty misdemeanor. If, however, the offence was of a more serious character, the party arrested was to be taken at once before the provost-marshal, and all the facts immediately after reported to the provost-judge. If he deemed the charges sufficiently strong to hold the arrested party, he was then to be sent to the county jail and there held until next day, or until the court was ready to try the case, which usually was on the day following the arrest. It was arranged that a session of the provost-court should be held every day (Sundays excepted) at the court-house, commencing at ten o'clock, and continue until all the cases were disposed of. Usually this could be done between ten and twelve o'clock; but occasionally the sessions extended until late in the afternoon.

After all needed arrangements had been completed, the Judge's horse—saddled, bridled, and with a pair of loaded revolvers in the holsters—might be seen every morning, at precisely nine and a half o'clock, standing before the General's headquarters. At precisely a quarter to ten, Judge Freese would come out of the Adjutant's office in full uniform, mount his horse, and, usually on a full gallop, ride to the court-house, about a quarter of a mile distant from the headquarters. On reaching the court-house the Judge dismounted, a soldier took charge of his horse, and he passed in to take his seat on the bench. Generally, the guards, and the prisoners from the guard-house, were already in waiting—every guard standing at attention, with loaded musket and fixed bayonet. It was from this fact that it was sometimes designated, by New York journals and others, as "Judge Freese's Bayonet Court." The clerk, acting as "crier," then announced that the "court was now open for business," and immediately after handed the Judge a list containing the names of all the prisoners at the bar, with the nature of the offence charged against each. The Judge, beginning with No. 1, would call for the evidence of the sentinel making the arrest, and then for the evidence of others who might know anything of the case. When the evidence for the prosecution had closed, the accused was asked to say anything he could in his own defence, and to produce any witnesses he might have. It was plainly to be seen that the Judge always leaned towards mercy; that he encouraged and aided the prisoner in the making of a defence, if any were possible; that never, at any time, did he speak harshly to a prisoner at the bar; but even in his sentences so tempered his words with kindness and good advice as to make the accused determine to do better in the future. At no session of the court, nor at any time after, was a prisoner ever known to complain of his treatment by the Judge, such was his uniform kindness and courtesy towards all who were brought before him, whether citizens or soldiers, white or black. When all the evidence was in on both sides, the Judge announced the sentence and the clerk recorded it. The book in which the record was kept was open to the inspection and revision of the General commanding (military governor) every day, so that he might, if he chose, at once change or reverse any sentence which the Judge had passed upon any prisoner. The number of cases tried each day varied from ten to thirty. Most of them were of a minor character, and the punishment, consequently, very light. Often the one day or one night's detention in the guard-house, which they had already received, was deemed sufficient; in other more serious cases, a fine of from one to five dollars, or further confinement in the guard-house or in the jail from one to five days, was imposed; but now and then a case of far graver character was brought before the court, one of which we will now relate.

Mr. A. was an old resident of Alexandria, and for many years had been engaged in business as a hardware merchant. He was a Virginian by birth; a man of general good character, a hearty secessionist, and would have gone when the others left, only that his family and his business were in such condition that the one could not be removed, nor could the other be closed without very great discomfort and a large sacrifice. He therefore concluded to take his chances of remaining, and did remain.

Mr. B. had been a resident of Alexandria for several years. Had been one of the builders, and was then

superintendent, of the gas-works of that city. He was a New Englander by birth, and an earnest Unionist from the day the contest opened between the North and the South. Though a very quiet man, and never speaking upon political or warlike matters, except when in situations where he must speak or show cowardice, yet when thus compelled to speak he never failed to express his honest sentiments.

Messrs. A. and B. had been warm personal friends for several years, the latter purchasing all the hardware needed for the gas-works of the former, and being in his store frequently, as well for pastime as on business. Until the war commenced there had never been a word of difference between them, and since it commenced they had rarely spoken upon the subject, for each well knew the others sentiments, and neither desired a rupture of friendly relations. On the day in which a rupture did occur, Mr. B. went to Mr. A.'s store to make a purchase of some article, when in some way the conversation between them turned upon the war. For some cause Mr. A. seemed to be in a specially bad-humor that day, and very soon commenced to use most violent language toward the "Yankees" and the Union troops. Mr. B. replied, at first very mildly, but one word led to another, until ere long both became angry and talked loud. All of a sudden Mr. A., who was a large, powerful man, seized Mr. B., who was a much smaller, weaker man, by the throat, and hurled him to the floor. Then, seizing a large butcher-knife which chanced to lay upon the counter, he held it threateningly over B.'s breast, and said he would kill him instantly unless he would promise not to report the conversation they had had and the difficulty following it to Provost-Judge Freese. Of course, such noise and confusion brought others into the store, and before the promise could be exacted others had seized and dragged Mr. A. from off his prostrate antagonist. Mr. B. went from the store direct to military headquarters and reported all that had occurred to Judge Freese. A formal statement, as detailed by Mr. B., was then drawn up by the Judge and subscribed and sworn to by Mr. B. It was then afternoon, and too late to try the case that day. The Judge, therefore, issued an order to the Provost-Mar-shal to arrest Mr. A. at once, lock him up in the county jail, and bring him before the court next morning at ten o'clock—all of which was done precisely as ordered. The arrest of so prominent a man as A. spread throughout the city at once. Before sundown there was scarcely a man or a woman in the whole city who did not know of it, and General Montgomery was besieged by Mr. A.'s wife, by his daughters, and by several of his secession friends to order his release at once. The General, having learned the facts from his Adjutant, only replied that "things must take their course; that the trial, and that only, could develop whether Mr. A. was guilty or not, and, if he was, he could not and would not interfere with the Judge in the infliction of a proper punishment, however much he regretted the difficulty and sympathized with those who were afflicted by it."

The next day the court-room was crowded in every part, and promptly at ten o'clock the crier announced the court open for business. After all the other cases had been disposed of, that of Mr. A. was called. The witnesses, both for the prosecution and for the defence, were examined carefully and patiently by the Judge and by the defendant. Then the defendant was invited to say whatever he could in his own defence. The defendant had a lawyer present to suggest and prompt him, but the lawyer would not appear as his formal attorney, for the reason that some time before the Judge had announced that, as that was a United States court, no lawyer could appear in it, as attorney for another, unless he would take, if asked, the oath of allegiance to the United States Government, and the lawyer present being an avowed secessionist, he well knew that if he attempted to act as an attorney for his friend A., he would at once be tendered the oath of allegiance to take or refuse. He therefore contented himself with whispering in his friend's ear, without presuming to appear as his attorney. The facts, as heretofore stated, were all proved beyond any possible doubt. Indeed, the defendant himself scarcely made a denial of any one of the statements made by Mr. B. He only pleaded, in extenuation, that he had no ill-will towards Mr. B., and that whatever was said or done was from an excess of passion for the moment, which he could not control; that he greatly regretted all that had happened, and would promise the court that the like should never happen again. He also produced several witnesses to prove his previous good character.

Before pronouncing sentence, the Judge took occasion to say that the court had been organized for the special purpose of maintaining the peace of the city. That, in the absence of all other courts, this was the only judicial power to which citizens of Alexandria could look for the protection of their lives and their property, and in this respect it was as much of a protection to the avowed secessionist as to the Unionist; that the lives and the property of the one or of the other were equally under the protection of the court. While, he added, the court could not, and would not, recognize secession as a legal right, and while no secessionist, as such, could have any legal standing in that court, professionally or otherwise, yet the court would, at all times and under all circumstances, use whatever power it possessed to protect the lives and property of avowed secessionists. If, then, it was thus ready to protect secessionists in their personal and property rights, certainly it should not be less willing to protect Unionists. Nor would it be less ready to protect Union men so long as he remained the Judge of the court. In conclusion, the Judge said that, in consideration of Mr. A.'s previous good character, in the absence of all premeditation, and in consideration of other extenuating circumstances surrounding the case, he would make the sentence of this defendant very light, but gave fair warning, then and there, to all the residents of Alexandria, and to such as came within the jurisdiction of the court, though not residents of the city, that should there be any further assaults upon Union men, whether by word or by act, the court would punish the offender with much greater severity. He then sentenced Mr. A. to pay a fine of five hundred dollars, and to stand committed to the county jail until the fine was paid. "Of course," the Judge added, "this does not relieve Mr. A. from the payment of damages to Mr. B. for any injuries he may have sustained at the hands of A., and for which he may choose to prosecute in an action for damages." The court then adjourned, and Mr. A. was ordered back to the county jail until the fine was paid.

Mr. A. and his friends were very indignant at the sentence; said it should never be paid; that he would rot in the jail first; that they would appeal to General McClellan, to the President, to the Cabinet, to Congress; but to all such threats the Judge only replied, when they came to his ears, "He shall have all the opportunities he wants for appeal, but until the fine is paid, or the judgment set aside by a higher authority, he must remain in jail." That afternoon and evening every possible effort was made with General Montgomery and with Judge Freese to have him released on bail, but without avail. Next day, when the court opened, a friend of Mr. A. was present with five hundred dollars in silver, which he paid down, and thereupon received an order from the Judge for Mr. A.'s release from jail. That money, as all other received by the court for fines, and not used

for feeding the prisoners and other incidental court expenses, was deposited with the United States Treasurer, at Washington, to await such further action as might be had in this or in any other case.

In pursuance of their threats, Mr. A. and his friends at once went to work to have the fine refunded, and finally, after several months' effort, succeeded in getting General McClellan to issue an order on General Montgomery for the refunding of the money. This was done by an order on the United States Treasurer for the five hundred dollars.

Mr. A. got his money back, but neither he nor any other secessionist of Alexandria ever again made an assault, with threat to kill, upon a Union man; nor did any Union man make a like assault or threat upon a secessionist. And, better still, it had the effect to convince every secessionist that Judge Freese's court was no respecter of persons; that while it punished such of the poor as violated the law, it was no less ready to punish the rich; and that a Union man in Alexandria would be protected by the court with as much vigilance as one could possibly be in New York or Philadelphia. The refunding of the fine, however, proved that General McClellan and his advisers, while pretending great love for the Union, were largely in sympathy with the secessionists, and would, so far as they could, undo anything the Provost-Court might do in punishing rebels and protecting loyal men. General Montgomery and Judge Freese, being convinced that such would thenceforth be the policy of General McClellan and his advisers, tried thereafter to so shape the proceedings of the court that General McClellan should know as little about it, and have as little to do with it, as possible—believing (as afterwards proved true) that he would not only thwart its proceedings, but really abolish the court altogether, whenever he could see that he could do so without calling down upon himself and political associates condemnation from the administration.

Thus has been stated the how and why of the organization of the Provost-Court at Alexandria; some of the details of its workings, so far as appertained to its municipal or police duties; its happy effect upon the comparative quiet of the city; and its restraining power on the belligerent disposition of some of its citizens. What other powers the court was called upon to exercise, and how it exercised them, will be reserved for future chapters.



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## CHAPTER XII. JUDGE FREESE'S "BAYONET COURT" OTHER POWERS, AND HOW EXERCISED.

**H**ARDLY had the Provost-Court at Alexandria been organized before reporters for Northern journals began to call upon the General and upon the Judge for details of its doings, and soon thereafter reports, to a slight extent, of its operations began to appear in some journals under the caption of Judge Freese's "Bayonet Court"—the same as placed at the head of this chapter. One illustrated paper

of New York city had a full-page cut, representing the Judge upon the bench in military uniform, with his clerk sitting at his right, and his sword laying upon the desk at his left, with guards standing at attention, each with musket and fixed bayonet; with a score or more of prisoners in the dock, all with woebegone faces; with the Provost-Marshal, in full uniform, standing in front of the Judge, awaiting his orders; with lookers-on all about; and with all the other paraphernalia of a crowded city court-room.

It was not for show, by any means, that the Judge rode to the court in uniform, with loaded revolvers in his holsters; nor was it for show that he sat upon the bench in uniform, and had guards about him with loaded muskets and fixed bayonets. Almost from the day that the court commenced its sittings, the secessionists who remained in Alexandria began to sneer at the court, and some even went so far as to threaten the Judge with assassination.

These facts were communicated to the Judge by friends, and through secret detectives, whom the Provost-Marshal had employed to watch every movement in the city. It was, therefore, literally true that the Judge "carried his life in his hand" every moment, and was liable to assault and attempted assassination every time he rode to the court-room, every time he took his seat upon the bench, every time he walked the streets. But a still greater reason for this display of power, and of constant readiness to meet every emergency, was, that the inhabitants of the city might be impressed with the power of the court, and the source from which it derived that power—namely, the military. Without such impression of power among the citizens, the orders of the court would not have been respected and obeyed, and twice, if not four times, the number of guards would have been needed to enforce its orders and maintain quiet in the city. To relate a few of the cases which came before the court, under this particular head, will better illustrate the facts above stated than any amount of theorizing.

One day, the General informed the Judge that, as he was passing along King Street, two females, dressed as ladies, overtook and passed him, and, as they passed, they gathered up their skirts and held them from him, and made other signs of derision and contempt, as though he, the General, was the vilest of all vile creatures. After they had passed, he inquired of a citizen and learned that they were the wives of two noted secessionists, who still remained in the city.

About the same time several officers, and quite a number of the guards, told the Judge that, while the men of the city treated them with entire respect, the women and the children of secession citizens insulted them almost daily—the women by various acts of contempt, and the children by calling them vile names and throwing stones at them. They had borne, they said, these things a long time without seeming to notice them, and without complaint; but the longer and more they forbore, the oftener and viler became the insults, and they could stand it no longer without making complaint to the court.

The Judge thereupon announced in open court, that from thenceforth any woman, or any child, who offered an insult, or threw a stone or other missile at any officer or soldier upon the public streets, should be promptly arrested and inquired of as to who was their husband, father, brother, or other near male relative. That, if the guard making the arrest was not entirely satisfied as to the truthfulness of the answers made, the woman or child should be at once brought to the office of the Provost-Marshal or of the Judge, for such further questioning and disposition as either might deem proper in the case. That, upon ascertaining, without doubt, the name and whereabouts of the husband, father, or brother, the woman or child should be dismissed, and the husband, father, or brother of the one offending should be immediately arrested, locked up in jail until next day, and then brought before the court for trial and sentence. Or, if the woman arrested proved to be a courtesan, or, if the child had no father or adult brother who could answer for him or her, then the woman herself, or the child, should be locked up in jail until the next day, and then brought before the court for trial and sentence.

Within twenty-four hours after this order was promulgated from the bench, it was known to every man, woman, and half-grown child of the city. Of course, there were deep mutterings, some cursing, and not a few threats, especially against Judge Freese, but the effect was wonderful and immediate. So wholesome a dread did it produce on the minds of those who had been offering such insults, daily, and almost every hour of the day, that there was only one instance in which the order had to be executed. That was the case of a child, who called vile names and threw stones at one of the guards, while at his post. The child was promptly arrested, the name of his father ascertained, the child dismissed, and the father at once arrested and locked up until next day. When brought before the court, the father proved one of the most pronounced secessionists of the city, and, instead of apologizing for the rude acts of his son, rather approved of what he had done. The Judge tried to reason with him as to the impropriety of such conduct towards any one, and especially towards a guard, whose duty and business it was to protect the lives and property of secessionists no less than of Unionists. But the longer the Judge reasoned, the more obstinate the defendant became, until finally the Judge said he would have to make a slight example in his case, and thereupon sentenced him to ten days in the county jail—promising that the next person arrested for a like offence should receive a sentence doubly, if not quadruply, as great. The news of the arrest and sentence was speedily known in every house of the city, and from thenceforth no other arrest was necessary for a like offence. The recognized power of the court had done the work, with but one arrest and punishment as an example. But for this recognized power, at least a hundred arrests would have been needed before the evil could have been abated.

Another instance of the recognition of the power of the court was as follows: One of the Episcopal ministers of the city was known to be in the habit of omitting the prayer for the President of the United States, found in the morning service of the Episcopal prayer-book. The fact was told to the Provost-judge, and he was asked by some over-zealous Unionists to send a note to the minister, requiring him to use the prayer, or be subject to arrest in case he refused. The Judge declined to do any such thing—telling his informants, that whether the minister used that prayer or not was purely a matter of conscience, and that it was no part of his business, or the business of his court, to interfere in matters of conscience; that he fully agreed with Roger Williams in the opinion, that the civil or military authorities of a town, city, or state, "have no more right to command over the souls and consciences of their subjects than the master of a ship has over those of his passengers or the sailors under him, although he may justly see to the labor of the one, and the civil behavior of all in the ship;" that so long as the Episcopal minister, and those who attended his church, deported themselves as quiet

citizens, attending to their own affairs and not interfering with the affairs of others, no matter what might be their sentiments on religious or political affairs, they were entitled to protection in their persons and property, and should have it.

Those who reported the minister and desired his arrest were not at all pleased with Judge Freese's reply, and tried hard to get up some feeling against him among the Union men of the city; but utterly failed in the attempt. The Judge's Union sentiments were too well known, and had been too often tested, to allow any one who knew him to doubt him for a moment. Failing to make any impression against the Judge among the Union men of the city, these over-zealous busybodies next tried their hands among the officers of troops which lay about the city. It chanced, just at that time, that a regiment of Illinois cavalry was encamped on the outskirts of the city, whose officers were known to be among the most violent abolitionists of the country; men who believed, or pretended to believe, that no man who lived in a slave State had any rights which a Union man was bound to respect—not even the right of conscience. To these officers these busybodies told the story about the Episcopal minister omitting the prayer for the President in the morning service of the prayer-book; and also of their having told the whole thing to Judge Freese, and of his refusing to issue an order to the minister to use the prayer or be subject to arrest.

One of their listeners, the Lieutenant-Colonel of the regiment, became so interested in their story as to volunteer at once to bring the recusant minister to speedy justice; nor did he care "a snap of his finger for Judge Freese, or for any other judge." Several other officers of the regiment volunteered to join him, and the plan agreed upon was that, on the following Sabbath, they would all attend the Episcopal service, and when the Rev. Doctor came to the part where the prayer for the President occurs, in the "morning service," if he failed to read it, the Lieutenant-Colonel would arise in his seat and demand that it be read, and if the minister refused, then to arrest him, and take him to the general headquarters. According to appointment, the Lieutenant-Colonel and his friends were at the church on the following Sabbath morning. The congregation was not large, but those present seemed to be unusually devout. The sexton had given the Lieutenant-Colonel and his friends seats in about the centre of the church. The service was opened in the usual form. The "general confession" had been repeated, all kneeling; the "declaration of absolution" had been pronounced; the Lord's prayer said in a clear but subdued voice; the "*Venite Exultemus Domino*" had been sung by the choir; the portion of the Psalms appointed for the day read; the "*Te Deum Laudamus*" sung; the lesson from the New Testament, according to the calendar, read; the Apostles' Creed repeated; and the prayers were being read, when, all of a sudden, a stentorian voice was heard, saying, "I demand, sir, that you read the prayer for the President of the United States." Had a cannon-ball burst through the walls of the church and fallen upon the floor just at that instant, greater surprise would not have been created. For a moment the minister stopped in his prayers. Part of the congregation arose from their knees to their feet and looked wildly around. Some of the more nervous of the ladies burst into tears. Confusion worse confounded seemed to pervade the whole congregation. So soon as the minister recovered self-possession, he commenced to read the prayer "for the clergy and people," when again a voice, louder than before, sounded throughout the church, saying, "I demand, sir, that you read the prayer for the President of the United States." Again the minister stopped, and again confusion prevailed for some moments. When quiet again prevailed, the minister, without having made any answer whatever to the two former requests, commenced to read the prayer for "all conditions of men," when again the demand to read the prayer for the President was repeated in a still louder and more threatening tone. The minister then arose from his knees, and, looking towards the Lieutenant-Colonel, said, "My conscience will not allow me, at this time, to read that prayer, and the congregation who statelyly worship in this church have requested that I should not read it while the war between the North and the South continues."

"Then, sir, you shall read no others while the war continues, and I now arrest you on the charge of treason," said the Lieutenant-Colonel.

This, of course, still further increased the astonishment and confusion of the congregation. For a few moments every one seemed utterly dumbfounded. Meanwhile the Lieutenant-Colonel and his party left their seats, advanced near the altar, and told the minister he must accompany them to the general headquarters. The minister asked whether he might not first go to the vestry-room to lay aside his surplice and gown. The Lieutenant-Colonel answered, "No; come as you are." He then came out from the chancel, joined his arresters, and, in full canonicals, without hat or cap, marched with them through the streets, several squares, to the general headquarters.

All this had been done without any knowledge whatever on the part of General Montgomery or Judge Freese, nor could any two have been more astonished than they were on seeing the minister and hearing the story of his arrest. The General was annoyed beyond measure, and, for a time, hardly knew what to say or to do. The Judge was decidedly more self-possessed, but, of course, said nothing. The General, turning to the Judge, asked him if he had heard anything of the case before. The Judge then told the General all that he had known, and all that he had said about it, as has been heretofore detailed. As he, the Judge, had done nothing, and had refused to do anything, concerning it, of course he had made no report of it to the General, since there was nothing to report. The General, turning to the Lieutenant-Colonel and his party, said that he entirely agreed in sentiment with his Assistant Adjutant-General; that there was no reason, not the slightest, for the arrest of this minister; that every officer engaged in the arrest had made himself liable to be put in arrest, and tried by court-martial, for doing that which he had no right to do as a military man; and that the minister, upon complaint to the Provost-Judge, might have every one of them arrested and tried by the Provost-Court for assault and for a disturbance of public services. In conclusion, the General discharged the minister from arrest and told him that he might go to his own home, when, turning to the cavalry officers, he said, "The sooner you can get back to your own quarters, and the closer you remain there hereafter, the better will it be for you."

As might have been expected, all this created a great amount of excitement on the streets and about the headquarters. The minister in his white robes, in charge of several officers in full uniform, and with the entire congregation following after, was such a sight as had never been seen in Alexandria before. Everybody—men, women, and children—who saw it, followed after, until, when the headquarters were reached, there were



several hundred persons present. When the General's decision in the case became known to the crowd, there was a general approval, as much among Unionists as among secessionists; but to this there were some exceptions. The officers and their informers, who had been balked in their mad purposes, felt chagrined and angry, and left the headquarters with scowling faces, as though still bent on mischief. The General and the Judge went to their private quarters, in a building across the street, nearly opposite to the general headquarters. They supposed the trouble ended, and that they should hear nothing more of it.

In about an hour thereafter, when the General and the Judge had just risen from their mess-table, an orderly came rushing into their quarters, to say that a large crowd of cavalry officers, soldiers, and citizens were gathered about the Episcopal church, on E Street (the one in which the minister had been arrested), and that they were threatening to burn it. The General at once buckled on his sword, and told his Adjutant to do the same. Both put their revolvers in their belts. The Judge then told the orderly to hasten to the Provost-Marshal's office, and tell him to come himself, and bring as many officers and men with him as possible to the Episcopal church on E Street, and there await further orders from the General or himself. The General and the Judge then went to the church in all possible haste, and found, as had been told them, several hundred soldiers and citizens gathered about it. In a little while after, the Provost-Marshal, with a considerable number of his guard, appeared on the ground. "Burn it! burn it! burn it!" with intermingling oaths, could be heard every now and then from the mouths of half-crazed cavalry soldiers. The General and the Judge worked their way through the crowd, and took their stations directly in front of the church. The Provost-Marshal and his guard also worked their way through the crowd to the same place. The General then told the Judge to command the peace, in as loud a voice as he could. The Judge did so, and then added, "If any one attempts to set fire to this church, he will be shot down at once—and all persons, whether soldiers or citizens, who are found within five hundred yards of this church building after thirty minutes shall have expired, will be arrested by the provost-guard, put in jail until to-morrow, and then brought before the Provost-Court for disturbing the peace and violating the sanctity of the Sabbath." Scarcely had the Judge finished his proclamation, before the crowd commenced to move off, and before the thirty minutes had expired not a soldier or citizen could be seen on the street, save the General and his party. Guards were then stationed at every approach to the church, with orders that they should be regularly relieved and the stations maintained until otherwise ordered.

There was no other attempt to set fire to that church, nor to any other in Alexandria, after that, so long as "Judge Freese's bayonet court" continued to have an existence—nor could there have been a more signal instance to exemplify the acknowledged power of the court than the one just related. The cavalry regiment spoken of numbered over one thousand officers and men, nearly every one of whom held sentiments much the same, if not precisely the same, as the Lieutenant-Colonel. Within a circle of a few miles were dozens of other regiments, nearly all of whom held similar sentiments. Had that one church been burned on that day, probably every other church and two-thirds of all the buildings in the city would have been burned during the following thirty days. To prevent that church from being burned, there were present not more than fifty officers and men, as against at least one thousand of an opposite sentiment. In physical power the one was as nothing to the other; but, after the Judge had finished his announcement, there was not one of the thousand who stopped for a moment to question the power of which the Judge was the representative. Had a like power existed, and had a like power been exercised in other cities of the South occupied by Union troops, how many millions upon millions of dollars' worth of property might have been saved from the flames!

We will give only one other instance under this head, though, if time and space permitted, it would be easy to give scores.

Mr. D. lived upon one of the most fashionable streets of Alexandria, and his family had long been regarded as among the F. F. V.'s of the State. He owned lands in other parts of Virginia on which he had a large number of slaves, and always kept a few at his Alexandria residence to wait upon his family. For some cause Mr. D. did not leave Alexandria when other secessionists left, though he took the precaution to send all his slaves away except two, both females—mother and daughter—the one about forty, the other about twenty years of age.

Mr. H. lived next door to Mr. D., and though a Northern man by birth, had long been a resident and merchant of Alexandria. He had always been conscientiously opposed to owning slaves, though he had hired them of others as family servants ever since his residence in the city. The families of Messrs. D. and H. had long been on the most friendly terms, and continued so, notwithstanding the war, up to the very day on which the incident occurred which we are now about to relate.

For some weeks previous to this day, Mrs. H. had occasionally heard terrible, unearthly screams next door, and had wondered again and again what on earth it could mean. She had mentioned the fact to her husband, and he had suggested that it was probably the cry of servants being punished; but being upon the most friendly terms, as before stated, with their neighbors, they could not, and did not, say a word about it to others. Thus matters went on until the day in question. Again Mrs. H. heard the same fearful, heart-rending cries, and they continued on and on until her very heart grew sick and faint. Just then she heard some one calling her name loudly from the back yard of the next building, and, stepping to the window, saw the elder of Mrs. D.'s two servants wringing her hands and crying out:

"Oh, come, Mrs. H., come quickly! come quickly! They are killing my child! they are killing my child!"

Tears were pouring in a stream from the poor mother's eyes, and it seemed as though her very heart would break from anguish. Mrs. H. could stand it no longer, and stepping out on her own back porch, which adjoined that of Mrs. D.'s, called out for Mrs. D., and when she appeared, asked her what was the cause of such awful screaming.

"Oh, nothing, nothing," answered Mrs. D. "It's only Jane, whom Mr. D. is punishing for looking out of the windows at the soldiers as they pass. I have told her again and again that she should not do it, and yet she will persist in it."

"But," said Mrs. H., "was that all? Surely a young girl like her could hardly do otherwise than look out of the windows when she heard music and saw soldiers passing? Did she do nothing else, Mrs. D.?"

"No, nothing else," answered Mrs. D.; "but Mr. D. says if she and her mother are allowed to look out of the windows at the soldiers, they will soon be wanting to run away, and therefore we must not allow them to look out."

"They don't neglect their work, do they, Mrs. D.?" asked Mrs. H.

"Oh, no," answered Mrs. D. "They are both most excellent servants, and never neglect their work; but having these Yankee soldiers in the city will, we fear, make them want to run away, and it is only to prevent them from getting any such foolish notion in their heads that we have forbid them to look out at the windows."

"Have you had to punish them often for disobeying the order?" asked Mrs. H.

"Oh, no, not often," answered Mrs. D. "This is only the fifth time, I think, that Mr. D. has had to whip Jane since the Yankee soldiers came into the city, and her mother has only needed three punishments for the same offence. Take them all in all, there are, I think, few better servants in Alexandria than Jane and Mary."

This ended the conversation between the two ladies at that time, and Mrs. H. returned to her own parlors a sadder, if not a wiser, woman. Within a half hour Mrs. H. heard still louder and more piercing cries, and the voice this time was plainly that of Jane's mother. Stepping to and opening one of her back parlor-windows, she could distinctly hear the conversation between Mr. D. and Mary, which seemed to come from the garret of the house, the back dormer-windows of which chanced to be open.

"Oh, don't kill me, Mr. D., don't kill me! I only called Mrs. H. because I thought you was killing my child—she screamed so terribly! Oh, please don't whip me any more this time, please! My back is still sore from the last whipping you gave me, and every stroke you now give me seems to cut into the flesh like a knife. Oh, please don't whip me any more! please don't! please! please!"

These words from Mary's lips Mrs. H. distinguished as plainly as though they had been spoken at her side, for both Jane and her mother spoke most excellent English, having always been brought up as house servants, and never having imbibed the habit of using the negro dialect. Indeed, in their habits and manners they were quite as ladylike as their mistress, nor could it hardly be otherwise, since both from childhood had been made to wait upon ladies of education and refinement, and could scarcely have failed to imbibe their language and manners. Pathetic as Mary's pleadings were, however, they failed to reach Mr. D.'s heart, for in a moment after Mrs. H. heard the lash again applied, and this time Mary screamed still louder than before. Again and again she could hear the lash descend upon poor Mary's back, and again and again came from her lips the most horrid screechings and the most piteous moans. Finally, Mrs. H. could listen no longer, but, returning to her sitting-room, threw herself upon a lounge and wept as if her very heart would break. Then and there she made a most solemn vow to God that she would give herself no rest until she had rescued Jane and her mother from their heartless, cruel master, nor would she ever try again to live on terms of friendship, much less of intimacy, with Mr. and Mrs. D.

When Mr. H. came home to tea, he observed that his wife had been weeping, and inquired the cause. She then told him all that she had seen and heard during the afternoon, and begged of him, for her sake, for Mary and Jane's sake, for God's sake, to go, immediately after tea, to Judge Freese's quarters and tell him all that had occurred. She was sure, she said, from what she had heard of his court, that he would not permit such heartless barbarities to continue in Alexandria. The husband was deeply impressed with his wife's story, and still more so by the pathetic appeal which she had made to him in behalf of the two servants, and promised to do as she requested, notwithstanding his very great reluctance to break friendship with Mr. and Mrs. D.

Accordingly, after tea, instead of going back to his store he went direct to Judge Freese's quarters and told him the whole story, just as his wife had told it to him. The Judge listened attentively, and, when Mr. H. had finished, said, in a very quiet but in a very determined way, that the case should have his careful and prompt attention. The Judge then told Mr. H. to please bring his wife around to headquarters next morning, that she might make a formal affidavit to what she had seen and heard, after receiving which he would direct the Provost-Marshal to arrest Mr. H., and bring him and the two servants before the court at its next sitting. Next morning early Mr. and Mrs. H. went to the general headquarters. The Judge wrote down, as Mrs. H. detailed it, the story as heretofore told, when Mrs. H. added her signature and made affidavit as to its truthfulness. The Judge then sent for the Provost-Marshal, and ordered him to arrest Mr. D. and bring him and the two servants, Mary and Jane, before the court at ten o'clock.

The arrest of so prominent a citizen as Mr. D. spread through the city like wildfire, and, when the court assembled, the court-room was crowded in every part. After all the other prisoners present had been discharged or sentenced, the case of Mr. H. was called. He arose, when his name was called, and said he was there in obedience to the orders of the court, but for what cause he knew not, except—if he had understood the marshal aright—for punishing his own slaves, which, according to the laws of Virginia, he certainly had the right to do. The Judge only replied that he (Mr. D.) would probably understand his rights better after the case had been tried, and then directed that the trial proceed. Mr. D. asked if he could be represented by an attorney.

"Certainly," replied the Judge, "if the attorney will first take the oath of allegiance to the United States Government."

This the attorney present declined to do, and Mr. D. was obliged to act as his own attorney. The first witness called was Mary, the slave-mother. She testified, in response to questions by the court, that she had been born the slave of Mrs. D.'s father, and had lived in his family until Mrs. D. was married, when she had been given to Mrs. D. as her maid or body-servant; that her daughter Jane, then about five years of age, had been given to Mrs. D. at the same time; that she, Mary, had never been married, but when less than twenty years of age had repeatedly been ordered to the bedchamber of Mrs. D.'s father; that Jane was none other than the daughter of Mrs. D.'s own father, and consequently half-sister to Mrs. D. herself; that she had frequently asked her former master and her present mistress for the privilege to learn to read and write, and, when she had learned herself, that she might teach her daughter Jane, but they had always refused, and given as a reason that the laws of Virginia made it a criminal offence to teach a slave to read or write; that both she and her daughter had been generally well treated by Mr. and Mrs. D. until the Union troops came to Alexandria; that since that time both seemed to have entirely changed in their disposition towards her and

her daughter; that nothing they could do seemed to please them; that both she and her daughter had been forbidden to go upon the street at any time or upon any occasion, and that finally they had been forbidden to look out of the windows; that they had tried to obey even this order, but, on hearing music and the tramp of passing soldiers, they had sometimes been drawn to the windows unthinkingly; for this one offence and for no other—for Mrs. D. always reported them to her husband, and seemed to take pleasure in doing so whenever she chanced to catch them at a window—Mr. D. had whipped both her and her daughter several times most terribly; that he always took them to the garret, tied a cord around each wrist, threw the cord over a beam and drew them up until their toes just touched the floor, stripped them to the waist, and then with a rawhide gave them as many lashes as he thought they could stand without fainting; that her own back, and her daughter's as well, were so raw and sore that they could hardly wear their dresses; that Mrs. D. always encouraged these whippings, and that neither she nor her husband ever manifested the least sympathy with their subsequent sufferings; that neither she nor her daughter had ever made an attempt to escape from bondage, nor had either of them ever threatened their master or mistress so to do, notwithstanding all they had suffered. She wept frequently while giving in her testimony, and at times almost the entire audience seemed melted to tears. The Judge was observed to wipe his eyes frequently, and several times his voice was so choked with emotion that he had to hesitate some moments before he could put the next question. The whole of Mary's evidence had to be drawn from her lips, item by item. She seemed all the while afraid to answer questions, and said nothing of her own accord.

Jane was next called. Her evidence entirely accorded with her mother's, so far as her knowledge extended. Mrs. D., she said, had never found any fault about her work—only about her looking out of the windows, and this she had not meant to do, but did it every time without thinking. When she heard the music of a band, or the tramp of soldiers, some *irresistible force* always drew her to the nearest window to look out. She could not help it, though her life depended upon it. Both she and her mother were passionately fond of music, and when their mistress played on the piano in the parlor, they generally managed to leave their work long enough to stand and listen, by a door ajar, until the music ended. She did not understand why she and her mother should be so infatuated—crazy as she called it—about music. She only knew that it was so, and that neither of them could help it.

Mrs. H. was the next witness. She detailed, carefully and succinctly, what she had heard and seen the afternoon before. Told of her long and agreeable acquaintance with Mr. and Mrs. D., and how much she regretted the rupture of those friendly relations. Said she had frequently heard Mrs. D. speak in the highest terms of her two servants, Mary and Jane; that several times before that afternoon she had heard strange, unusual noises next door, but never until then had she heard them plain enough to know what they meant. On leaving the witness-stand and resuming her seat, she burst into a flood of tears, and it was several minutes before she could regain her self-possession.

The Judge then asked Mr. D. to call any witnesses he had present, or to present himself or his wife as a witness, if he thought proper.

Mr. D. replied that he had no witnesses in the case, neither did he propose to offer himself nor his wife as a witness; that he substantially admitted all that had been said by the witnesses for the prosecution, except as to the severity of the punishment inflicted. In that, he thought, the witnesses had all exaggerated. In the excitement attendant upon the punishment of a servant, however, one might strike harder blows, and more of them, than he intended or knew of at the moment; but he certainly never had intended to punish either Mary or Jane to the extent they had described. His defence, he said, was that he had done nothing more than the laws of Virginia authorized. That, within maiming and death, the law gave to a master the authority to punish a slave to any extent he pleased. That ever since Federal troops had been in the city he had suspected Mary and Jane to be planning means of escape, and that it was to make them realize his right to them as their owner and master, and to keep them in wholesome dread of his authority, that he had forbidden them to go upon the streets, to look out at the windows, and had occasionally punished them in, as he thought, a very mild way. Besides, he thought a military court had no right whatever to interfere with the relations between master and slave, and hoped the court would think proper to dismiss the case. He spoke in a very pompous manner, and took his seat as one who had entirely demolished his adversaries.

For a few moments there was an almost death-like silence in the court-room. No one spoke. You could almost have heard a pin drop on the floor. The Judge then ordered Mr. D. to stand up to receive the sentence of the court. Mr. D. stood up. The Judge then proceeded to say, "Sir: You are charged with assault and battery upon these two defenceless females, Mary and Jane. The evidence is clear that you committed such assault, not once only but several times. Indeed, you yourself admit it. Your defence is that they are your slaves, and that, according to the slave code of Virginia, you had the right to punish them to any extent you pleased within that of maiming or the taking of life. I am not familiar with the slave code of Virginia, and cannot say of a certainty that you represent it wrongfully, but I can say that if such authority exists upon any statute-book of any State, it is a disgrace to civilization, and the sooner it be expunged the better. But, sir, it matters not to this court what the laws of Virginia may be upon this or upon any other subject. This is a United States military court—a court of necessity, and 'necessity knows no law' is an old maxim—a court established because all other means of justice had fled from this city—a court governed by the principles of equity, rather than of law—a court established to protect the lives, the natural rights, and the property of every inhabitant of Alexandria, without regard to their political opinions, their religious predilections, their sex, their condition in life, or their color—a court which does not, and cannot, recognize slavery in any shape or form—a court which now and ever will protect the lives, the personal rights, and the property of those called slaves as readily as of those called masters. While this court possesses no power to dissolve the relation which the laws of a State have made possible between master and slave—that power belonging alone to the President of the United States in his capacity as commander-in-chief of the army and navy—yet it does possess the power, and it is its imperative duty, to protect the weak against the strong, the slave against undue severity from his or her master or mistress, and particularly from inflicting punishment without adequate cause. The evidence in this case, sir, shows that you had no cause, no reasonable cause, for inflicting any punishment whatever on either of these females; that they were both uniformly good servants, that your wife invariably spoke of them as such until the Union troops came into this city, and that then, and not till then, you conceived the idea that

they would escape from your service if they could, and to counteract such a thought in their minds you gave them commands contrary to all the laws of nature; and because they did not, for the reason that they could not, obey these unnatural commands, you inflicted upon them both a degree of punishment such as a man would be indictable for if inflicted upon a horse. This you try to excuse by saying that, while in a passion, you may have struck them harder and oftener than you intended; the answer to which is that a man subject to such violent passions, and devoid of mercy, as you, sir, appear to be, is utterly unfit to have in his power those who are unable to defend themselves against brute violence. Those whom you abuse, therefore, must be taken from your control; must be placed in the hands of those who will treat them kindly, treat them as human beings; and though this temporary taking away may not destroy your legal right to their services at some future time, it will, at least, protect them from your violence for the present, and it may be that, before this sentence shall have expired, a merciful Providence may induce the President to issue a proclamation of universal freedom to all the slaves of this land. Meanwhile, this court will use all the power it possesses to protect them from undue violence from those who call themselves their owners; and the court desires to give fair warning now, so that all may be without excuse hereafter, that from henceforth this court will regard an assault made upon a so-called slave in precisely the same light as if made upon a free white person. For every stroke laid, upon a slave hereafter, without justifiable cause, the master will receive a like number, or other punishment equal thereto, by the sentence of this court; and the only reason why you, sir, are excused from corporal punishment now, is, that you acted ignorantly—acted, as you supposed, under the laws of Virginia, and without knowing the law or orders of this court upon this subject. Hereafter no one within the jurisdiction of this court can have any such excuse.

"The sentence of the court is, that you, Mr. D., immediately after the adjournment of this court, go with the Provost-Marshal to his office, and there, over your own hand and seal, with the Provost-Marshal as a witness, execute a permit to Mary and to Jane, each, to leave your employ at once, and take with them whatever of clothing or other articles heretofore recognized as theirs—to engage their services as domestics to whomsoever else they please, to receive in their own right and to use as they please, whatever wages may be agreed upon between them and their future employers—to go and come when and wheresoever they please, and in no respect whatsoever to be subject to your direction or control. And the further judgment of the court is, that this sentence shall remain in full force and virtue so long as the war between the North and the South continues.

"To you, Mr. Provost-Marshal, the court begs to say that you will not permit Mr. D. to leave your custody until he has fully executed this order; and should he refuse, or even hesitate, you will at once lock him up in the county jail, and report to this court for further orders.

"To you, Mr. and Mrs. H., the court begs to return not only its thanks, but the thanks of every peace-loving, mercy-loving, freedom-loving citizen of this community, for having brought this case before the court, and thereby put a check, if not an entire stop, to an evil which otherwise might have grown to huge proportions; and, as a further manifestation of your good hearts, the court requests that you will take Mary and her daughter in your own employ, until such time as a better arrangement can be effected, if that be ever possible.

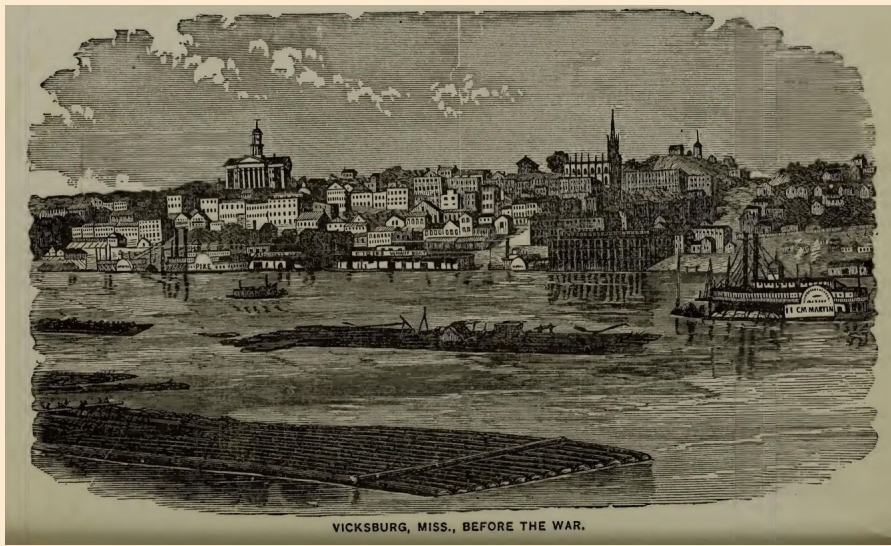
"The court stands adjourned until to-morrow at ten o'clock."

While the Judge was delivering this sentence, perfect silence prevailed; but the moment he closed, a buzz of approval ran throughout the court-room, amounting almost to cheers. Mr. D. and his attorney, and the few friends immediately about him, looked like so many dark thunder-clouds in a clear sky; but the contrast only made the sky to appear the brighter. The crowd dispersed. The sentinels present, at a shoulder-arms, with fixed bayonets, at once formed a front and rear guard to the Provost-Marshal and his prisoner, and, when on the street, a hollow-square, until they reached the Provost Marshal's office. A permit, such as the court had directed, was then prepared, to which Mr. D. put his hand and seal, with the Provost-Marshal as a witness. The Provost-Marshal then went with Mary and her daughter (Mr. D. still accompanying and not yet discharged) to Mr. D.'s house, where the two servants were permitted to gather together their clothing and whatever else they claimed as theirs. Mrs. D. was at first disposed to refuse the servants their clothing, or anything else, and to talk loudly against the injustice of the court, etc.; but a word of caution from the Provost-Marshal, and a beseeching look from her husband, effectually closed her lips. When Mary and Jane had got all together, in such bundle as they could easily carry, the Marshal accompanied them to the residence of Mrs. H. and there left them.

Mrs. H. met them in the entry-way, and the moment they saw her, both servants fell on their knees and begged to kiss her hand, or even the hem of her garment. They wept and laughed alternately, and it was some time before she could get them to arise from their knees and go to the room which had been prepared for them. The transition from slavery to virtual freedom, from constant dread to free volition, to what had seemed to them a hell to what now seemed to them a heaven, had been so sudden, that they could scarcely realize it as possible; and, when they reached the room assigned them, both again fell on their knees, and for a full hour returned thanks to God for his mercy and loving-kindness, and implored blessings on those who had shown them such unexpected kindness. Both Mary and her daughter were members of the Methodist Church—the former had been so for many years—and both had always led, so far as was known, consistent Christian lives.

The result of the trial was soon in the mouths of everybody, some condemning, but a large majority approving. The effect was, that not a single similar case was brought before the court after that. The warning of the court was so plain and pointed that all who owned slaves in Alexandria felt that they knew, as well before as after, what punishment would follow ill-treatment, and none were ill-treated.

Had like courts followed the army, or been established in every city of the South on the day they fell into the hands of Union troops, what immense suffering might have been saved; how many rescued from premature graves, caused by inhuman treatment; and how many thousands could have been given the blessed boon of freedom, who were run into Texas, thence to Cuba and Brazil, and thence consigned to a fate worse than death itself!



*Original*

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## CHAPTER XII. LOYALTY VERSUS DISLOYALTY. PREJUDICE AND SELF- INTEREST

### PROMPTING THE ACTORS.

**T**HE definition given by lexicographers to the word loyalty, namely, "faithful to the lawful government," is so plain that no one can fail to comprehend it; and yet such were the complications in the late war between the United States and the Confederate States, that to no word could a greater variety of significations have been given. The Northern man claimed that to be loyal one must be faithful to the United States government, and all who were not so were rebels. The Southern man claimed that, after the organization of the Confederate States government, no man south of "Mason and Dixon's line" could be regarded as loyal who was not in favor of, and faithful to, that government. The extreme State-rights man claimed that to be loyal one must be faithful to the government of the State in which he resided, or of which he was a native. Each claimed theirs, and theirs only, to be the "lawful" government, and insisted that to be loyal one must be faithful to it, and to it alone, and that any lack of fidelity thereto was disloyalty, and could be nothing.

To illustrate by a figure once before used in this volume—that of a divorce suit between man and wife—it is easy enough to see how the children, taking the side of the father, might charge those who took the side of the mother with disloyalty to the family, and how those taking the side of the mother might retort by saying that else, the mother was quite as much a part of the family as the father, and that those who opposed her were more disloyal to the family than themselves. Thus criminations and recriminations might pass between the children of a divided household—divided in sentiment, if not yet by law—and if a third party were called in as arbitrator, it would be no easy matter for him to decide which of the two was right and which wrong. Viewing the subject from this stand-point, now that the prejudices and excitements of the war are over, it is not difficult to understand how President Davis, General Lee, General Beauregard, General Polk, and their adherents, regarded themselves quite as loyal as President Lincoln, General Grant, General Sherman, General Sheridan, and their followers. Each regarded theirs as the "lawful government," and that only by adhering to it, by being faithful to it, could one justly claim to be loyal.

But there was a third class in the war, who, while claiming to be faithful to one government, were, at heart, in favor of the other; who only wore the "garb of heaven" that they might the better "serve the devil;" who were ever ready to make promises to both sides, but who were true to neither; men who, like Marlborough, while pretending to be faithful to William III., was really plotting to restore James II. So well laid were Marlborough's plans, that Macaulay says, "Had Marlborough, therefore, after securing the cooperation of some distinguished officers, presented himself at the critical moment to those regiments which he had led to victory in Flanders and in Ireland, had he called on them to rally around him, to protect the Parliament, and to drive out the aliens (William's friends), there is strong reason to think that the call would have been obeyed."

Writing of the disloyalty and treachery of many who surrounded the throne of William and Mary at that time (1691), Macaulay says: "Wicked and base as their conduct was, there was nothing in it surprising. They did after their kind. The times were troubled. A thick cloud was upon the future. The most sagacious and experienced politician could not see with any clearness three months before him. To a man of virtue and

honor, indeed, this mattered little. His uncertainty as to what the morrow would bring forth, might make him anxious, but could not make him perfidious. Though left in utter darkness as to what concerned his interests, he had the sure guidance of his principles. But, unhappily, men of virtue and honor were not numerous among the courtiers of that age. Whitehall had been, during thirty years, a seminary of every public and private vice, and swarmed with low-minded, double-dealing, self-seeking politicians. The politicians now acted as it was natural that men profoundly immoral should act at a crisis of which none could predict the issue. Some of them might have a slight predilection for William; others a slight predilection for James; but it was not by any such predilection that the conduct of any of the breed was guided. If it had seemed certain that William would stand, they would all have been for William. If it had seemed certain that James would be restored, they would all have been for James. But what was to be done when the chances appeared to be almost exactly balanced? There were honest men of one party who would have answered, 'To stand by the true king and the true church, and, if necessary, die for them like Laud.' There were honest men of the other party who would have answered, 'To stand by the liberties of England and the Protestant religion, and, if necessary, die for them like Sidney.' But such consistency was unintelligible to many of the noble and the powerful. Their object was to be safe in every event. They therefore openly took the oath of allegiance to one king, and secretly plighted their word to the other. They were indefatigable in obtaining commissions, patents of peerage, pensions, grants of crown land, under the great seal of William, and they had in their secret drawers promises of pardon in the handwriting of James."

Now let the reader turn back and read this extract and the one preceding it about Marlborough, both from Macaulay's History of England, over again, carefully and considerately—putting the name of Abraham Lincoln in the place of William, wherever it occurs; and the name of Jefferson Davis in place of James, wherever it occurs, and whatever name he pleases in place of Marlborough's, and he will, we think, be entirely competent to draw his own similitudes, and to understand the causes of many things heretofore related in this volume, and of some which we purpose to relate in this chapter.

Another class of cases occasionally brought before the Provost-Court, at Alexandria, related to loyalty. To relate the details of one or two of these cases will give to the reader a general conception of the whole.

Mr. E.'s usual residence was in Sussex County, New Jersey, but in some way, and at some time, he became the owner of a farm not many miles from Alexandria, Virginia. In throwing up earth-works at Munson's Hill and at other points, with a view to protect Washington and Alexandria, it so happened that Mr. E.'s farm was left about one mile outside of the Union lines. And it so happened, too, that the Confederates, in establishing their picket-line and temporary works of defence, made them about one mile the other side of Mr. E.'s farm. This left him literally "between two fires," for the mounted cannon on either side could throw a ball into his house at any moment, and squads of cavalry from both sides occasionally visited his house. Had he continued to look after his farming operations, and those only, he would probably not have been seriously disturbed by either side; but the love of the almighty dollar so far prevailed over his better judgment and his loyalty, that he concluded to try merchandising, in a surreptitious way, at his own farm-house. For years previous he had been in the habit of purchasing the supplies for his farm in Alexandria, which, with the fact that he was a Northern man and was presumed to be, as he professed to be, entirely loyal to the United States government, made it no trouble for him to procure passes in and out of the Union lines, whenever he had occasion to use them. After awhile it was observed that he passed in and out of the lines much oftener than he had been in the habit of doing when the line was first established, and that he usually drove a two-horse wagon, with a cloth cover over it, and apparently well filled within. It was observed, too, by officers, with their field-glasses, from the works at Munson's Hill, that Confederate cavalry visited Mr. E.'s house much oftener than they had been in the habit of doing during the first months of the war, and how many, both of cavalry and infantry, visited his place at night, of course they had no means of knowing. When Union cavalry or infantry visited his house, they never saw anything more than was usual about farm-houses, and he always welcomed them with the utmost cordiality. He regretted, he said, that Confederate soldiers visited his house so often. They seemed, he said, to suspicion that he was too intensely Union, but he quieted them by saying that while, of course, he was a Union man, and could be nothing else, yet he meant to be entirely neutral so long as the war continued, and, while he could do nothing for them, he would do nothing against them. The peculiarity of his situation, between the two lines, made this answer seem entirely reasonable to the Unionists who visited him, or who questioned him at any time, and passes continued to be issued to him whenever he applied for them.

Thus matters went on for weeks and months, until one day, when he was about passing a sentinel's post, the sentinel had the curiosity, not only to inquire, but to make a careful examination, of what he had in his wagon. He found barrels of sugar, bags of coffee, chests of tea, sacks of salt, barrels of whiskey, and such other articles as are usually kept and sold at country stores. The sentinel asked Mr. E. if he did not keep a store? Oh, no, he said, he bought these things all for his own use and for the use of his servants on the farm, of whom he had a large number. He never sold an ounce of anything to anybody, and kept his supplies so concealed that when rebels came to his house, as they did sometimes, they never could see anything. On no consideration would he sell or give anything to the rebels, and the Union soldiers, of course, never had occasion to buy anything outside of their lines.

His manner, as well as his words, still further excited the suspicion of the sentinel, and so soon as he was relieved he went to his captain and told him all that had occurred. The captain reported the facts to his colonel, and received orders from him to instruct the sentinel on that post that when Mr. E. next attempted to pass out of the lines with a load of groceries to halt him, and bring him and his wagon to the regimental headquarters. Only a few days elapsed, when Mr. E. again attempted to pass out with a heavier load than at any time previous. When he showed his pass, as usual, the sentinel replied that his orders were to halt him until he could call the corporal of the guard. Mr. E. protested against the unnecessary detention, but, as the sentinel would not yield, he could do nothing else than wait until the corporal came. The corporal informed him that he must turn his team about and accompany him to the regimental headquarters. Mr. E. was now more alarmed than ever, and tried first to cajole and then to bribe the corporal and the sentinel to let him pass, but they would not listen to his overtures. Finding no other way, he turned his team about and accompanied the corporal to the regimental headquarters. The colonel examined Mr. E.'s load and found that it consisted principally of groceries. In reply to the question, What he did with them? he answered the

colonel, as he had before answered the sentinel, that he used them for himself and the servants on his farm; that he did not sell an ounce to the rebels; would not, under any circumstances, etc., etc. The colonel listened respectfully to all that Mr. E. said, but did not believe a word of it. When he had finished, the colonel replied, very calmly but very determinately, that as Mr. E. was a private citizen, and could not, therefore, be tried by a court-martial, he must accompany him next morning to Alexandria, that all the facts of the case might be laid before the Provost-Judge of that city for such action as he might think proper. Meanwhile, his team and his goods would be well taken care of, and he should regard himself as in arrest. Mr. E. protested, but soon became satisfied that he was in the hands of one who could not be cajoled or trifled with, and that submission was his only course.

Next morning the colonel, accompanied by Mr. E., the corporal, and the two sentinels—the one who had examined Mr. E.'s load the first time and the one who had detained him last—went to Alexandria, reaching there about nine o'clock. They went direct to the general, headquarters, and the colonel at once communicated all the facts to Judge Freese. He replied that the provost-court met at ten o'clock, and that so soon as all other cases had been adjudicated this case should be heard, and that the colonel, his prisoner, and his witnesses should be in attendance.

Promptly at ten o'clock the court opened. A dozen or more cases were heard and adjudicated, after which the case of Mr. E. was called. The first witness—the first sentinel—gave in his testimony just as detailed heretofore. The second sentinel and the corporal did the same. The colonel then related all that he knew about the case, and in the course of his testimony, said that he had known of Mr. E. ever since encamped where he then was; that he had frequently heard other officers speak of him; that he, with others, had often watched Mr. E.'s house through their field-glasses, and frequently seen rebel officers and privates coming and going; that for a week previous Mr. E. had gone backwards and forwards through the lines every day or two, usually in a two-horse covered wagon, and dressed as a hard-working farmer; that he always had with him a permit from the general commanding to pass in and out, and that his sentinels had never thought to question his right so to do until after the one sentinel took the liberty of looking in Mr. E.'s wagon, and found it filled with boxes and barrels; that since then he had talked the matter over with the general and several other officers, and all agreed in the opinion that Mr. E. was selling these supplies to the enemy; that, thereupon, he had directed the sentinel upon that post to be instructed to arrest him and bring him to his headquarters should he again attempt to pass with a loaded wagon; that his wagon, when so arrested, was loaded, as heavily as two horses could well draw, with groceries, liquors, etc., and that the team, wagon, groceries, and liquors were now in his camp subject to any order the court might make.

Mr. E. was then called upon by the court to present any witnesses he might have, or to offer himself as a witness, or to say anything he could in his own defence, or all together, if he chose.

Mr. E. replied that he had no witnesses to offer, but, if the court please, would like to make a statement. He then repeated about the same story he had told the sentinel and the colonel, and added, that in Sussex County, New Jersey, where he was well known, nobody doubted his loyalty; that his father had, at one time, been a member of Congress from that State, and that he himself would probably have raised a company or a regiment of volunteers when the war commenced had he not owned this plantation in Virginia and had it to look after. He insisted upon his loyalty, and strongly urged his immediate release from arrest.

The court replied that cases of this kind were exceedingly perplexing at all times, and he, the Judge, would only be too glad if there were some other tribunal to which they could be referred; but as there was not, he could not do less than hear them, and after hearing, if he found cause for action, he could not do less than act. "In this case it was perfectly plain to the court that, notwithstanding Mr. E.'s denial, he had been selling groceries, liquors, etc., to officers and privates of General Lee's army, and might, therefore, fairly be presumed to have given 'aid and comfort to the enemy.' But the court did not believe that it had been done with any such intent. On the contrary, the court believed that it was the love of money—which is said to be the 'root of all evil'—that had induced the defendant to do just what he had done. Mr. E. is one of the thousands and tens of thousands throughout the North who, while making loud professions of loyalty, are all the while looking out for the 'main chance;' whose loyalty goes no deeper than their pockets; whose self-interests so far overbalance any sentiment of patriotism or loyalty, that they would be Lincoln men, or Davis men, just as they thought the one or the other was likely to win; who, while claiming the protection of one government and getting from it all they could, were all the while profuse in promises to the other, and ready to do for it whatever they could, whereby to put dollars in their own pockets or honors upon their own heads or shoulders. Nor is this sentiment confined to farmers and merchants, but the court regrets to have to believe it is to be found in the army, in the navy, in the very presence-chamber of the chief executive, and what is true of the North, the court has no doubt is equally true of the South, though not probably to so great an extent.

"In this case the defendant, doubtless, excused himself somewhat on the ground that he was doing it upon his own property, and that he was doing it as a matter of self-preservation, which, as has been well said, is the 'first law of nature.' But while such pleas would be entirely valid in time of peace, they are not valid in time of war. At such a time, all private interests have to yield to the public good, and what may seem like the taking away of natural rights from the one, may be justice, only justice, to the many. The defendant, too, though a man of general intelligence, was probably not aware that he was violating any law, State or national, in doing what he did.

"Viewing the case from all these stand-points, the court has decided to suspend sentence upon this defendant until he shall be again found violating, or not fulfilling, the orders of the court. Meanwhile, the court orders that the goods now in Mr. E.'s wagon shall be brought back to Alexandria and returned to the parties from whom they were purchased; that, immediately after, whatever other goods may be found upon Mr. E.'s premises (other than enough to support the servants on the place for one month, if any servants at all be found there) shall be brought to this city and returned in like manner; that, after remaining one week longer on his farm, to 'put his house in order,' Mr. E. shall return to his home in Sussex County, New Jersey, and remain there until the war closes; that, if at any time after one week Mr. E. be found upon his farm, or in Alexandria, he be at once rearrested and brought before this court for sentence upon the charges now

pending; and, if so brought, the defendant may rest assured that he will not have opportunity to give the enemy any aid and comfort after that.

"With you, Colonel W., the court leaves the execution of this order in all its details, and, while thanking you for what you have already done, will thank you still more when you have rendered this additional service for the government."

The court then adjourned, and, of the large number present, there was probably not one, save the extremists on either side, who might be counted on one's fingers who did not approve of the action of the court in the case. It need only be added that the orders of the court were carried out to the letter; that Mr. E. returned to his home in New Jersey and remained there until the war ended.

Another case, of altogether a different character, and yet involving the same principle—namely, that of disloyalty to the government by aiding the enemy in a surreptitious way—occurred not long after and was as follows:

The "Hutchinson Family," who had been giving a series of concerts in Washington, was invited by some New England regiments, encamped not far from Alexandria, to come to their encampments and give a series of concerts. The "Family" had accepted the invitation and given several concerts in pursuance thereof. Of course, their programme was made up largely of war lyrics—at that time by far the most popular songs with a Northern audience, and especially with soldiers—among which was that wonderful, soul-stirring poem by the Quaker poet, John G. Whittier, as follows:

"We wait beneath the furnace blast  
The pangs of transformation;  
Not painlessly doth God recast  
And mould anew the nation.  
Hot burns the fire  
Where wrongs expire;  
Nor spares the hand  
That from the land  
Uproots the ancient evil.

"The hand-breadth cloud the sages feared,  
Its bloody rain is dropping;  
The poison-plant the fathers spared  
All else is overtopping.  
East, West, South, North,  
It curses the earth:  
All justice dies,  
And fraud and lies  
Live only in its shadow.

"What gives the wheat-field blades of steel?  
What points the rebel cannon?  
What sets the roaring rabble's heel  
On the old star-spangled pennon?  
What breaks the oath  
Of the men o' the South?  
What whets the knife  
For the Union's life?—  
Hark to the answer: Slavery!

"Then waste no blows on lesser foes,  
In strife unworthy freemen;  
God lifts to-day the veil, and shows  
The features of the demon'  
O North and South\*  
Its victims both,  
Can ye not cry,  
'Let Slavery die!'  
And Union find in freedom?

"What though the cast-out spirit tear  
The nation in his going?  
We who have shared the guilt must share  
The pang of his o'erthrowing!  
Whate'er the loss,



Whate'er the cross,  
Shall they complain  
Of present pain,  
Who trust in God's hereafter?

"For who that leans on his right arm  
Was ever yet forsaken?  
What righteous cause can suffer harm,  
If He its part has taken?  
Though wild and loud,  
And dark the cloud,  
Behind its folds  
His hand upholds  
The calm sky of to-morrow!

"Above the maddening cry for blood,  
Above the wild war-drumming,  
Let Freedom's voice be heard, with good  
The evil overcoming.  
Give prayer and purse  
To stay The Curse,  
Whose wrong we share,  
Whose shame we bear,  
Whose end shall gladden Heaven!

"In vain the bells of war shall ring  
Of triumphs and revenges,  
While still is spared the evil thing  
That severs and estranges.  
But blest the ear  
That yet shall hear  
The jubilant bell  
That rings the knell  
Of Slavery forever!-

"Then let the selfish lip be dumb,  
And hushed the breath of sighing;  
Before the joy of peace must come  
The pains of purifying.  
God give us grace,  
Each in his place  
To bear his lot,  
And, murmuring not,  
Endure, and wait, and labor!"

To this was added another of Whittier's poems, called The Crisis, as follows:

"The crisis presses on us; face to face with us it stands,  
With solemn lips of question, like the Sphinx in Egypt's sands!  
'This day we fashion Destiny, our web of fate we spin;  
This day for all hereafter choose we holiness or sin;  
Even now from starry Gerizim, or Ebal's cloudy crown,  
We call the dews of blessing, or the bolts of cursing down!

"By all for which the martyrs bore their agony and shame;  
By all the warning words of truth with which the prophets came;  
'By the future which awaits us; by all the hopes which cast  
'Their faint and trembling beams across the blackness of the past,  
'And in the awful name of Him who for earth's freedom died;  
O ye people, O my brothers! let us choose the righteous side!

"So shall the Northern pioneer go joyfully on his way,  
To wed Penobscot's waters to San Francisco's bay;

To make the rugged places smooth, and sow the vales with grain,  
'And bear, with Liberty and Law, the Bible in his train;  
The mighty West shall bless the East, and sea shall answer sea;  
'And mountain unto mountain call: Praise God, for we are  
free!"

Though the regiments to which they sang were made up principally of anti-slavery men, yet there were a few proslavery men among them, and these objected, loudly and vehemently, to introducing or stimulating anti-slavery sentiments among the soldiers. Especially did they object to those lines by Whittier. This caused considerable discussion among both officers and men, which, through one of the pro-slavery officers, finally reached the ears of General McClellan, then in command of the forces south of the Potomac. The General, for reasons best known to himself, thereupon issued an order to the "Hutchinson Family" to sing no more in the camps, and retire at once.

In obedience to this order, the "Family" left the camps and came to Alexandria, on their way to Washington. The reason for their leaving the camps had reached Alexandria before the coming of themselves, and had produced a very strong feeling among the Union men of the city against General McClellan, and in favor of the Hutchinsons.

On reaching there, they were called upon by a number of leading citizens, among whom was Hon. Louis McKenzie, afterwards a member of Congress from that district, and then and always a consistent Union man. They requested the Hutchinsons to give a concert in the city before leaving, and promised them a large and sympathizing audience. The Hutchinsons were entirely willing to give a concert, provided they could be assured of protection; but, having just been ordered by General McClellan to leave his command, they feared to sing again south of the Potomac, unless they had permission, and promise of protection, from the local authorities. This the callers promised to procure, and at once went to the general headquarters for that purpose.

They at first called upon General Montgomery. He, while entirely sympathizing with their wishes, hesitated about giving such formal permission, or promising any such protection, for the reason, that, being within General McClellan's command, the General might regard it as a contempt of his order to the Hutchinsons; nevertheless he would impose no objections of any kind, and recommended the applicants to see Judge Freese about it. General Montgomery really desired to do all that the committee requested; but, for the reasons above stated, preferred that Judge Freese should do it, by virtue of his milito-civic authority as judge of the provost-court.

The committee next called upon the Provost-Judge and laid all the facts before him, stating that General Montgomery had suggested that they call upon him. They urgently requested Judge Freese to grant the needed permission, with promise of personal protection. The Judge did not hesitate a moment to grant both requests. He told the committee that if the court, backed by the provost-guard, was not strong enough to protect peaceable citizens in the giving of a concert, no matter what was sung, the sooner the people knew it the better, and he was ready to test the matter at once. As to General McClellan's order, he regarded it as wholly unreasonable, and the army regulations required no officer to obey an "unreasonable" order. While he had a very high regard personally for General McClellan, he thought, in this matter, he had given too much heed to the enemies, and too little heed to the friends, of the government; and, whatever might be the consequences to himself, he had no hesitancy in granting the asked-for permission and promise of protection, even though General McClellan or his friends should regard it in direct contumacy of his order to the Hutchinsons. The Judge further said to the committee, that he "particularly desired *Whittier's great poem to be sung*, nor need the singers hesitate to introduce other war lyrics of like character—the more the better."

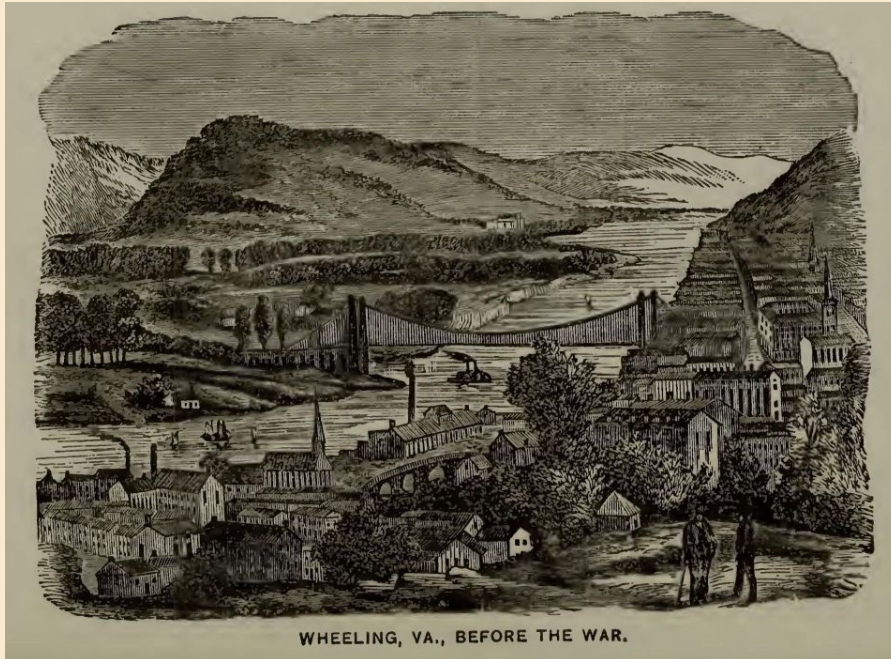
The committee then procured one of the churches in which to hold the concert, and fixed upon the evening of the next day as the time. Meanwhile the Provost-Judge directed the Provost-Marshal to double the number of guards throughout the city for that night, from eight to twelve o'clock, and to have all who were not on post at the church while the concert was being held—each with loaded musket and fixed bayonet.

The news of the proposed concert spread rapidly through the city, and when the evening and hour arrived, every seat in the church was filled, while hundreds were gathered outside. The windows of the church were thrown wide open, that the citizens and soldiers outside might the better hear the words and music. The Provost-judge and Provost-Marshal took seats near the outer door, and it was observed that while they seemed to give one ear to the music, the other was given outside, to catch the first note of alarm, should any occur. General Montgomery expressed a very strong desire to attend the concert, but, out of courtesy to General McClellan, his commanding officer, thought he had better not, and therefore stayed away. The concert proceeded without an iota of disturbance, and gave great pleasure to the many hundreds present. Whittier's poem, and several others of like character, were so encored that the singers were obliged to repeat them. When the concert had ended, the Provost-judge and Provost-Marshal, with the guard which had been stationed about the church, accompanied the Hutchinsons to their lodgings, and left them in care of trusted friends. They were not disturbed through the night, and left next morning for Washington, well pleased with their stop-over at Alexandria.

This was not only a triumph over disloyalty, but another instance strongly illustrating the restraining power which the provost-court held in that community. The day preceding the concert, and the day of the evening on which it was held, there were loud threats not only among avowed secessionists, but among anti-administration men, that the concert should not be given. Their own personal and political prejudices had been so aroused, backed and stimulated by General McClellan's order, that a single spark would have ignited their whole magazine of passion; and but for the wholesome dread which they had of Judge Freese's "Bayonet Court," as they were then in the habit of calling it, that spark would undoubtedly have been applied.

The love of money, old political prejudices, and inordinate ambition, were the three vile roots from which most of disloyalty sprang during the late war, both in the North and in the South; and the illustrations given in this chapter are but two of hundreds which might be given, if the proposed limits of this volume would

allow.



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## CHAPTER XIV. DISLOYALTY AS AFFECTING THE RIGHTS OF PROPERTY. ERROR AND PREJUDICE PROMPTING THE ACTORS.

**A**NOTHER class of cases brought before the provost-court at Alexandria related to disloyalty as affecting the property-rights of individuals. In the hasty evacuation of the city, when the Union troops were about coming in, many had left their carpets, furniture, pianos, bed? and bedding, cooking utensils, everything, indeed, except the clothing upon their persons and such few things as they could pack in trunks. In some cases, persons remaining in Alexandria had been given the keys of abandoned houses and stores and the goods within left in their charge; but in other cases, so great had been the fright and haste of the occupants, that even this precaution had not been observed. What was true of Alexandria was no less true of the country for several miles around. As regiment after regiment came over from Washington and encamped at points from one to five miles west and south of Alexandria, they found many farm-houses and gentlemen's residences abandoned, in which had been left the furniture, the pianos, the beds and bedding, and whatever else could not be carried away in trunks. Of course, all such abandoned residences were appropriated for headquarters of divisions, brigades, and regiments, so far as they were needed for such purposes; and, in Alexandria, such residences as were not needed for headquarters were quickly applied for (or taken possession of in many cases without any application to the General commanding) by those who came to the city for purposes of trade, and for other purposes.

Thus far everything progressed with what seemed to be a sort of general consent; but pretty soon a new class of questions arose, in which there was a decided difference of opinion, not only as between Union citizens and secessionists, but between Union officers and Union soldiers as well. These questions arose from an assumed right, upon the part of some, to appropriate for their own individual use and profit whatever had been abandoned by those who had gone into the Confederate lines, and who thereby had openly declared themselves not only disloyal, but hostile, to the United States government.

Those who assumed such right, attempted to justify their opinions and their acts by referring to the Act of the United States Congress of August, 1861, by which all property used for insurrectionary purposes was made liable to confiscation; and they further claimed that it was but a fair retaliation to the Act of the Confederate Congress, by which the property of all Union men, living within the Confederate lines, was made liable to sequestration.

General Montgomery was among those who believed that, while the army, as an army, had a right to make use of property abandoned by an enemy, individuals, whether as officers, soldiers, or citizens, had no such right; and among his first acts, after being appointed Military Governor of Alexandria, was to direct his Assistant Adjutant-General to issue an order forbidding the use of abandoned property, without permission first had from general headquarters; and when the provost-court was established, he directed Judge Freese to

see that that order be in no way violated or evaded. In every case reported to the Judge, where an attempt was made to take an article from an abandoned house and appropriate it to the private use of the taker, whether officer, soldier, or citizen, the party was directed to refrain, or, if already taken, to return it at once, under the penalty of arrest and punishment. This soon became so generally understood in Alexandria that no further attempt was made to appropriate abandoned property for private use and profit there; but, after a time, a case arose from the country, which required the interposition of the court, a trial of the case, and a judgment; and it is this case which we now propose to relate.

Dr. W. was the assistant surgeon of the Fourth-Volunteers, and as good a man, in every respect, as one often meets. When the government called for troops, he was among the first to offer his services, though at that time doing a large practice, having a large family to support, and having but little of this world's goods; and when the Fourth regiment was organized, the governor of his State appointed him its assistant surgeon. This regiment was among the first to reach Washington, and the second to establish a camp beyond Alexandria. The colonel of the regiment was a wide-awake New Englander, an intense anti-slavery man, an ardent admirer and supporter of President Lincoln, one who believed that a secessionist, by becoming disloyal to the government, forfeited all the rights he ever possessed, and that this forfeiture extended to property quite as well as to personal rights. Though he was never known to appropriate any abandoned property to his own private use or profit, yet he had no scruples of using it himself, and of allowing others of his regiment to use whatever fell in their way; and if any of his officers or soldiers asked to appropriate to their own use anything which they had found, he never answered nay. That he was entirely conscientious in all this, no one that knew the man doubted for a moment, however much they might differ with him in political opinion. With a commanding officer holding such decided views, it was not at all surprising that his lieutenant-colonel, major, assistant-surgeon, adjutant, and almost, if not quite, every company officer should, ere long, become as decided as himself upon this question.

Near the spot on which they fixed for an encampment was a large house, which had been abandoned by its owner and occupant on the morning that the Union troops marched into Alexandria. So hasty had been the flight that even the breakfast-table, with the dishes upon it, was left standing in the centre of the dining-room. Not an article of furniture, so far as could be seen, had been removed. The house had been well furnished, and, among other things, had a piano, about half worn. This had doubtless been played upon by daughters of the family as well as by the wife, as there were articles lying about the parlor which plainly indicated recent occupancy by young ladies. The piano stood open when the colonel, doctor, and other of his officers first entered the house, and that most exquisite of all musical compositions, "Home, Sweet Home," was open on the music-holder.

This house the colonel at once appropriated for the headquarters of his regiment, and not only he, but his lieutenant-colonel, major, doctor, and adjutant slept and messed there. They slept in the beds, lounged on the sofas, ate from the table, drank from the sideboard, and used nearly everything about the house except the piano. No one of the officers played, and ere long the piano became one of the neglected, if not one of the useless, articles about the house. One day, when they were all lounging in the parlor, the doctor said to the colonel:

"What a world of pleasure that piano would give my wife and daughters if I only had it at my own home!"

"Well," replied the colonel, "why then don't you send it to your own home? The owner, or once owner—for I hold, you know, that rebels forfeit everything, even their lives—is not here to object, and I am sure I won't."

This led to a general conversation on the subject among all the officers present, the conclusion of which was that the doctor should have the piano boxed, and sent to his family as soon as he could conveniently. This, of course, pleased the doctor greatly, and on the following day he got together boards, and a carpenter, had a suitable box made, the piano carefully packed, and on the day following sent it to Alexandria, with orders to have it forwarded to his home, in New England, as speedily as possible. When it was being unloaded at the shipping warehouse, one of the provost-guard chanced to be present, and inquired of those who brought it where it came from, who sent it, and where it was being sent to? Those who brought it answered all these questions without hesitancy, nor did they see any wrong in all that was being done; but the provost-guard, knowing what the orders in the city were upon that subject, felt it to be his duty to inform the Provost-Marshal of what he had seen, and no sooner did the Marshal learn of it, than he informed the Provost-judge.

The Judge directed the Marshal to go at once to the shipping merchant, and direct him not to send that box away until further orders from the court. He next directed the Marshal to call that afternoon upon the doctor and the colonel, and request their presence at the court-room next morning at ten o'clock. Should they decline to attend by request, to inform him at once, when he would order their arrest; but he much preferred to have all the facts inquired into without arrests, if it could be done as well. The Marshal called upon the colonel and the doctor that same afternoon, delivered the Judge's message, and both promised to be at the courtroom next morning without fail.

Promptly, as per promise, the colonel, the doctor, and several other officers of the regiment were at the courtroom next morning. The doctor, it was plain to see, felt a little skary, but the colonel was so confident of the justice of his case that he rejoiced in the opportunity of convincing the Judge that for once, at least, he was in the wrong. When all the other cases before the court had been disposed of, the Judge turned to the doctor, and said:

"Now the court will hear your case."

The doctor at once arose, and said he was there in obedience to the orders of the court, but was not at all aware with what crime he was charged.

The Judge replied that, as yet, he was not accused of any crime, nor was he present by the "order," but rather by the request, of the court: The Judge then stated all that he had learned concerning the piano, and how he had directed the shipping merchant not to send it away until further orders from the court; that he had not issued an order for arrest, for the reason that he much preferred to have the whole matter inquired into amicably, as he was under the impression that all done thus far had been from error of judgment rather than from any intent to do wrong; but, if this course were declined, then there was but one other way left—

namely, arrest, trial, and judgment, whatever it might be.

The doctor and the colonel both replied that they much preferred an amicable hearing of the case, and were ready, whenever it might please the court, to state all the facts within their knowledge, either under oath or upon their honors as gentlemen and officers.

The Judge expressed his pleasure at this frank manner of meeting the case, and told the doctor to proceed, "upon his honor as a gentleman and officer," to state all the facts of the case within his knowledge—to which he might add any arguments he pleased by way of justification.

The doctor, thus assured and placed entirely at his ease, proceeded, in a calm, pleasant way, to state just what had occurred, and how it occurred, since their occupancy of that abandoned house. He particularly detailed the conversation that had incidentally occurred between the colonel and himself, which led to the packing up and sending away of the piano—all of which, he said, could be confirmed by several officers then in the courtroom; that he had done nothing secretly or surreptitiously, nor had he once dreamed that he was doing a wrong in anything he had done; but if, in the judgment of the court, it was wrong, he was quite ready to undo all that he had done, and have the piano put back exactly where he had found it. As to the matter of justification, he preferred to leave that in the hands of his colonel, who had given, to the subject more thought, and could better express those thoughts than himself.

The Judge then extended to the colonel the same invitation he had given the doctor, and upon the same terms. The colonel thanked the Judge for the courtesy, and then proceeded to state the facts exactly as the doctor had stated them, and exactly as heretofore given in this chapter. This finished, he next entered upon an argument to prove that all that a man had of personal rights, of property, and even of life, he forfeited when he became disloyal to his government. He laid special stress upon the act of sequestration passed by the rebel or Confederate Congress, and said that the taking of abandoned property by Unionists on this side of the line was only a fair retaliation for what the rebels were doing with the Union people of the South. He also referred to the act of confiscation then recently passed by the United States Congress, and contended that if the government thought it right to confiscate the property of rebels in a wholesale way, individuals were certainly justified in doing it in a retail way. The colonel was earnest, at times quite eloquent, and certainly made the best argument that could possibly be made on that side of the question.

When the colonel had finished, the Judge inquired whether any other person present desired to make a statement or an argument in the case. Being answered in the negative, Judge Freese then proceeded to state his own views as follows:

"The court is obliged, very greatly obliged, both to the doctor and to the colonel, for the cordial manner in which they have met the issues of this case. The court was reasonably satisfied before, but is still better satisfied now, that nothing of wrong was intended in all that had been done; that it was simply an error of judgment, and that none will be found more ready than themselves to correct the error so soon as they are satisfied that it is an error. About the facts of the case there is no dispute whatever. All the statements agree. The only question, therefore, is as to the reason or the law of the case. This court is not strictly a law court. It is rather a court of necessity—of a 'necessity that knows no law'—or of equity; but in this particular case it might well afford to stand upon the law alone, even if there were no equities in the case to be considered.

"The act passed by the United States Congress, on the 6th of August last, known as the 'Confiscation Act,' provides that, 'in the present or any future insurrection, any property given to aid such insurrection, or used for that purpose with the knowledge and consent of the owner, shall be subject to seizure and confiscation; that actions for the condemnation of such property shall be brought in circuit, district, or admiralty courts having jurisdiction of the amount, and that the attorney-general, or any district attorney, may institute proceedings, which in such cases *shall be wholly for the benefit of the United States, etc.*' It will be observed how carefully Congress has pointed out every step of the way by which this act shall be executed; and in order to avoid any possibility of private speculation, the act says, in so many words, 'such case shall be wholly—not in part, but wholly—for the benefit of the United States.' There is nothing in this act to justify a private individual in taking so much as the value of a pin from a house abandoned by an avowed enemy, much less from the house of one who still claims the protection of the common laws of his country, though in temporary rebellion against the authorities now in power. The court, it will be remarked, puts emphasis upon the words *private individual*; for it holds that, for purposes of the army, for purposes of attack and defence, for purposes of sustenance and locomotion, or even for purposes of comfort, an army, or any regularly organized part of an army, may seize, hold, and use any property, real or personal, that may have belonged to those now in arms against that government.

"The colonel has also referred to the act passed by the Confederate Congress, on the 30th of August last, known as the 'Sequestration Act,' and thinks the passage of that act justifies Union men in appropriating to their own use any property that may have been abandoned by the enemy. That act was passed about three weeks after the 'Confiscation Act' by the United States Congress, and shows upon its face that it was altogether retaliatory. Indeed, one section of the act says this in so many words. That section, which really gives the animus of the whole act, reads as follows:

"Be it enacted by the Congress of the Confederate States, that all lands, goods, rights, and credits within these Confederate States owned by any alien enemy since the 21st of May, 1861, be sequestered by the Confederate States of America, and shall be held for the full indemnity of any citizen and resident of these Confederate States, or other person aiding said Confederate States in the prosecution of the present war, and for which he may suffer any loss or injury under the act of the United States to which this act is retaliatory, authorizing the seizure or confiscation of the property of citizens or residents of the Confederate States; and the same shall be seized and disposed of as provided for in this act' Even this act, emanating from a spirit of revenge and retaliation, gives no authority, in any part of it, to private individuals to seize for their own use and benefit any property belonging to a Union man; but expressly declares in the section just quoted, that 'the same shall be seized and disposed of as provided for in this act; and the provisions referred to are quite as stringent and precise as those in the United States 'Confiscation Act.' heretofore quoted.

"The reason why all governments are thus particular in pointing out the exact mode by which an enemy's

property may be seized and appropriated, is plain enough, if one will but stop and consider it. Without such particularity of procedure, an army going into an enemy's country would soon become a rabble or mob—war would soon become rapine—officers would soon lose all control of their men, and from thenceforth plundering, spoliation, and pillage would become the order of the day. Yea, more, it would have the effect to set an army to warring among themselves, for each officer and each soldier would want the 'lion's share,' and it would only be a question of strength and endurance as to which should have it.

"In the matter of the piano now in question, what more right had the doctor to it than the major? what more right had the major to it than any one of the ten captains of the regiment? What more right had any captain to it than any one of the twenty lieutenants? or what more right had any lieutenant to it than any one of the one thousand privates? If it were a question of strength only, the strongest man in the regiment would finally gain the prize, even though he had to walk over the dead body of every other man in the regiment to gain it. The court thinks that even the doctor, though he had his hands full of scalpels, or the colonel, though a sword were suspended from every hair of his head, would shrink from a contest of this character!

"Again, it should be borne in mind that, though property may have been abandoned temporarily by its owner, he may afterwards repent of such abandonment and reclaim possession. Bouvier, in his admirable '*Institutes of American Law*,' says: 'Things that have been abandoned by the owner belong to the first occupant; but if the owner should repent of having thrown away or abandoned the thing, *he may retake it before any one else, and he regains his former title.* To entitle the finder to such chattels, the former owner, must have wholly abandoned his title; if, as in the case of a wreck, he has parted with the possession on the ground of necessity, or with the evident intention of resuming it, the property has never been abandoned.'

"Again, he says: 'The right of acquiring personal chattels by finding, is limited to those found upon the surface of the earth. It does not extend to goods found derelict at sea, though abandoned without hope of recovery, nor to goods or money found hidden in the earth, known by the name of *treasure trove*. In England such goods belong to the crown; in this country the title to them perhaps has been seldom questioned in the hands of the finder, except by the real owner. No title by occupancy can in this country be gained in waifs, or stolen goods thrown away or scattered by a thief in his flight, in order to effect his escape. In England they belong to the King; here this prerogative has never been adopted by the government against the true owner, and never, perhaps, put in practice against the finder, though against him there would be a better reason for adopting it. Nor can any title be gained by occupancy of estrays, or cattle whose owner is unknown, or of wrecks, or such goods as after a shipwreck are cast upon the land by the sea, and left there, within some county, so as not to belong to the jurisdiction of the admiralty, but to the common law.'

"Kent in his *Commentaries* lays down the same principles, and both he and Bouvier cite a large number of decisions, both English and American cases, to prove the correctness of the doctrine. Indeed, the principle has been so universally adopted, that it would be difficult to find a court, in this or any other civilized country, that would not enforce it, in every case where the question of abandoned property was brought before them.

"This is the first attempt, so far as the court knows, to take a piano from any one of the many abandoned houses in this city and vicinity; but frequent attempts have been made to take smaller and less valuable articles; and, in every instance, where it has come to the knowledge of the court, the person making the attempt has been required to return the article to the place where found. Nor can the court make any exception to the rule in this case. If, from the law and reasons stated by the court, the doctor and the colonel have become satisfied that they committed an error in the taking of the piano, and will, without delay, return it to the exact place where they found it, and promise to protect it from removal or damage hereafter, or so long, at least, as they continue to occupy the house for their headquarters, then no further steps need be taken in this case. If they are not so convinced, and decline to make any such promise, then the duty of the court will be to order them both in arrest, and that the piano be taken in charge by the Provost-Marshal, to await the further orders of the court."

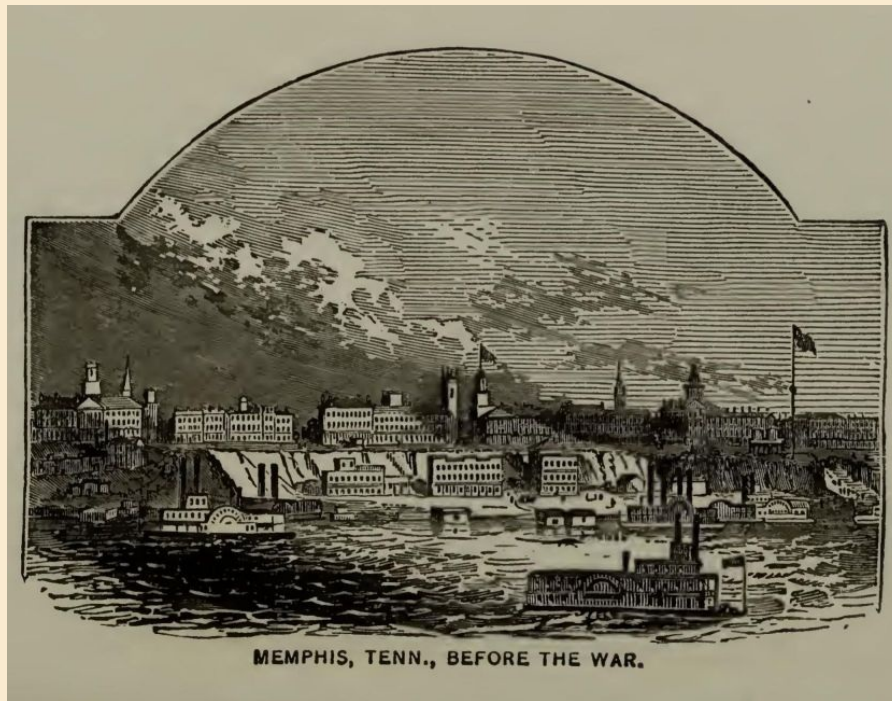
The doctor immediately arose and said he "desired to extend his most hearty thanks to the court for the many courtesies which had been extended towards him, and to add, that the reasonings of the court had entirely satisfied him of his error; that he would, without one moment of unnecessary delay, have the piano returned to the house from whence taken; and that from thenceforth, and so long as he remained in the army, he would use whatever influence he possessed towards preventing the taking of abandoned property for individual purposes."

The colonel then arose and said he was "reminded of the old maxim, that it 'took a bolder man to confess an error than to face a cannon's mouth,' and while he laid no claim to boldness, he did claim to be able to do what he believed to be right; and since he had heard the law and reason of the case, as laid down by the court, he was free to confess that he had all along been in error, and that the court was in the right." He had, he said, such "an utter detestation for disloyalty, that nothing, he thought, could be too great punishment for a rebel, and he had regarded the taking of their property—no matter when, how, or by whom—as a part of their just punishment; but the reasoning of the court had made it entirely clear to his mind that, while this could be properly done by the government for the general good, it could not be properly done by individuals for their private gain." He, like the doctor, would "turn a short corner on this subject, and from thenceforth use whatever influence he possessed to discourage the taking of abandoned or captured property for private uses. So long as he retained his present headquarters, he would see that nothing was removed from the premises, and, so far as it was possible, he would have returned whatever had been taken away."

Thus ended, pleasantly and satisfactorily, what, at one time, threatened to be a very ugly case. Had the doctor and colonel chosen to disregard the request of the court, and insisted upon their right to send the piano to the doctor's home, it would have brought on a direct conflict of authority, necessitated arrests, caused appeals to higher authorities, and created confusion generally; but their respect for the court was such as to overcome all these unhappy consequences. On the afternoon of the same day on which the case was heard, the colonel sent a team to the Provost-Marshal's office; the Marshal went with the driver to the office of the shipping-merchant and directed the delivery of the piano; and before sundown of that day, the piano stood in the exact spot from which it had been taken a few days before.

The triumph of reason over error and prejudice was complete. From thenceforth the long-mooted and often

discussed question, as to how disloyalty affected the rights of property, was settled in and about Alexandria. There was no further attempt to appropriate abandoned property for private uses.



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## CHAPTER XV. A NEW WAY TO PAY OLD DEBTS. JUSTICE SHIFTING THE SCENES AND

### PROMPTING THE ACTORS.

**A**NOTHER class of questions which came before the provost-court at Alexandria excited at the time a large amount of interest; was discussed to some extent by many of the ablest journals of the country; resulted in the payment of several old debts—amounting to many thousands of dollars—in an entirely new way; and as no correct account thereof has ever yet appeared in historical form, we purpose in this chapter to relate the facts and incidents connected with one or two of the cases.

Though the causes of the war had been brewing for many, many years; though it was, indeed, as Mr. Seward had long before called it, an "irrepressible conflict," which could only be settled by the sacrifice of thousands of lives and millions of treasure; though threats, louder, deeper, and more ominous, came year after year from Southern States, and that, too, from a class of men whom all acknowledged could act as well as threaten whenever they chose to put their threats into execution,—yet, when the storm did finally burst upon the country, it seemed to tens of thousands in the North like a clap of thunder from a clear sky, so wholly were they unprepared for it. Especially was this true among merchants, and still more especially was it true with that class of merchants who, for many years previously, had been selling goods to Southern merchants, and buying from them cotton, sugar, rice, and tobacco. These merchants had, of course, a great many pleasant personal acquaintances throughout the South; they had often been at their customers' stores, dined with their families, been upon their plantations, visited their sugar-mills, witnessed the workings of their cotton-gins, admired the wonderful power of their cotton-presses, heard their negroes sing while picking the cotton, listened in raptures to the peculiar melodies of the negroes as they stripped the tobacco leaf or rolled it into fragrant cigars, and though, even at such times and in such places, they had frequently heard Southern merchants and Southern planters complain of what they called "Northern interference with slavery" and "Northern oppression because of tariffs," etc., etc., yet it had never occurred to them as possible that the time would come when these same men would try to break loose from the North and set up for themselves a separate confederacy.

Such had been the confidences between Northern and Southern merchants, that, for years previous to the war, the former had been in the habit of selling the latter goods on a whole year's credit. This was necessitated, in part, from the fact that planters had got behind in their finances, and were compelled to pledge their next year's crops for their present year's supplies; but it was owing much more to the fact that

confidence, very great confidence, had become established between the Northern and the Southern merchant. This confidence, and consequent long credit, resulted in the fact that, when the war actually commenced, the merchants and planters of the South owed the merchants and cotton factors of the North the enormous sum of two hundred millions of dollars.

Some part of this debt would probably have been paid had the Southern merchant and planter been left to his own free choice; but the governmental and military authorities of the South, with a view to cripple the North and strengthen themselves, had a law passed so early in the contest as May 21st, 1861, prohibiting all debtors owing money to Northern creditors from paying them, and requiring the payment of the amount into the Confederate treasury, either in specie or treasury notes, for which they were to receive a certificate of the payment bearing interest and redeemable at the close of the war. How much of the sum due the North was ever paid into the Confederate treasury is not known, but probably a very small proportion of the whole amount. The Government having virtually repudiated the claim towards the one to whom the debt was actually due, it was not unnatural that the merchant should repudiate it towards the Government, and when asked the question how much he owed the merchants of New York, Philadelphia, or Boston, his answer was, "Nothing at all," nor was the creditor or any one else present to dispute his answer. In this way at least one hundred and ninety of the two hundred millions due the North escaped payment altogether, while even the ten millions which we suppose to have been paid into the Confederate treasury were absorbed by English capitalists and others like the mist of a summer morning.

Among the Southern merchants who owed considerable amounts to merchants and manufacturers of the North were those of Alexandria. What may have been the gross amount of their indebtedness to the North is not definitely known, but certainly tens, if not hundreds, of thousands of dollars.

Soon after the provost-court had been established in Alexandria, manufacturers and merchants began to come there to look after debts due them from the merchants of that city. Such as had not fled made such response as they could—paying in money if they had it and desired to continue in business, or returning to their creditors so much of their remaining stock as would satisfy their claims. Only in one instance, where the debtor remained in Alexandria, was the creditor obliged to call upon the Provost-Judge for assistance. In that case the debtor pleaded, as an excuse for non-payment, the act of the Confederate Congress of May 21st, heretofore spoken of. He wanted, he said, to pay—"of course he wanted to pay; but, being a Southern man, and with that act staring him in the face, he did not see how he could." The creditor called upon Judge Freese and acquainted him with the facts as above stated. The Judge sent for the debtor to meet the creditor at his private office. He there told the debtor that "the excuse he offered for nonpayment was no excuse at all—indeed, worse; for, besides being a mere subterfuge, it was a virtual acknowledgment of his own disloyalty; that it mattered not at all what laws the Confederate Congress had passed or might pass, they could not be recognized by the citizens of Alexandria so long as it remained in possession of the Union troops, and that was likely to be so long as the war continued; and that if he had the means to pay his creditor, the sooner he did it the better!" Within an hour the debt was paid, and it was the last of that kind of cases in which the Judge had to interfere, as within twenty-four hours the facts of this case were known to every merchant of Alexandria.

But there was another class of cases which came thick and fast, and for awhile gave the court a vast amount of trouble. To relate the origin, the incidents, and the results of a few of these will be the object of this chapter. The first was as follows:

Mr. S. was an old resident of Alexandria, and for several years before the war had been keeping an agricultural and hardware store in that city. He was regarded by his neighbors as a highly honorable merchant, and being a man of considerable means, had always met his payments promptly. He was a Virginian by birth, and when the contest began between the North and the South, promptly took sides with the South. Indeed, he had advocated secession so strongly and so loudly that he feared he would be arrested for disloyalty if he remained in Alexandria, so, when the Union troops were about coming in and the Confederate troops about going out, he retired with them. He did this, however, so unexpectedly, and in so much of a hurry, that he had no time to make a formal sale and transfer of his stock of goods to any one; but, on the morning that he left, he handed the key of his store to a neighbor and told him to look after his affairs until he returned, or until he could make some other arrangement. The neighbor did as requested, kept the store open, sold whatever he could for ready cash, and transmitted the money to Mr. S. whenever he had opportunity.

Thus matters were going on when a Philadelphia merchant, to whom Mr. S. was indebted, went to Alexandria to look after his claim. He had written several letters, addressed to Mr. S., Alexandria, Va., but could get no reply, and began to suspect that he might have left the city, though he had no positive information to that effect until he reached there. He inquired of the man whom he found in the store of the whereabouts of Mr. S., and was told that he had left, on the coming in of the Union troops; but where he had gone, or exactly where he then was, the man in the store pretended not to know. The Philadelphian said he had a claim, past due, of several hundred dollars, against Mr. S., and would like to have it settled in some way. The agent replied that he had not been authorized by Mr. S. to pay any debts, and, besides that, the Confederate Congress had passed a law requiring all men who owed debts to Northern merchants to pay the amount into the Confederate treasury, and it was possible that Mr. S. might have already paid off the claim by paying it into the Southern treasury.

The Philadelphian replied that he did not recognize any such payment as cancelling his claim; and, as he observed some of the very goods he had sold Mr. S. then in the store-room, he thought the agent ought to be willing to return him those goods, which he would take in payment at cost price, and then to pay him the balance in money. The agent said he could not, for one moment, entertain any such proposition. That, the goods having been placed in his care by Mr. S. when he left, he regarded himself as the owner of them, and could not think of returning any part of them to Mr. S.'s creditors, nor of disposing of them in any other way, except for cash in hand. The Philadelphian tried to convince the agent of the justice and reasonableness of the proposition he had made, and finally offered to accept of goods, at cost price, for the whole of his claim; but the longer he reasoned, the more obstinate grew the agent, until at last the agent said he could not, and



would not, do anything about it; that the debt was not his own anyhow; that it possibly had been paid into the Confederate treasury, and, if so, was legally paid; and that it was only a waste of time and breath to talk to him any more about it.

The Philadelphian, having read something in the newspapers about Judge Freese's "Bayonet Court," concluded to seek the Judge and see if there was not some way by which his claim might be enforced. Going to his office, he told the Judge the whole case, and begged that he would aid him in some way to secure his claim.

The Judge replied that the provost-court had been established only with a view of preserving the peace of the city, and the personal and property rights of individuals, and not with any view whatever of collecting claims; that if its jurisdiction was enlarged to include civil as well as criminal cases, the business might prove larger than any one court could do, and thereby defeat wholly, or in part, its original intention; that whatever he could do by moral suasion to induce Mr. S.'s agent to pay his claim, he would most cheerfully do, but as to opening the court for the hearing and adjudication of such cases, it was more than he could at present consent to do. He would, he added, send for Mr. S.'s agent and see what, if anything, could be done. He accordingly sent an orderly to request the agent to come to the headquarters immediately.

When the agent made his appearance, the Judge told him why he had been sent for, and strongly urged him to make some equitable arrangement whereby to settle the claim of the Philadelphia merchant. The agent made about the same reply to the Judge that he had made to the Philadelphian, to all of which the Judge listened attentively without uttering a word. When he had entirely finished, the Judge said he would like to ask him a few questions to which he would like direct answers. To this the agent assented.

"First, then," said the Judge, "did Mr. S., before leaving, execute to you a bill of sale, or any other paper, by which to make the goods yours?"

"No," replied the agent, "he did not; but when about to leave he handed me the key of his store, and told me to take care of the goods until his return, or until he might make some other arrangement."

"Then," said the Judge, "the goods are no more legally yours than they are mine, and you are simply acting as guard over them. Have you not been selling some of the goods?"

"Yes," replied the agent; "I understood the care to include the right to sell, and have accordingly sold of the goods whenever I had opportunity."

"What have you done with the money received from sales?" said the Judge.

The agent became confused, hesitated, stammered, and finally got out that he had "sent some of it to Mr. S., and still had some of it."

"And it is your intention, I suppose," said the Judge, "to send it all to him so soon as you shall have sold all the goods?"

"Certainly, certainly," said the agent; "it would all belong to him."

"Then you think that no part of it would belong to his creditors; but that all should go to him?" said the Judge.

"Well, yes, about so," said the agent; "for if he has paid his debts once into the Confederate treasury, as I suppose he has or will, it would seem unreasonable that he should pay them again to such Northern merchants as he may happen to owe."

"Are you not aware," said the Judge, "that any law passed by the Confederate Congress is a nullity in Alexandria, and can have no possible effect on the question of contracts?"

"Well, yes, no, yes; but Alexandria, you know, is in Virginia, and Mr. S., you know, is at Richmond."

"Ah! at Richmond, is he? Only a little while ago you told this creditor that you did not know where he was, and I understood you to say the same in your story to me, and now, all at once, when you seek to screen him from justice and from Northern laws, you recollect that he is at Richmond. Very well, sir, then to the Richmond authorities he must look for protection, while this Northern merchant has no protection save through our provost-court, and though I told him, previous to your coming here, that the court could not take up such cases, yet now that I have heard your story, and see that by allowing you to retain and sell the goods will virtually be to give 'aid and comfort to the enemy,' while to interfere in behalf of this merchant will be to weaken the enemy, by cutting off some of his resources, besides doing an act of simple justice—in view, I say, of all these facts, I am now resolved to take up this case, and the first step in the case will be for the court to take possession of the store-room and all of its contents until the case can be heard and adjudicated. You will at once hand the key of the store-room, after closing it carefully, to the Provost-Marshal. He will place a guard over the premises to see that nothing is taken away or disturbed until the case is heard and decided, and to-morrow morning, at ten o'clock, you will be at the court with any books, papers, or witnesses you may have, when the case will be heard."

Had a bombshell fallen and burst at the feet of the agent, he could not have been more surprised. For some moments he seemed so dumbfounded that he could not, or did not, utter a word. Then, slowly arising to his feet, he was about to leave, when the Judge told him to again be seated, to await the coming of the Provost-Marshal, for whom he had sent.

When the Marshal made his appearance, the Judge directed him to accompany the agent to the store-room, to see that every window and every door was securely closed and fastened, to then place a guard both at the front and at the rear of the premises, and to see that they were regularly relieved and replaced, the same as other guards of the city, until further orders from the court, and meanwhile to retain the key of the store-room in his own possession, and see that nothing whatever was removed from the premises.

The agent then left with the Marshal, and all was done precisely as directed. That the Philadelphia merchant was pleased with the turn things had taken need hardly be added.

Next day, at ten o'clock, the Philadelphia merchant, the agent, and about a dozen friends of the agent, including the secession lawyer heretofore spoken of, appeared at the court-room. When all the police cases had been disposed of, the court said it was now ready to hear the civil case, in which, upon the court record,

Mr. G., of Philadelphia, was named as plaintiff, and Mr. T., of Alexandria, as agent for Mr. S., was named as defendant.

Mr. G. arose, and said that he had no attorney to represent him in this case, and that he was himself wholly unacquainted with court proceedings, and did not know even how to take the first step. He begged to inquire of the court what was needed to be done upon his part?

The Judge replied that the first thing required of him was to prove his claim against Mr. S., beyond any reasonable doubt. To do this he must produce his original books of entry, and prove by the one who sold the goods, or by some one who knows of their delivery, that the goods charged in the original entry were actually sold and delivered to Mr. S., and then you or some one else must, under oath or affirmation, satisfy the court that they have never been paid for.

Mr. G. replied that all this could be done if a few days' time could be given him; that he had not brought his account-books with him, nor was the clerk who sold the goods present. He could himself at once make affidavit as to the correctness of the account, and to the fact that it had never been paid, but beyond this he could not go until he could send to Philadelphia for his books and clerk; that he could have his books and clerk present if the court would adjourn the case for two days.

The court said that, under the circumstances, it would be entirely proper to grant the adjournment asked for by the plaintiff; but, to justify the Marshal in longer retaining the goods, the court would require Mr. G. to make a written state-of-demand against Mr. S., setting forth the nature and amount of his claim, and the fact that the claim had never been paid in any way, and was now justly due and owing to him. To this he must set his name, and then make affidavit that the statement is true. Upon this, as *prima facie* evidence of the claim, the court will direct the Marshal to continue possession of the goods until the case can be heard. The court asked the defendant if he had any objection to an adjournment, or to the course of procedure proposed, to which he answered that he had not; whereupon the court adjourned the case for two days.

Two days after, the parties again appeared before the court. The plaintiff now produced his original books of entry, and both he and his clerk swore that they were such. The clerk swore that he had sold to, and forwarded to, Mr. S. every article charged upon the books. Mr. G. swore that he had seen many of the articles in Mr. S.'s store-room on the day he first arrived in Alexandria; that the account was due and overdue; and that no part thereof had been paid.

Mr. T. was then called upon by the court to make any defence he thought proper. He replied that he had no defence to make, further than the Judge already knew, that every fact and every argument within his reach had been stated and made at the interview had at the headquarters. He added, that the attorney which Mr. S. had been in the habit of employing before he left Alexandria was in the court-room, and that he had tried to induce him to take charge of and conduct the case, but this he had declined to do, as he was not prepared to take the oath of allegiance to the United States government, required by the court from all attorneys who would practise in it. He had not had opportunity to confer with Mr. S., by letter or otherwise, since these proceedings commenced, nor did he know that he should have for a long time to come, else he might ask for an adjournment of the case until he could hear from him. Under all the circumstances he saw no other way than to submit to the judgment of the court, whatever it might be.

All parties having rested, Judge Freese said he "would have much preferred not to take up this class of cases, but under all the circumstances it was a responsibility he could not avoid. The plaintiff came to this city seeking his debtor and the recovery of a just claim. Upon inquiry he learns that his debtor has fled and is now within the enemy's lines, yea, even under the very wings and protection of the authorities at Richmond. He cannot pursue him thither, nor can he issue, or have issued, any process by which to compel his return. The goods he sold him, however, with a large amount of other goods, he finds in Alexandria, in possession of a man who claims to be Mr. S.'s agent for the care and sale of his goods, but not his agent for the payment of his debts. Indeed, this so-called agent—who, in a legal sense, is no agent at all, and has no more claim upon the goods than any other gentleman in this court-room—even goes so far as to say that 'Mr. S. may not owe this plaintiff anything now, however justly he may have, owed him a few months ago, for the reason that the Confederate Congress has since then passed a law sequestering all debts due from the South to the North; in reply to which the court told him, and may now repeat for the benefit of this whole community, that it matters not what laws may or may not be passed by the Confederate Congress, they can in no way affect the people of this city so long as it remains in charge of Union troops, and that is likely to be so long as the war continues. Had there been any other tribunal in this city to which this class of cases could have been referred, this court would not have taken them up; but, since the State and county courts of Alexandria had virtually run away when the people ran away, the simple question to decide was, whether this court should take up this class of cases, in addition to such as it had already taken up, or allow Mr. G., and others like him, to be without any remedy whatever? Viewed from this standpoint, it became a duty, a responsibility, and one which the court could not avoid, without inflicting great injury upon others and consequent blame upon itself.

"With regard to the facts in the present case there is not a shadow of doubt in the mind of the court, nor is it at all probable that Mr. S. would deny any one of them, if here himself. He unquestionably owes this debt to Mr. G.; the goods in the store-room which he lately occupied unquestionably belong to Mr. S.; Mr. T. has no claim upon them whatever, not even the claim of an agent or clerk, in a legal sense; he has assumed authority so far as it suited his own convenience, but declines to assume it when it does not suit his convenience or his secession notions; to sell the goods, pocket the money, and transmit all or part of it to Richmond was, to his mind, all right—to pay Mr. S.'s creditors with the money, or with a portion of the goods, was, to his mind, all wrong. In all this the court differs with him entirely, and holds that so much of the goods as have not been paid for belong to his creditors rather than to him, and that the agent, so soon as he became satisfied of the correctness of the claim, should not have hesitated a moment about returning to Mr. G. so much of his goods as remained in store, and paid him the balance in money or in other goods. It is a principle of law that a consideration of some kind must pass from buyer to seller before legal possession can be claimed by the buyer. Hence you see in contracts the words, 'For and in consideration of one dollar, the receipt of which is hereby acknowledged,' etc.; whereas no dollar, or any other sum, has passed between the parties, and yet these words or their equivalent are necessary in order to make the contract legal. It may be answered that

the taking of a note, or a consent to a charge upon books of regular entry, are regarded as a 'consideration' in the mercantile world, and this may be so; but certainly, if the purchaser afterwards repudiates his note or book account, or if the government under which he has placed himself repudiates the debt for him, then there is not, nor has there been, any 'consideration,' and the seller, in law as well as in equity, has a right to the goods.

"Again: in the eye of the law, Mr. S. would be regarded as an absconded debtor, and had there been a court of common pleas in this city, Mr. G. could have had an attachment issued, and the goods of Mr. S. seized and held by virtue of that attachment. True, Mr. S. has not left the State—and in most of the States the law requires that the party shall have left the State before an attachment can issue—but, under the present state of things, Mr. S. has as virtually left the State, or at least the jurisdiction of a court in Alexandria, as though he had gone to England. I certainly should have taken this view of the case had I been presiding in a common pleas court, and this case been brought before me, and I doubt not any other judge would have done the same. In law, as in other things, 'circumstances alter cases,' and it is the duty of a court always to consider circumstances, and to give such construction to law as will best promote the ends of justice.

"Nor does this principle at all conflict with another, so often and so strongly insisted upon by this court, namely, that abandoned property shall not be taken for private gain. Had any party, having no just claim upon Mr. S., attempted to take for his own use and profit any of the goods left by Mr. S. in that store-room, this court, if informed of the attempt, would have used all its power to prevent such taking, and, if already taken, the court would have made the party return the goods to the place from whence taken. But the case in hand is altogether different. Here the party has a claim, a just claim, indeed an implied, if not a legal ownership in the goods which he seeks to take, and, instead of preventing, it becomes the duty of the court to assist in the transfer.

"But, again, it may be said by some—and is probably thought, if not said, by this defendant and his secession friends—that, as this is a military court, it has not, and should not presume to have, any jurisdiction in civil matters, or matters touching the transfer of property, real or personal. As heretofore stated, this court surely would not have assumed any such jurisdiction, had there been a circuit, district, common pleas, or chancery court in this city, to which cases of this kind could have been referred; but, as all present well know, there has been no such court here since the Confederate troops left, and with them all the officers of State and county courts. Hence, as before stated, it was this court or nothing. But there is a view, and a very strong view, of the case, in which it would become not only the right, but the duty, of this court, or of any military court, to interfere in cases of this kind, namely, where it became known that property, or the proceeds from sales of property, was being surreptitiously transferred from the hands of friends to the hands of enemies. The third section of the third article of the Constitution of the United States defines treason to be the 'levying of war against the United States, or in adhering to their enemies, *giving them aid and comfort.*' Now, if the transfer of goods, or the transfer of money from the sale of goods, gives to an enemy 'aid and comfort,' then, surely, it is the business of a military court to stop it, and the evidence in this case shows this to have been done. The agent admits that he has sold the goods for cash in hand whenever he had opportunity, and that, as he has had opportunity, he has transmitted the money to Mr. S.; nor does he, or any other of his friends, pretend to deny that Mr. S. is an avowed enemy to the government which this court, in part, represents.

"So suddenly and so unexpectedly has this new class of cases come upon the court, that no time has been had to consult with the Attorney-General or other legal gentlemen, or even to consult legal authorities with regard to the matter; but the court has no doubt that the principles laid down in every law text-book, including Blackstone, Kent, Parsons, Greenleaf, Chitty, Cockburn, Stephen, and others, will fully justify every position thus far taken by this court, even though there be not a single precedent to cite. While this court would much prefer to follow than to make precedents, yet it has no hesitancy in making them when the circumstances of a case call for, or justify, such action. At the earliest possible moment the court will draw up and promulgate a course of proceedings in cases of this character. Until then the form of proceedings and the manner of adjudication will have to depend altogether upon the facts in each particular case.

"The judgment of the court in this case is, that the plaintiff choose one man, the defendant another, and the two, a third, or, if there be any disagreement about the choice of a third man, that the Provost-Marshal act as such third man. That the three thus selected constitute a commission, authorized and directed by this court to set apart, of the goods left by Mr. S., so much as will pay in full, at a fair valuation, the claim due from Mr. S. to Mr. G.; that this commission shall fix the price of every article transferred to Mr. G., and, where there is a disagreement as to value between the two, the judgment of the third shall be final; that the gross amount of goods to be transferred shall include the amount of Mr. G.'s claim, the estimated cost of transportation from this city to Philadelphia, and five dollars to each of the commissioners for the services they will render; that the commissioners make a written report to this court so soon as the goods have been selected and set apart; but that the goods be not taken from the store-room, until the report of the commissioners be approved by this court, and an order for their shipment obtained. The Provost-Marshal will see to the execution of this order in all its parts."

The court then adjourned. On the afternoon of the same day each party chose their man, and the Provost-Marshal consented to act as the third. Next morning the three went to the store-room, accompanied by Mr. G. and Mr. T., and before noon had a sufficient amount of goods selected and set apart to cover Mr. G.'s claim. In the afternoon they presented their written report to the Provost-judge; he examined and approved it, and at once gave an order for the delivery and shipment of the goods. Next day they were shipped, and probably a better pleased man never left Alexandria than Mr. G.

The only other case of this character to which we can give place, occurred between a large wholesale dry-goods firm of New York and one of the largest retail dry-goods houses in Alexandria, and differed from the first case only in the fact that here the store was securely locked up, and had been ever since the owners left. There was no agent in this case left to sell or otherwise dispose of the goods, though it came out, in the course of the evidence, that the clerk, with whom the keys had been left, had frequently been seen to take large packages of goods from the store, and he acknowledged that he had sent some across the lines to his former employers.

In this case, as in the one related, the New York merchant went to Alexandria to look after his customers, and found them gone. After considerable inquiry, he found the clerk who had the keys, but the clerk said he had no authority from the owners to do anything, and would not so much as open the store to allow the creditor to look in. The merchant then called upon Judge Freese and told him the facts of the case. The Judge informed him that the court now had a regular course of procedure in these cases, and if he chose to pursue that course he could bring his case before the court. The merchant inquired what was the procedure? The Judge informed him that the first step was, for the party having a claim to make an affidavit as to its amount and its correctness—the same as in cases of attachment in ordinary courts; that thereupon the court issued an order, having the force of an attachment, to the Provost-Marshal, to take charge of the goods of the defendant until such time as the case could be heard—usually in one week from the day the attachment issued; that the plaintiff must then produce his original books of entry, or note, or other evidence of debt, and satisfy the court, beyond any possible doubt, that the debt is due and unpaid; that when this had been done—the defendant meanwhile, or any one for him, having, of course, full opportunity to make any defence within his power, if any he had to make—the court appoints three wholly disinterested persons to fix the value and set apart so much of the defendant's goods as would satisfy the claim of the plaintiff, with cost of transportation to a market, and costs of proceedings; that the three commissioners must then make report, with schedule of goods set apart, to the court; that the court carefully examines said report, and if found correct in all particulars, then issues an order to Provost-Marshal to deliver to plaintiff the goods so set apart; upon receipt of which the plaintiff executes receipt to Provost-Marshal for the goods, as in full liquidation of his claim against the defendant. The proceedings, the Judge said, were so plain that a child could understand them, and so open and straightforward, from first to last, that a mistake was scarcely possible.

The merchant expressed his delight at the mode of procedure, as detailed by the Judge, and said he was ready to make the preliminary affidavit at once, and in a week would return to Alexandria with his books and witnesses to substantiate his claim. The Judge drew the necessary affidavit; the merchant subscribed and swore thereto; the Provost-Marshal was sent for; the order for attaching the goods put into his hands; and within one hour from the time when the New York merchant entered the Judge's office, guards stood in front and at the rear of the building, to see that no goods were taken from the store-room. The young man who had the keys was then sent for, and told to write to his employers, and inform any friends of his employers who might still be in Alexandria, of just what had been done thus far, and that the court had appointed one week from that day to hear the case. If they, or any one for them, had any defence to make, they should be at the court-room at ten o'clock of that day and should then be heard. He thanked the Judge for his courtesy in sending for him, and for the timely notice given for defence, and was about to retire, when the Judge told him that he might hand the keys over to the Provost-Marshal until the case had been disposed of. This he at first refused to do, but a few words from the Judge satisfied him that wisdom was the better part of valor, when he took the keys from his pocket and handed them to the Marshal.

In one week the trial came on. The New York merchant, on behalf of his firm, appeared with his books and with the clerk who had sold and delivered the goods. The defendants were not present, but were represented by their clerk, by the secession lawyer of the city, heretofore spoken of, and by about a dozen other gentlemen, who were friends, if not relatives, of the absconded debtors. The plaintiff proved that the books before the court were the original books of entry of the firm of which he was a member. By his clerk he proved the sale and delivery of the goods, item by item, as charged upon the books. By himself he proved that the debt was now due, and that no part of it had ever been paid. The court then asked if there was any person present to make a defence in this case, if so, they would now be heard. The clerk then arose and said he "was instructed by the attorney of the firm to say, that while they had no formal defence to make in this case, yet they desired to enter their protest against the jurisdiction of this court, and to reserve to and for themselves whatever rights they might have under the laws of Virginia." He added, that he himself "was aware that the firm, of which he was formerly a clerk, had purchased goods of the New York firm represented in this case, and had no doubt that the amount they claimed was due them; but that it would have been wiser and more honorable in them to have waited until the war was over, when they would undoubtedly have been paid dollar for dollar." The court inquired if there was any other gentleman present who desired to offer any evidence, or say anything by way of defence in this case. There was no response.

The court then proceeded to give an opinion in the case, which occupied nearly an hour, and was listened to with almost breathless silence by the large audience present. In amount claimed, and in point of high standing, both as to the plaintiffs and defendants, it was the most important case of the kind yet brought before the court, and for the information of the general public, no less than for the parties immediately interested, the Judge thought it well to state the principles upon which the court acted, and their applicability to the case in hand. A reporter present wrote out the opinion, which, by request of the New York merchant, was published soon after in the New York Times, occupying over two columns of closely printed matter. As most of the principles enunciated in this opinion were the same as stated in the first case heretofore given, it is not necessary to repeat them here. In reply to the clerk's request "to reserve to and for themselves whatever rights they might have under the laws of Virginia," and to the opinion expressed by him that "the New York firm would have acted wiser and more honorable to have waited for their claim until the war was over," the court said:

"Of course, in this, as in every other case, the parties can and do reserve for themselves whatever rights they possess under the laws of Virginia, of which this city forms a part, and, if the rebellion succeeds, the parties reserving these rights will undoubtedly make the best use of them possible; but meanwhile the claimants, so far as this court can effect it, shall have a return of their own goods, or of others equal in value to their claim, and after that, if the debtors, through sequestration laws made by the Confederate Congress, or any laws now made or hereafter to be made by Virginia, can get the goods back or damages by way of reclamation, this court at least will have done its duty. With regard to the opinion expressed by the young gentleman, the court begs to differ with him. By his own confession portions of the goods have already been sent across the lines, and to that extent have contributed to the 'aid and comfort' of the enemies of this government, and had there been no claimants, no interference, there is no manner of doubt that every article in the store would, sooner or later, have gone the same way; and as to the debtors paying the claim after the

war is over, if we may judge by what they and their chosen government have already done, there is no more probability of it than for the waters of Niagara Falls to run backwards. As the leap of the waters in that case is irrevocable, so is the leap from the fair haven of loyalty to the deep, dark chasm of disloyalty—once taken, there can be no hope of return." One other matter the court explained in this case, which was not explained in the first, namely, why the goods were not sold at public sale, and the money, instead of the goods, turned over to claimants. He said: "It will be observed that by the rules of procedure adopted in these cases, the court is quite as careful to protect the interests of debtors as of claimants. In ordinary actions for debt, in courts of common pleas, the goods, after being attached or levied upon, are put up at public sale and sold to the highest bidder, and the money received at such sales paid to claimants. In such cases it often happens that, even in a market, goods do not bring one-half and sometimes not one-fourth their real value, and the defendant of course has to suffer the loss. If the goods seized here were thus exposed to public sale, at this time, when two-thirds of its ordinary inhabitants have fled from the city, and when there is little or no market for anything outside of army stores, they would not bring one-fourth their cost; whereas the same goods taken to a market, will sell for about their original cost. Hence the rule in the proceedings whereby goods are assessed by three disinterested persons, and turned over to the claimants at the prices fixed by the commissioners. And the court begs to add—though not boastfully, since it only performs a duty in so doing—that, because of the absence of the defendants, doubly the care is taken that the full market value is fixed to each article turned over to the creditor; and that in every case the court carefully supervises the schedules, to see that no mistakes have been made.

"If the goods were sold at a public sale, the court could in no way control the price, and a debtor's goods might be sold for one-half or one-fourth of their real value; but by this procedure the debtor is sure to receive about the fair value of the goods. The fact that the debtor is absent (although a rebel to the government which this court in part represents) makes us all the more careful to see that he shall have exact justice; for, in all these cases, this court recognizes the principles so ably stated by Bouvier, by Blackburn, and by others who have written on the law of sales—1. That 'to constitute a sale, there must be a price, which is the consideration given for the purchase of a thing.' 2. That 'the price must be serious, or such a one as the seller intends to require to be paid to him. As to the quantum of the price, that is altogether immaterial, unless there has been fraud in the transaction.' 3. That 'the price must be certain and determined, but upon the maxim, *id certum est quod reddi cerium potest*, a sale may be valid, although it is agreed that the price of the thing sold shall be determined by a third person! 4. That 'the price must consist in a sum of money which the buyer agrees to pay to the seller; for, if it be paid in any other way, the contract is not a sale, but an exchange or barter. But it is only requisite that the agreement should be for a payment in money; in the sequel it may be changed, and the creditor may take goods in payment, and the contract will still be a sale. It is not requisite that the money should be paid down, either at the time of the sale or the delivery of the goods; it may be upon a credit, or payable at a future time. And, 5. That the consent of the contracting parties must be obtained; by which consent is meant an agreement to something proposed. It does not consist simply in a vague will to sell or to pay; it must bear on all the conditions which may be suggested by the circumstances of the case or imagined by the caprice of the contracting parties.'"

In this case, as in others, the court fixed upon the amount due the claimants, appointed three commissioners to select and assess values to goods to the amount of claim, supervised the report and schedule made, gave order to the Provost-Marshal to deliver the goods; all of which was done, and the New York merchant returned to his home, with the full conviction that in one city at least, and in one court at least, justice was administered without partiality, and without fear or favor of, or to, any one.

Not only was the Judge's decision in this case published, as heretofore stated, in the New York journals, but the newspapers all over the country had more or less to say about it editorially—some favorable and some unfavorable—the particulars of which and the results of which will be more fully stated in the next chapter.



LOUISVILLE, KY., BEFORE THE WAR.

## CHAPTER XVI. LEGAL TECHNICALITIES IN CONFLICT WITH COMMON SENSE. ANOTHER

ACT IN THE DRAMA.—PRIDE ON THE ONE SIDE AND JUSTICE ON THE OTHER PROMPTING THE ACTORS.

HERE is nothing so uncommon as common sense; nor is there anything more distasteful than common sense to such as pride themselves on technical knowledge. The doctor who would rather kill by rule than cure by reason, if the reason chanced to come from a sick-nurse, or from an old woman; and the lawyer who would rather lose a case by observing technicalities and following precedents, than gain it by exercising plain common sense, are by no means so rare as some suppose. They are to be found in all the walks of life, high as well as low, and whenever or wherever found, should be carefully noted, especially by the historian, in order to warn others from falling into a like error.

From the very day the provost-court opened in Alexandria, the secessionists of that city, and all whom they could influence in Washington and elsewhere, commenced to oppose it—not so much openly as secretly. This was especially true of the only lawyer remaining there, and his reasons for opposition were of a threefold character. First, he saw it might, and probably would be used in the interests of the Union cause and in the cause of freedom, and thus interfere with the plans of secessionists and of slave-owners; secondly, he opposed it because the court refused to admit him, or any other lawyer, to practise in it, unless they would first take the oath of allegiance to the United States government; and thirdly, because the court was presided over by one who was not a professional lawyer; by one who seemed to have more regard for justice and equity than for legal technicalities; by one who cared nothing about the laws of Virginia, or law precedents of any State, if one or the other stood in the way of justice; by one who preferred to be guided by the rules of common sense, rather than by the rules of law. To one who is not a professional man himself, all this may seem strange; but to one who has mingled much with professional men, it will be readily understood as comprehending cases which have fallen under his own observation. On the pretence of protecting the people, though really to protect their own selfish interests, both doctors and lawyers have procured the passage of laws in many States, whereby no one is authorized to practise in either profession until he shall have complied with such rules and regulations as these laws prescribe. It is virtually a relinquishment by the people of one of the very first principles of freedom—namely, the right to choose their own agents or servants, but it is submitted to on the plea that it keeps out quacks and pettifoggers. If, while keeping these out, it imparted more of common sense to those taken in, it would be at least compensating in its operations, but it does neither.

It was observed that immediately after the court fined that secessionist five hundred dollars for assault and threat to kill the Unionist (an account of which has heretofore been given), the Alexandria lawyer became doubly active in his opposition to the court, and it was stated, as a reason for his greatly increased activity, that the hardware merchant had agreed to give the five hundred dollars as a fee to the lawyer, provided he could get it back, and procure an order from General McClellan, or from the authorities at Washington, to suppress the court. To effect this object the Alexandria lawyer applied to every prominent secessionist at Washington, and got from each the promise to bring to bear whatever influence he could, through Northern sympathizers. He went himself, personally, to every lawyer in Washington, and appealed to each to protect the "honor of their profession," by assisting to suppress a court which had no legal existence, or, at least, to remove from its head one who was not a lawyer, but a doctor, by profession. Even several Union lawyers were moved to activity by this plea for "protection to the profession," while secession lawyers were ready enough to make this, or anything else, a plea whereby to cripple the government.

It came to the ears of Judge Freese that some of these professedly Union, but really disloyal, lawyers had gone direct to President Lincoln and urged him, both as President and as a lawyer, to issue an order to suppress the Alexandria court, or, at least, direct the removal of the "doctor-judge." The reply, as reported by one who chanced to be present, was characteristic of President Lincoln, and in about the following words: "I have known Dr. Freese as a first-class physician for some years, and have only known of him as a judge for a few months: but from the way he administers law-doses to these Alexandrians, I am beginning to think that he is even a better judge than he is a doctor. He may not understand legal technicalities and the rules of courts quite as well as some lawyers I know of—present company, of course, always excepted—but he shows in his decisions a wonderful deal of common sense, which is far better than rules of law or technicalities. What they say of the doctor reminds me of a story which is told of a man who said he could not cure chills and fever, but was 'death on fits,' and wanted all his patients to have fits, when he would cure them at once. Most of our lawyers and judges are death on technicalities, but can't cure the commonest ills to which society is subjected; whereas, Dr. Freese is curing the ills of Alexandria so rapidly and so successfully, that it will soon be one of the most healthy and one of the most thoroughly Union cities in the whole country'. I would not interfere with him or his court for the world, and don't think any one else should."

Finding that they could make no impression upon the President, they next went to the Secretary of War, Simon Cameron. He listened to all they had to say, and then replied about as follows: "Yes, I've heard

considerable about Freese's 'Bayonet Court,' as secessionists and Northern sympathizers with secession call it, and the more I've heard of it the better I like it. I only wish we had just such a court, and just such a judge at the head of it, in every city we've conquered from the rebels. They would do more towards extracting the venom of these secession serpents than all our armies combined. As to the Judge being a doctor, instead of a lawyer, by profession, that only makes me think the more of him. A lawyer is anybody's man who'll pay him a fee, and the one who'll pay the best is apt to get from him the best service, no matter on which side he pretends to be employed, but a doctor has only to cure the case in hand, and can have no conflicting interests; and from the way Judge Freese is pulling out the teeth of those secession scoundrels, by taking from them the means to do harm and transferring it to the pockets of those to whom it justly belongs, and who will use it to sustain the Union cause, I am satisfied that he is just the man for the place, and on no account would I do anything to suppress either him or his court."

Their next applications were to the Attorney-General, Edward Bates, of Missouri, and Postmaster-General Montgomery Blair, of Maryland. Here they struck chords which were much more likely to prove responsive—not only because they each had been pro-slavery men all their lives, and would naturally resent Judge Freese's interference with the "institution," and with those who still claimed the right to hold and to use "human chattels" just as they pleased, but, more especially, because they were both lawyers, both felt a special interest in maintaining the "*dignity* of the profession" for both expected to return to active practice so soon as they vacated their then official positions in Mr. Lincoln's cabinet. Mr. Bates took up the matter with great earnestness so soon as it was fairly before him, and, within one hour from the time the self-constituted committee left him, he was with the President, urging him to suppress the court. When Mr. Lincoln had expressed his opinions concerning it, Mr. Bates, for the time being, seemed entirely nonplussed; but next day he returned to the attack with renewed energy, and for days and weeks after that, whenever he met the President, he had something to say against the Alexandria provost-court. Mr. Blair also spoke to the President concerning it, and strongly contended that it would greatly aid the Union cause, "especially in the *border States*," if that court were suppressed. The President did not think so, and would give no such order.

While these efforts were being made with the President and with the Cabinet, corresponding efforts were being made with General McClellan, then in command of the troops on the south side of the Potomac. Within a week or two from the opening of the court, one of the General's aids called upon General Montgomery to make inquiry about it, and several times after that this same aid (whom the Union men of Alexandria knew personally as a pro-slavery Washington sympathizer with the rebellion, though professedly a Union man) called upon General Montgomery to protest against the acts of the court, so far as they related to the people of Alexandria. Whether always sent by General McClellan, or whether he sometimes called on his own volition, was not definitely known. The Alexandria secession lawyer seemed to be on intimate personal relations with this aid-de-camp, and it may have been that this personal relationship stirred up the aid to special efforts. Doubtless the lawyer kept the aid, and, through the aid, General McClellan, well-informed of all that was going on in Alexandria—especially with regard to the doings of the provost court.

Thus matters had gone on, and were going on, up to the time when the last case recorded in the previous chapter was decided by the court. The publicity given to that case, by the publication at length of the Judge's opinion in the New York Times and other Northern papers, aroused the entire pro-slavery secession-sympathizing element of the Northern States, and in a few days thereafter it came surging into Washington like a flood. It beat against the door of every Cabinet officer; it rolled and tumbled about in every hotel and drinking-saloon; it surged violently against the White House; and even found its way into the executive chamber. Mr. Bates now put on renewed and increased vigor, and insisted with the President, that, as all United States courts belonged to his department, and the people held him responsible, as Attorney-General, for their doings and misdoings, he, and he alone, ought to have the deciding of the Alexandria matter, and, if left with him, he would at once suppress the court.

When things had reached this crisis, the President sent word to Judge Freese to call upon him at his earliest convenience. The Judge, after being stationed at Alexandria, had, during the first few months, called frequently upon President Lincoln, Secretary Seward, and Secretary Cameron, as he had known them all personally, and somewhat intimately, for many years; but for the month preceding this word from the President, the Judge had been kept so exceedingly busy with the affairs of his court that he had scarcely been to Washington. On the afternoon of the next day after getting Mr. Lincoln's message, Judge Freese called upon him, and was received with the utmost cordiality. So soon as they were entirely alone, the President told the Judge of the position which Attorney-General Bates had taken with reference to the Alexandria court, and added: "I really think Bates will resign unless he can have his own way in this thing. I wish, Doctor, you would call upon him at once, and see if you can't change his mind. It would be a dreadful thing, just now, when we are in the midst of a war, to have any Cabinet officer resign, as our enemies would regard it as showing weakness on our part, and as a triumph for themselves, and yet I don't want your court closed, if it can possibly be helped. Call upon Bates, Doctor, call upon Bates, and let me know the result."

From the President's room the Judge went direct to Mr. Bates's office and had a long conference with him. The Attorney-General, while admitting the correctness of Judge Freese's decisions, so far as he had heard of them, still insisted that there was no law by which the existence of such a court was authorized, and therefore it ought to cease its operations at once. The Judge admitted that he knew of no law by which such a court was authorized, but contended that "necessity knew no law," and that the existence of just such a court was a real necessity in Alexandria, not only as a means of preserving the peace of the city, but for all other purposes for which courts were ever used, since the State, county, and municipal courts had all run away when the Union troops came in, and this was the only court through which justice could be obtained in any case or for any purpose. All this, the Attorney-General said, seemed to be true, but it was better to wait for justice than to violate known rules of law in trying to obtain it. "The court has no legal existence, sir, the court has no legal existence," he kept saying over and over again, and this was his answer, and his only answer, to every argument brought forth by the Judge. The Judge finally made him this proposition: "If you, sir, will withdraw your opposition to the continuance of this court, I will enter into a bond with the United States government, in the sum of one hundred thousand dollars, with good and sufficient sureties, the condition of which bond shall be, that, when the war shall have ended, every case which has been adjudicated by that court, and every

one which may be adjudicated by it hereafter, shall be revised by the Supreme Court of the United States, or by any one or more of the justices thereof, and if in any case it be found that injustice has been done, I will refund to the parties doubly the amount out of which they have been wronged because of the action of the court; or, if any punishment has been inflicted beyond what the Supreme Court will say was right, under the circumstances, I will pay to the party punished, or to his legal representatives, whatever damages the Supreme Court may adjudge."

"This, certainly," replied the Attorney-General, "is a very fair proposition on your part; but, sir, the court has no legal existence, no legal existence, and while I remain Attorney-General, and am responsible for whatever is done in this department of governmental affairs, I cannot consent that such a court shall continue."

This ended their interview, for the Judge plainly saw that he might talk till doomsday and yet not change the Attorney-General's mind an iota. "Convince a man against his will, and he remains of the same opinion still," says an old maxim, and never was the maxim better exemplified than in the case of Mr. Bates. He was one of those men who looked at everything, as it were, through a gun-barrel, and could see nothing to the right or left of the one line of vision; one of those men who are so straight, that, like the Indian's gun, they "lean a little over;" one of those self opinionated men, who, having once conceived an idea or prejudice, no amount of argument can change his mind.

The next day the Judge again called upon the President, and told him all that had passed between the Attorney-General and himself. The President laughed heartily at the "mulishness of old Bates," as he called it, and yet seemed a good deal annoyed at the unreasonable stubbornness manifested by the Attorney-General. He did not, he said, know what to do or to say. He was in a quandary, and could not see his way clearly out. Finally, he asked the Judge to call upon the Secretary of War, and see what he might say about it.

The Judge then called upon Mr. Cameron, and told him of the interviews he had had with the President and with the Attorney-General, relative to the Alexandria court. The Secretary listened attentively, and, when the Judge had finished, expressed opinions about the Attorney-General more forcible than polite. He talked, he said, "just like a d—d old traitor, and if he is not one, his own tongue belies him!" He strongly suspected, he said, that "both Bates and Blair were wolves in sheep's clothing, and this only went to confirm that opinion." He had, he said, "expressed as much to the President, and would do so again when next he met him." He had thought himself of resigning, rather than remain in the Cabinet in company "with such d—d rascals and traitors to their country." For a full half-hour the Secretary fairly raved with excitement, and when the Judge was about to leave, told him to hold on, let come what would.

In this connection it may be well to add that within a few weeks after that interview Mr. Cameron did resign his place in the cabinet, and Mr. E. M. Stanton was appointed in his stead; but whether Bates's action in the case of the Alexandria court was one of his reasons for resigning, we have no means of knowing, though it is not at all improbable.

Again the Judge called upon the President, and told him what had passed between Secretary Cameron and himself. The President seemed now more confounded than ever, and finally told the Judge to let things rest for a few days until he could think over the matter, and see what was best to be done.

About a week after this, the aid-de-camp of General McClellan, who had so often before called upon General Montgomery, called again, and told him that it was General McClellan's special wish that the provost-court should have nothing more to do with civil cases, or cases touching the subject of slavery in any way. That while General McClellan greatly preferred not to issue a formal order on the subject, yet he would certainly do so if his wishes could not be carried out in any other way. He was not willing, the aid said, to have Judge Freese interfere with the old citizens of Alexandria in any way, though if he chose to continue the court merely for the punishment of soldiers who got drunk within the city limits, or otherwise disturbed the peace, he had no objection. At the same visit, the aid delivered to General Montgomery an order from General McClellan requiring the court to refund to the Alexandria hardware merchant the five hundred dollars which he had been required to pay as a fine, because of the assault, with threat to kill, upon the Union man—all of which has heretofore been related.

When the aid had gone, General Montgomery sent for Judge Freese, and they had a long conference as to what had best be done under the circumstances. The Judge had before told the General all that had passed between the President, the Attorney-General, the Secretary of War, and himself; and the General now told the Judge all that had passed between General McClellan's aid-de-camp and himself. The Judge said that under no circumstances could he consent to continue the court, if thenceforth it was only to punish soldiers for drunkenness and other misdemeanors; that it had been exceedingly distasteful to him from the first to have to punish a soldier at all, and now to punish him alone, and let citizens, who committed offences far worse, go free from punishment, would be, in his opinion, a mockery of justice, and he would not be the presiding officer of such a court; that, it having gone abroad that the court was willing and ready to assist Northern creditors in their efforts to collect claims against disloyal debtors, it would now be exceedingly unpleasant to have to deny such claimants as might thereafter call, and, rather than have to do this, he would much prefer to see the court closed; for then the public would place the responsibility just where it belonged. The Judge added, that he knew the court was placing the President in a very embarrassing position, so far as related to his Cabinet; that, while Cameron and Seward were anxious to have the court continue, Bates and Blair were just as anxious to have it suppressed; and from the order just received from General McClellan to return the five hundred dollars fine, it was entirely clear that the secessionists of Alexandria, and the sympathizers with secession at the North, had gained complete control over him; from all of which the Judge thought it would be best to close the court.

General Montgomery fully concurred with the Judge in all these views, and added that, as the court had been organized upon his order, without first consulting with General McClellan or the President, he would much prefer to have it close voluntarily, than to be compelled to close it upon the order of General McClellan or of the President. The Judge replied, that while he believed that President Lincoln would never issue such an order, no matter what the consequences to himself might be, still he should be glad to relieve the President from what to him was evidently a great embarrassment; and if he, General Montgomery, would



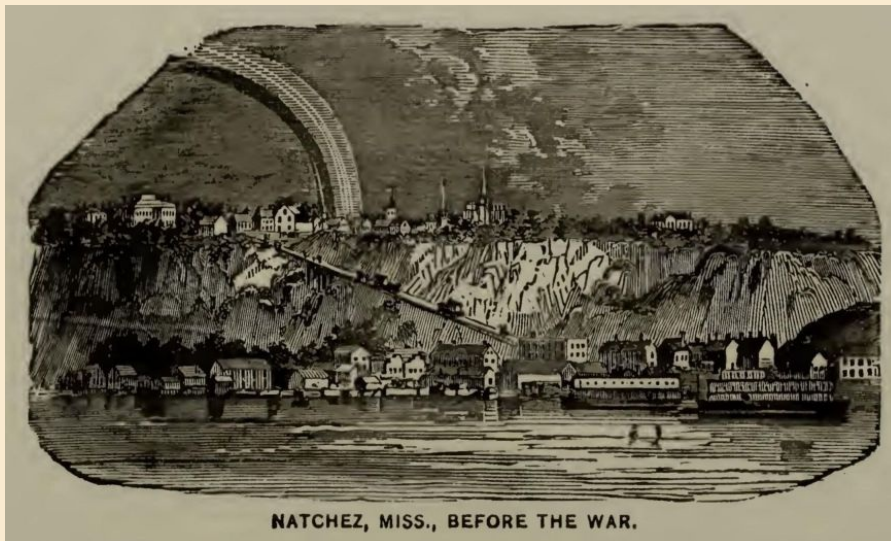
issue an order directing the court to close its operations on the next or any day following, he, the Judge, would gladly announce the order from the bench and adjourn the court *sine die*.

Such was the conclusion finally agreed upon. General Montgomery wrote out the necessary order and handed it to the Judge. Next day, after all the business before the court had been disposed of as usual, the Judge read General Montgomery's order from the bench, and explained to those present why it had been issued. Had a cannon burst then and there and killed a hundred men, the surprise could not have been greater. Some raved at Attorney-General Bates, and pro-slavery men generally; others cursed General McClellan and Northern sympathizers with rebellion, generally; deep and somewhat loud were the mutterings among all present; but the order was irrevocable, and thus closed at once and forever the provost-court of Alexandria.

Had that court been continued, and others like it established in every city of the South, so soon as they came into the possession of Union troops, at least one hundred millions of dollars would have been collected from the property of Southern debtors and gone into the pockets of Northern creditors; the war would have ended two years sooner; over five hundred millions of dollars would have been saved to the United States treasury; and over one hundred thousand lives been saved to the homes and families of both the North and the South. Only at the last judgment-day will it be known how great was the mistake—a mistake which, in its ultimate consequences, was not less ruinous to the South than to the North—of those who insisted upon, and who finally compelled, the closing of the provost-court at Alexandria.

We say this after a full consideration of the whole subject as drawn from the facts heretofore detailed in this volume, and do not think we shall have to take a single word of it back. True, very true, as eloquently stated in a letter from our old friend, J. E. Brush, Esq., of New York—"Floyd, Thompson, and Cobb, of Buchanan's Cabinet, had so disarmed and depleted the government of means, that Lincoln had very slender resources; and the gullibility of Northern business men in filling the orders of Southern men for war material, for months previous to the opening of the war, proves that they meant business, while the North did not take in the situation at all;" still we think, but for the secret machinations of Northern sympathizers—of men on whom, for a time, the government relied and entirely trusted, including generals in the field, officers in the navy, and even officers in the Cabinet—the war would have been ended at least two years sooner, and hundreds of millions saved to the taxpayers of the country.

We are aware that such a statement at first sight seems extravagant, if not wild; but if the reader will carefully weigh each factor of the problem, and follow out the relation which each bears to the other; and then if he will suspend judgment until he shall have read the last chapter and last line of this book—so that he shall have all the facts before him, all the secret springs which were so adroitly worked, but of which nobody even suspected the existence, all the villainies of men singly and of men united in political and religious associations—we have no doubt at all but what he will reach the same conclusion that we have reached in the above paragraph. Facts and figures never lie when properly placed; but men are so disposed to shut their eyes against unpleasant facts, and so inclined to place figures in such a way as will bring the result they wish for, that the most palpable truths are often hid, and kept hid, from the public, until by some accident or incident the secrets are revealed, as in this volume.



NATCHEZ, MISS., BEFORE THE WAR.

*Original*

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## CHAPTER XVII. FACTS, FIGURES, AND FAIR INFERENCES.

WHEN, on the 15th of April, 1861, Abraham Lincoln, as President of the United States, called for 75,000 men, for three months, to suppress the rebellion, he did it after repeated consultations with every member of his Cabinet, both when assembled in council and privately with each individual member. That Cabinet was one of the ablest, if not the very ablest, that any President of the United States ever had about him. William H. Seward had been Governor of New York, had long been United States Senator, and understood the strength and resources of each individual State, and of the whole Union, as well, probably, as any man then living. Salmon P. Chase had been Governor of Ohio, long a United States Senator, was a thorough statistician, mathematician, and financier, and had made the resources of both States and nation a long and faithful study. Simon Cameron had been a statistician and banker nearly his whole life, had long been a United States Senator, was a man of unusually strong common sense, and had, from a political stand-point, made the Southern States and their peculiar institutions and resources a special study. Wells and Smith were good, strong, practical-sensed men; while Blair and Bates were both Southern men, were thoroughly conversant with the institutions, with the leading men, with the wealth, and with the resources of every Southern State.

One would have thought the combined wisdom of such a body of men as near perfection, as near certainty in political prophecy, as it was possible for men to attain, when judging of the future by inferences drawn from actual knowledge of the past and present; and yet, subsequent events proved that never were men wider from the mark than were these men in advising the President to call out 75,000 men for three months to subdue the rebellion. Why this great error of calculation and judgment?

Those who have carefully read the preceding chapters of this book will have the answer, in part, but not the whole answer. Of course, President Lincoln and his Cabinet thoroughly understood the sympathy which existed between English cotton-spinners and American cotton-growers, and, in their calculations, made due allowance for this feeling. They also understood thoroughly the sympathy existing between the aristocracy of England and king cotton of America; for they well knew that the aristocracy of England were largely the owners of those cotton-mills or furnished the capital with which to run them. For this, then, they also made due allowance in all their calculations; and, with a view to checkmate this influence as far as possible, sent Thurlow Weed on a secret mission to England. They understood the business relations of the Pacific Mail Steamship Company with the Southern States, as well as the relations of other incorporated companies, and of merchants generally, with the South. They knew of the debt that was then owing—nearly two hundred millions of dollars—from Southern merchants to Northern merchants, and fully comprehended the sympathy which such community of interests would naturally create between the parties; and for all this made due allowance. They understood, of course, the love of gain natural to every man, and that merchants, manufacturers, and others, by the thousands, would be on the constant lookout to make money out of the war in any possible way commensurate with their own safety; and for this made due allowance in their calculations as to what was to be overcome. And last, but not least, they well understood the general sympathy which was felt by the Democratic party of the North for the people and peculiar institutions of the South, and how ready some of the leaders of that party would be to aid the South in any way they could with safety to themselves; but they also understood that a very large number of the followers of the masses—of the bone and sinew of that party—were patriotic; while another portion, and a very large portion, would be ready to hire themselves to do whatever would pay best, and that if large monthly pay and large bounties were offered, these men would be as ready to hire themselves to kill their fellow-men as to slaughter cattle; and with these two elements (the patriotic and the mercenary), they believed the party could be so far controlled as to prevent it from doing any material injury to the Union cause.

But while comprehending all these things, and making due allowance for them all, they did not comprehend nor make allowance for the deep-seated, desperate, condemnable villany that was hid away in the hearts of these same Democratic leaders, and that would come forth from its hiding-places whenever and wherever it could do so with the hope of gain to itself, or with the hope of so crippling the Union cause that it would finally fail, when the affairs of the government would again fall into the hands of the Democratic party.

They did not comprehend, nor was it possible for any human foresight to have conceived any one of the many secret devices recorded in the preceding chapters of this volume, whereby men could and would serve the rebellion in the guise of Unionism; whereby men would, while playing the patriot, really be the most desperate rebels at heart; whereby men could, while receiving pay as generals in the Union army, do acts whereby millions of dollars were lost to loyal merchants; whereby transportation companies would, through its leading officers, while receiving large pay from the United States government for services legitimately rendered, be all the while aiding the rebellion by furnishing ships and money with which to exchange cotton for war materials and army supplies; whereby, in a word, the Democratic party, as a party would so exercise its influence that vice disguised would seem virtue personified; that the promise of a candidacy to the office of President would so change the heart and paralyze the arm of a Union general as to make him favor the rebel cause by delays, and by transferring (through the closing of a provost-court) the sinews of war (millions of dollars) from Union pockets to rebel coffers; that steamship companies, while receiving the protection of Union arms, would be all the while aiding the rebel cause; and that men, otherwise regarded as honorable, high-minded gentlemen, would, because of old political prejudice and present gain, meet in secret conclaves in New York, Philadelphia, Baltimore, and Washington, and then and there concoct the most desperate measures in aid of rebellion. These were secrets which no human eye could penetrate, exigencies against which no human foresight could provide, and hence it cannot be said in truth that these men failed in judgment, since they only failed upon points which were entirely outside of all human calculation.

But for these things, three months' service of 75,000 men would have been amply sufficient to crush the rebellion, and from this we draw our first inference—which no one can pronounce otherwise than fair—that whatever time it took beyond three months to crush the rebellion, whatever men it took beyond 75,000, whatever money it cost beyond the pay of 75,000 for three months, together with collateral expenses for the same time, and whatever lives it cost beyond what would have been the probable mortality among the 75,000, are chargeable, fairly chargeable, unquestionably chargeable, to the Democratic party as a party. We are careful to say as a party, for we know many individuals of that party who are as honorable, as pure, as

patriotic as any in the Republican party, and who only continue their connection with that party (for they know its past sins and present corruptions quite as well as we do) either because their fathers were Democrats' and they do not wish to be regarded as "turn-coats," or because they think the chances of political preferment are better in the Democratic than in the Republican party; or, as they have sometimes replied to us, half in jest and half in earnest, "the more corrupt the party is as a party, the greater necessity is there to have some good men remain in it, to prevent it from doing greater injury to the country."

As historian, and as readers searching after truth, our next inquiry will naturally be—First. How much more time did it take to subdue the rebellion? Second. How many more men did it take? Third. How much additional did it cost? Fourth. How many additional lives were sacrificed? All these we regard as properly belonging to "Secrets of the Late Rebellion, now Revealed for the First Time," for the reason that no one heretofore has ever made researches in this particular direction, and while the facts have existed ever since they came into being (just as the continent of America existed long before Columbus discovered it), yet they have never until now been revealed to the public in the relations and connections to which they historically belong.

I. Though both North and South had been making preparations months before, the actual beginning of open war may be dated from the firing upon Fort Sumter, on the 12th of April, 1861. The close of the war may be reckoned from the surrender of General Lee to General Grant, at Appomattox Court-House, on April 9th, 1865, though it was months after before all the volunteer troops were disbanded and had reached their homes. From the firing on Fort Sumter to the surrender was three years, eleven months, and twenty-eight days; or, to make the calculation still finer, from the calling out of the seventy-five thousand troops to Lee's surrender was three years, eleven months, and twenty-five days. Now, deduct from this three months, and you have the extra time consumed in crushing the rebellion, every month, every week, and every day of which is justly chargeable to the Democratic party.

II. The records of the War Department show that 2,688,523 men were called into the national service from the beginning to the end of the war. Deduct from this number 75,000, and you have the additional number called into service because of the secret machinations and villanies heretofore spoken of., viz, 2,613,523, every man of whom is chargeable, fairly chargeable, unquestionably chargeable to the Democratic party.

III. At the close of the fiscal year (June 30th) for 1861, the Treasurer reported the debt of the United States to be \$90,867,828. On the 31st of March, 1865, the Treasurer reported the public debt of the United States to be \$2,423,437,001, showing an increase during the war of \$2,332,567,173. This increase of debt of the general government by no means represents the sum-total cost of the war; for, meanwhile, the people had been paying immensely increased taxes every year, and beside this every State, every county, every large city, and almost every township of the North had been issuing bonds with which to pay bounties and other war expenses, so that in 1865 the amount of bounties paid by States and local authorities, so far as returned to the general government, amounted to \$285,941,036. Add this to the government debt and you have the sum of \$2,709,378,037. It is difficult, if not impossible, for any mind to really comprehend so large a sum, and the only way to appreciate it is to divide it among families, or individualize it. In 1860 the United States census returns show for the eighteen Northern States 18,855,831. In 1870 the returns show for the same States 24,035,359. There being no census returns for 1865 (as the United States census is only taken at the close of each ten years), the only way to approximate the population then is to divide the increase between 1860 and 1870. This indicates a population in these eighteen States for 1865 to have been about 21,445,595. Now the average estimate for each family is five. This would give us 4,289,119 families as existing in these States at that time. Next, divide the number of families into the number of dollars of public debt, and you show that upon each family was saddled, at the close of the war, a debt of \$631.68. Or, to individualize it, divide this sum by five, and you have the sum of \$126.33 as the average debt then owing by every man, woman, and child then residing in the eighteen Northern States. Thus, it mattered not how poor a man was, or how many children he had, a ticket of indebtedness for the sum of \$126.33 was plastered on the forehead of each. "Oh, well," some one may say, "that was easy enough for rich men to pay, and of course the poor never paid it, nor never will, since many of the very poor never handle as much money as that in all their lives. Why, to a man with ten children (and the poor, you know, generally have the most) that would have made a debt of \$1515.96, which of course he could never pay, in addition to supporting his family." Ah! but, my friend, there is just where you are most mistaken; for it is just that class of men, together with farmers, who do pay much the larger proportion of public debts. True, they never pay it, nor would try to pay it, in dollars and cents to the tax-gatherer; but they pay it in the increased price they pay the merchant for the tea and coffee they drink, for the muslins and woollens, and hats and shoes they wear; they pay it in increased rents and decreased wages; and the farmer pays it not only in every article that he purchases, but in increased taxes and in decreased receipts for what he raises to sell. And what these fail to pay, the rich have to pay in increased taxes for State, county, township, or municipal purposes.

Now let us apply these facts to the solving of the problem (third)—How much additional did it cost?

This we can only do approximately by stating the problem thus: If to bring into the field 2,688,523 men for forty-seven months cost \$2,709,378,037, how much would it have cost to bring in 75,000 for three months? Deduct this sum, amounting to \$4,824,369 from the whole cost, and we have remaining the sum of \$2,704,553,668 as the additional cost of the war because of the secret machinations and most desperate villanies described in the previous chapters of this book—every dollar of which, every penny of which, is justly chargeable to the Democratic party as a party. Or, to make the matter still plainer, more than three-fourths of all the taxes which the poor man, or farmer, or rich man has heretofore paid, or will hereafter pay, whether upon what he eats and drinks and wears, or upon cash paid tax-collector, is directly chargeable to the Democratic party.

IV. How many additional lives were sacrificed? This, like the last question, can only be answered approximately, and by the same process of reasoning.

The reports made to the War Department, during the war, show the total loss to have been 280,420 men—the very sight of which figures makes the heart sink in agony and sicken over the thought, and yet there is no escaping their terrible reality.

To get at the additional sacrifice, the proposition may be stated thus: If in a war lasting forty-seven months, with 2,688,523 men in service (of whom 1,500,000 it is estimated were in battles), the sacrifice of life amounted to 280,420 men, what would have been the sacrifice had the war lasted only three months, with 75,000 men in service? The answer to this problem is 499 lives. Now take this number from the former, and you have as the additional number 279,921 lives—the loss of which is as fairly attributable to the Democratic party as though it had by sentence condemned, and by its own power had executed, every one of these men.

The remains of thousands and tens of thousands who died in the service never were gathered, but to-day lie in Southern swamps, scattered over Southern cotton-fields, or at the bottom of the deep, blue sea, "unknown, unhonored, and unwept;" but the remains of other thousands and tens of thousands have been gathered, and now lie in National cemeteries at Arlington Heights, at Gettysburg, at Antietam, at Beverly, and at many other places throughout the length and breadth of our land. The above calculations show—and figures never lie when correctly placed—that if upon ninety-five out of every one hundred headstones erected to the memory of these departed heroes in the National and private cemeteries of our country were written the words, *Died by the hands of the Democratic party*, the record would be as true as anything now written upon those headstones.

We are fully aware of the terrible character of this indictment. We know already how many thousands will hold up their hands in holy horror and exclaim, Oh, this cannot be so! These are not the words of a historian, but of a politician, who allows his prejudices to get the better of his reason! But hold, my friend, hold, and think twice before you condemn once. Are they not words of truth and soberness? Examine each proposition just as carefully as you would examine one of Euclid's problems (for this is just what we have tried to do), and see if it is possible to reach any other conclusion. Republican though we certainly are, yet, in examining these questions as a historian, we have tried to divest our mind of every particle of political prejudice, and though the results of our researches and calculations are as astounding, as terrible, as sickening-of-heart to us as they can possibly be to any one of our readers, yet the figures would show no other, and we have had to accept them as veritable.

And yet the secret is only half out—the story, as yet, but half told. The losses of time, of money, and of lives heretofore spoken of relate only to the North—the Southern side of the story remains yet to be told; for in this volume we are writing no less for the information of Southern than of Northern men, nor would we in this record do any less justice to the South than to the North.

Jefferson Davis, however wild and mistaken politically, was never other than a high-minded, chivalrous gentleman. He was just as honest in his advocacy of slavery as Paul was in his advocacy of Phariseism; and when Davis went forth to catch, imprison, and, if need be, to slay the enemies of slavery, he did it as conscientiously as Paul did, or meant to do, his work, in going to Damascus with the commission of a high-priest in his pocket. Not only so, but President Davis was a man of deep knowledge, a thorough statistician, a cool calculator, and one who never took a step without first carefully counting the cost. He was the farthest possible remove from a reckless man. When a young man in the United States army and with the troops in Mexico, he never struck a blow, or made the least move, without first considering all the chances. In this respect he was almost as careful and as prudent as his renowned father-in-law, General Zachary Taylor. As a United States Senator he was remarkable for his caution and foresight, and though he sometimes took part in sharp debate, his general political tactics were conservative, watch for chances, investigate thoroughly, and then strike with effect.

Now, we have it only second-handed from President Davis's own lips that he would never have thought of a war with the North—never would have recommended such a war—never would have engaged in such a war—"but for encouragement given him, and actual pledges made him, by leading Democrats of the Northern States." He had once been Secretary of War; he had been a United States Senator for several years preceding the rebellion; he thoroughly understood the resources, not only of the general government, but of each individual State, and would, as he said, have thought it perfect madness for the South to have attempted a separate confederation, "but for the pledges of assistance made him and others by leading Democrats of the Northern States." Of this, as an historical fact, there is no more doubt than that there was a war. Outside of President Davis's own word, the facts heretofore related in this volume, and a thousand others which might be adduced, are confirmatory of these statements.

Again, the men whom President Davis had about him as a Cabinet and as outside advisers were generally men of marked intelligence and large experience, one of whom (John Tyler) had been President of the United States; some had been United States Senators; others, Congressmen; others had all their lives been connected with the army or navy; and scarcely one of all but what thoroughly understood the strength and resources, not only of the general government, but of each State, North and South. Is it to be presumed that a single one of these men would have ever thought of rebellion, or said one word to encourage it, *but for the assurances they had from leading Northern Democrats that the party, as a party, would sustain them in such a movement?*

If these facts be admitted, and this inference be conceded, does it not follow as an inevitable conclusion that the *Democratic party, as a party*, is responsible before God, and should be held responsible before all men, for the *time wasted, the money squandered, and the lives sacrificed* by the South in their attempt to establish a separate confederacy?

We cannot give the exact figures, for the archives of the Confederate government were mostly destroyed when the rebels fled and the Union army took possession of Richmond; but think, reader, think how many weary days, and weeks, and months, and years of untold suffering that was caused by that mad and murderous attempt; think of the houses burned, homes desolated, plantations ruined, by the frenzy and fury of reckless demagogues; think of the thousands of affluent families made homeless and penniless by this mad attempt, and of the thousands upon thousands who were once comfortable now turned out as beggars to die, through the efforts of a band of conspirators; think of the millions upon millions of hard-earned dollars squandered, worse than squandered, by this mad attempt; think of the thousands upon thousands of wives made widows, children made fatherless, parents made childless, by this foul treason; and then think—for if you are honest with your own conscience, and can rid yourself of political prejudice, you must think it—that

all this waste of time, all this squandering of money, all this sacrifice of lives, all this suffering of wives, of children, of parents, *is unquestionably chargeable* to the *Democratic party*; and, with this last thought, ask yourself the question, What should be thought of—what should be the fate of—a party guilty of such unparalleled wickedness?

Of course, to this last question there could be but one answer, and yet the party feebly lives! Why it lives—for what purpose it lives—would be the next question which would naturally arise with every searcher after truth. To these inquiries we will try to give an answer, not an opinion merely, but an answer founded upon accredited history, as have been all the answers heretofore given.

It is well known to every student of history that, as far back as 1817, the leading sovereigns and princes of Europe, in their solemn conclaves and secret treaties with each other, formed the determination to subvert the liberties of the United States. Much of what was said and done at that time leaked out, and was duly communicated by our ministers and consuls abroad to the general government; but so conscious was our government of its own strength in the hearts of the people, that all such threats passed them by like the idle wind. When, however, the Duke of Richmond died in Montreal in 1819—a man whom everybody knew to be a sagacious and wise statesman, and whose many high employments had made him intimate with all the sovereigns and politics of Europe, and whose deep personal interests at stake gave to his opinions immense weight—and when he declared, a short time before his death, that "The surplus population of Europe, when not wanted for the armies and navies of their own land, would be permitted to flock here, and would be entitled to vote; and, mingling in the elections without a knowledge or a love of the laws, or even the language, of the country, will be tools for demagogues, and create a disturbing influence, which the government cannot withstand;" and when to this he added, "I have conversed with many of the princes and sovereigns of Europe, particularly with George III. and Louis XVIII., and they have unanimously expressed these opinions relative to the government of the United States, and their determination to subvert it"—when, we say, these were published and became generally known shortly after his death, they did for a little while create some excitement, and both government officials and the people had something to say about these statements; but such was the confidence felt in our own strength, that the words of the Duke were soon forgotten, and were laid away with the "mouldering past."

Only three years thereafter (in A. d. 1822) the great powers of Europe held a congress at Vienna, and among the conclusions then and there reached, and which formed a part of their treaty stipulations, the two following cannot but strike Americans with great force:

"Article I. The high contracting powers being convinced that the system of representative governments is equally as incompatible with monarchical principles, as the maxim of the sovereignty of the people with the divine right of kings, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments in Europe, and to prevent its being introduced into those countries where it is not known.

"Article II. As it cannot be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations to the detriment of those princes, the high contracting powers promise reciprocally to adopt all proper means to suppress it."

The representatives of this government in Europe got hold of these articles soon after, and duly communicated them to the State Department at Washington; and the newspapers of this country also got hold of them, and for awhile had considerable to say about them; but ere long the excitement of both government and people died out, and things went on in their usual way. How many times since then the powers of Europe have met in secret conclave and reaffirmed what they then said, and adopted secret measures whereby to carry out these resolves, is not generally known, for the reason that the excitement following their first promulgation gave them warning that whatever they said or did in that direction thereafter had better be with closed doors, and under the most sacred pledges of profound secrecy.

The congress at Vienna was held soon after they had lodged the First Napoleon safely at St. Helena, and when all the world seemed to be applauding them for the act, and hence their outspoken boldness in denouncing representative forms of government and the liberty of the press. Indeed, in view of what they had all just witnessed, and some of them severely felt, it was not at all unnatural that they should have adopted the two articles quoted; and that they should have ever since felt that there was an irrepressible conflict between the "divine right of kings" and representative forms of government—between the absolute rule of kings and the liberty of the press, and that one or the other must eventually supersede the other. Hence, with them it became a question of self preservation—the very first law of nature—and under such circumstances it was not at all wonderful that they resolved just as they did.

They had recently witnessed the final act of a French drama and tragedy combined—the French Revolution, and the career of Napoleon as a consequence thereof—which they regarded as results of a representative form of government and of the liberty of the press; but which were results rather of irresponsible personal government and license of the press. They had seen or read of the assembling of a French parliament that had refused to register the royal edicts; they had witnessed or read of the disputes between the king and parliament, and the death soon after of Louis XV.; from thence they had observed the spread of liberal opinions and the accession of Louis XVI. to the throne of France; next, they had seen or read of the calling together of the States-General, and how they, soon after assembling, had assumed the name of the "National Assembly;" they knew of the dismissal of Neckar; the destruction of the Bastille; the abolishment of the privileges of the nobles and clergy, and of the first insult offered to the king and royal family; of Robespierre's government and the dreadful disorders accompanying it; of Lafayette's resignation; of the trial and execution of Louis XVI. and of his queen, Marie Antoinette, and of the Duke of Orleans; of the Convention's abjuration of the Catholic religion and substitution of reason in its place; of the abolition of the Sabbath; of the tens of thousands beheaded, or otherwise slaughtered, in Paris; of how Napoleon Bonaparte had finally appeared upon the scene, and for a while seemed to still the troubled waters; but how he ere long not only usurped the crown, but commenced war upon almost every nation of Europe; how in a hundred battles fought by him, at Austerlitz and elsewhere, he had been successful in almost every one; how he had finally invaded Russia and thus defeated himself; how he was afterwards made to resign and sent in banishment to Elba; how he had

again reappeared in France and resumed power; how all the allied powers of Europe then determined upon his destruction; how he was defeated at the battle of Waterloo; how he afterwards surrendered himself into the hands of the English; and how, on the 17th of October, 1815, he was landed at St. Helena a prisoner of war.

All this they knew, and all this they set down as the natural results of a representative form of government and the liberty of the press, and hence it was that the first two articles of the treaty, from which we have heretofore quoted, were specially aimed against them; and a solemn pledge made, each to the other, that they must be destroyed. Of course, no mention was made in that treaty of the United States; for to have done so would have been virtually a declaration of war; but as it was then generally believed among the sovereigns and princes of Europe that the French Revolution of 1789 was a natural outgrowth from the American Revolution of 1776, and that Lafayette was at the bottom of it all—having imbibed the ideas from George Washington, John Adams, John Hancock, and other revolutionists of America,—the inference is plain and unmistakable that those two articles were aimed at the United States, and that the word "Europe"—where it reads they "engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments in Europe"—was only meant as a blinder.

But, it may next be asked, allowing all this to be so, have they been doing anything since that time whereby to carry out any such intention?

To this inquiry, we answer yes, and will now proceed to show, briefly but unmistakably, how they have been carrying out such intentions; and this, too, comes legitimately under the head of "Secrets of the Late Rebellion, now Revealed for the First Time," since no one, to our knowledge, has ever heretofore shown the close relationship and unity of purpose between these same European governments and the Democratic party of the United States; and how, in the late rebellion (as in many instances before that time), they joined hands to destroy this government, and to break down the liberty of the press.

The first two political parties in the United States were known as *Federal* and *Republican*. In 1800, John Adams was the candidate of the Federalists for a second presidential term, and Thomas Jefferson the candidate of the Republicans. Jefferson was elected, and took his seat as President of the United States on the 4th of March, 1801. After a time, these two names gave way to Whig and Democratic. These continued until the name Republican took the place of Whig, in 1856-60. In its earlier days the Democratic party, as a party, was as pure and patriotic as any party that ever existed in this or any other country; but when the question of "Protection to Home Industry" (of which Henry Clay was the leading champion in his time) became a prime question in American politics; and when, because that this question involved the interests of European capitalists and manufacturers, Augustus Belmont, of New York city (a European by birth, a Jew, and the agent in this country of the Rothschilds', the great Jew banking-house of Europe, to whom almost every sovereign in Europe was indebted for loans), became the Chairman of the National Democratic Executive Committee—from that moment the Democratic party, as a party, became as completely in the interests of European sovereigns, capitalists, and manufacturers, as though every member of the party, as well as its head and front, had been born a European. We are not, of course, attempting to write a history of parties. To do so would require a volume of itself, and a large one at that. We have only made this running sketch that those not familiar with general history may readily see and understand the unmistakable historical relationship which exists, and which has existed for some forty years past, between the Democratic party, as a party, and European governments, European capitalists, and European manufacturers.

With this fact in mind, it is easy to understand why ninety out of every one hundred European emigrants who come to this country attach themselves to the Democratic party; easy to understand why the entire influence of the Roman Catholic Church (which is the church of nine-tenths of the sovereigns of Europe) should be thrown in favor of the Democratic party; easy to understand why more than ninety-five out of every one hundred Jews who come to this country from Europe attach themselves to the Democratic party; and easy to understand why, in the late rebellion, the Democratic party, as a party, cooperated with English lords, with English capitalists, and with English manufacturers (as shown in previous chapters of this volume), in trying to break down this government, and establish a slaveocracy in its stead—the leaders (not the masses) well knowing that this would soon give way to a yet more concentrated form of government in order to hold their slaves in subjection—neither a landed and family aristocracy, like that of England, or an absolute monarchy, like that of Austria, in either of which cases a representative or republican form of government and the liberty of the press would have been effectually and forever suppressed.

The answer, then, to the two questions, Why it lives? For what purpose it lives? are, to the first, Because of the additions made to the party from year to year from foreign emigration; and to the second the answer is, For the purpose of playing into the hands of European sovereigns, European capitalists, and European manufacturers, with a view to set aside a representative form of government, and destroy the liberty of the press in this country; and these answers we give, it will be observed, not from a political, but from a historical, stand-point—facts which cannot be controverted, and deductions from those facts as natural and as undeniable as that we know arsenic to be a poison, because it invariably kills when taken in certain doses. And that the Democratic party, as a party, is as deadly a poison as arsenic we know to be true, because it has killed its thousands and tens of thousands, than which we want no other or better proof than is furnished by the preceding chapters of this volume.

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## CHAPTER XVIII. WHY THE SOUTH HAS NOT DENOUNCED THE DEMOCRATIC

## PARTY—WHAT KEEPS THE PARTY ALIVE—WHAT THE FINAL END OF THIS REPUBLIC.

**T**HREE more questions, please, and then I will not trouble you more. What you have already said seems to be true, and yet so new and so strange are these revelations to my ears—stranger than any fiction I ever read in the works of Sir Walter Scott or others—that had you not substantiated each proposition with arguments drawn from antecedent probability, from sign, and from example, I could scarcely have believed them. But three queries yet remain in my mind. Allowing all that you have said to be veritable history, how comes it that the South has not denounced the Democratic party for its perfidy in making promises which it never fulfilled? How comes it that, with such a weight of sin upon it, the party can still be kept alive? And, from all your study of history, what deductions do you draw as to the final decline and fall—if such a thing is to be—of this Republic?

Your questions are plain, frank, yet pointed, and I will endeavor to answer each in as plain and frank a manner. First, as to the truth of what we have already said, if the statements and propositions related to any other than a political subject, there would be no more doubt of their truthfulness than of any statement or proposition made by Gibbon, Macaulay, Bancroft, or any other historian. But upon the two subjects of politics and religion, men are generally so set in their opinion that blindness in the one and bigotry in the other seems to be as natural to the human mind "as for grass to be green, or skies to be blue, on bright clear days in June." Nor are such statements ever allowed to go unchallenged, however true they may be, unless the parties have been so long dead and buried that no sympathy remains. What Macaulay says of political parties and of church influences in his *History of England*, is just as true as any other part of his admirable work, and yet the work had scarcely made its appearance before the most violent epithets were hurled at him because of these. Had Gibbon written his *Decline and Fall of the Roman Empire* ten or even five centuries earlier, it would have received most bitter denunciation from all who yet sympathized with the wrongs which Gibbon pointed out, and even so late as the eighteenth century, when his work was first published, it did not escape censure. While Bancroft only wrote of the long, long ago, in his capital *History of the United States*, nobody questioned his statements or deductions; but as he approached nearer to the present, and had of necessity to say something of the acts and influence of political parties and of churches, he awoke the sleeping demons—blindness and bigotry—and from thenceforth there was more or less growl whenever a new volume appeared. I revive and mention these facts now, only to show you, my friend, that I am not at all surprised at your inquiries; nor shall I be surprised if the last six chapters of this volume, and, because of these, the whole book, are most violently and bitterly denounced by the entire Democratic press of this country, and by every religious and political journal in this country and Europe whose special province it is to uphold foreign religious and political influence. With these as introductory remarks, I will now proceed to answer your inquiries.

1. How comes it that the South has not denounced the Democratic party for its perfidy in making promises which it never fulfilled?

We have no sympathy now, and never had, with rebellion, as such; and, while it continued, helped to fight it as best we could; but we had then, and have now, a very deep sympathy with those who were blindly led to their own destruction by wicked, designing men. To no people in all of history are the words of our blessed Saviour more applicable than to the people of the South, when he said, "Woe unto the world because of offences! for it must needs be that offences come; but woe to that man by whom the offence cometh!"

We have heretofore spoken of Jefferson Davis, his Cabinet, and of others with whom he advised, as high-minded, honorable gentlemen. This character they had before the war, maintained it during the war, and such as survived continued to maintain it after the war. After the war, Mr. Davis had but little to say of the events of the past. He preferred not to talk of them at all, as he often said to those who broached the subject, and never would talk of them except to his most confidential friends. He desired to live a quiet, peaceful, retired, Christian life, in the bosom of his little family (and no man ever had a truer or more faithful helpmeet than Mrs. Davis proved to be to her husband), nor would he allow himself to talk of politics at all, as before stated, except to a very few. From one of these few we have it, as from Mr. Davis's own lips, that no one felt, nor could feel, more keenly than he did, the perfidy, the meanness, the baseness which had been practised upon the South by certain leading Democratic politicians of the North; and yet he could not but recollect that others, as they had opportunity, had aided him and their cause to the full extent of their ability, and had the will to aid them a thousand times more, if they could have done so with safety to themselves, personally and pecuniarily. This last recollection took the keen edge off the first, and left a sort of dulcamara—a bitter-sweet—to rest upon his mind.

And, besides this, only a choice of evils was left to him and his followers. Their own party of Secession having been destroyed, only the Democratic and Republican parties remained. To side with or go into the Republican party was out of the question. Such as did, would be charged with, or suspected of, treachery by both sides. To denounce and yet expect to get into, or cooperate with, the Democratic party, was out of the question. No one can regard as a friend one that curses him. So, you see, they were walled in, as it were, on every side, and, as a choice of evils, thought it best to go into the Democratic party—to which most of them had belonged all their lives, previous to the rebellion—to hold their peace, and to "wait for the good time coming which the voice of certain siren leaders still whispered into their ears. We say this not in a poetic, but in a historic sense; for we know it to be true that, after the close of the rebellion, prominent leaders of the Democratic party North said to prominent gentlemen of the South that so soon as they could get the general government once again into their own hands, all Southern claims upon the government, because of the war, should be adjusted, the same as Northern claims had been; all bonds issued by the Confederate government during the war should be placed upon precisely the same footing as the bonds issued by the United States government during the same period; and that slavery should be restored as it was before the war, or those who had owned slaves, or their legal representatives, should be paid full value for every slave they had lost. When it was said to them that to do all this would require several alterations in the United States Constitution as it now stands, their ready reply was, "Only put the government into our hands, and we'll find means to

amend the Constitution just as readily as to make laws, for all needed purposes. Your wrongs and ours will find a way, or make one!" With such assurances, made over and over again in the most solemn manner, how could a Southern man find it in his heart to denounce the Democratic party, notwithstanding all the wrongs he had suffered from it?

Some seventeen years have now passed since the close of that war. As a matter of history it is well known that over ninety-five per cent, of those who had taken an active part in the Confederate cause went into the Democratic party, and since that time have steadily cooperated with that party. A few, a very few, could not, as they said, forgive the treachery and the wrongs of the Democratic party towards the South, and these went into the Republican party—some honestly, no doubt; others, only because they thought it would "pay best."

Another answer to your query would be, that in not denouncing, but by going into, the Democratic party a very large proportion of Southern men were only returning to their first love. In the days of Whiggery several of the Southern States gave Whig majorities; but when that party died, because of its coquetting with slavery, and the Republican party took its place, the leading principle of which new party was opposition to slavery, first, as to its extension, and then as to its continuance, nearly the whole vote of the South became Democratic. This was very plainly shown in the vote cast for Franklin Pierce and Winfield Scott (the last Whig candidate), in 1852, when the former received two hundred and fifty-four electoral votes and the latter only forty-two. Indeed, it was this fact, and the great preponderance of Democratic votes at that election, that gave to the Secessionists of the South, and their sympathizers, aiders, and abettors of the North, the encouragement which caused them to inaugurate a rebellion in 1860. It was this, together with the fact that out of the thirty-two preceding years—from the election of Jackson in 1828 to that of Lincoln in 1860—the Democrats had held the power twenty-four years and the Whigs only eight. They had grown to look upon the Democratic power as invincible, and their European coadjutors had been made to believe that the time had finally come when the hated representative form of the United States government could be changed into a slaveocracy, then into an aristocracy, and then into a kingly form of government; while a censorship could be placed upon the press so effectual, that from thenceforth it could never do European sovereignties or the Roman Catholic Church any harm. Those who only saw the outside of the late rebellion supposed that it had its incipiency in 1860, whereas those who knew of its inside workings (as we all know now), knew that preparations had been going on for eight years previous, and that both Franklin Pierce and James Buchanan, from 1852 to 1860, had only been used as tools or instruments by which to forward these preparations. The result of the Presidential vote in 1856 only made those in the secret of the secession movement (both in this country and in Europe) the more determined to strike the blow in 1860; for they saw by that vote that, while their candidate, Buchanan, was elected by a majority of fifty-two electoral votes (Buchanan one hundred and seventy-four, Fremont et al. one hundred and twenty-two), yet the popular vote stood Buchanan 1,838,169, Fremont et al. 2,215,498, being really against their candidate, on the popular vote, to the extent of 377,329 votes. This strange result was owing to the fact that, while all the Southern States voted for their candidate, and several Northern States as well, they were all by small majorities; whereas such of the Northern States as voted for Fremont and others did so by large majorities. Had they delayed the strike another four years, it would have been forever too late.

So soon as the secret commenced to ooze out among the masses, it caused no little commotion in the Democratic party itself, and when they came to name presidential candidates in 1860, while those in the secret boldly put forward John C. Breckenridge (who afterwards became a rebel general in their army), the more timid and doubting named Stephen A. Douglas, while those who were yet more frightened at the prospect of coming events named Bell of Tennessee. The Republicans named Abraham Lincoln. The result showed one hundred and eighty electoral votes for Lincoln and one hundred and twenty-three for all the others (again the South voting solid against the Republican nominee), while the popular vote showed 1,866,352 for Lincoln, and 2,810,501 for all the others. The South by that time became so thoroughly identified with the Democratic party, and the Democratic party with the South, that, like man and wife, their interests were thenceforth inseparable, while the groomsmen and bridesmaids (fitly represented by European sovereignties and the Roman Catholic Church) stood at their sides, or close behind, tapping them on the back.

And just here let us say, lest we may be misunderstood, that when we speak of the Catholic Church it is not by way of disparagement, so far as their religion is concerned, but only and purely as one of the instruments by which European sovereigns hope to work the downfall of this nation, or rather of the representative form of its government and the liberty of its press. Against the religious faith and the religious zeal of the Catholics we have not a word to say, though ourself a Protestant. History, as well as our own eyes and ears while travelling in Europe, has proven to us that with every ounce of corruption to be found in that Church there is a full pound of virtue, and, better than this, so far as we know, cannot be said of any other church organization. We cannot forget, nor overlook the facts, that while Tetzels were peddling indulgences and Luther was thundering against them, thousands of Sisters of Charity (God bless them!) were waiting upon the sick and dying in Paris and elsewhere, and doing what they could to make life tolerable and death endurable to thousands and tens of thousands; that while scores were being tortured and burned by the Spanish inquisition, thousands of faithful Catholic missionaries, in all parts of the world, were enlightening their fellow-men, easing their burdens of life, and pointing them to a hope beyond the grave. Nor can we overlook the fact that other religious bodies have been just as bigoted and just as intolerant as the Catholics, whenever they have had the power and opportunity; that John Calvin and his followers burned Servetus, at Geneva, with just as little compunction of conscience as the Catholics burned Huss at Constance; that Luther and his coadjutors granted to Philip, the Landgrave of Hesse-Cassel, a dispensation for polygamy, rather than lose his support, while Clement VII., Pope of Rome, refused a like dispensation to Henry VIII., King of England; that this same Henry, who was acknowledged at the time as the head of the Church of England, divorced two wives and beheaded two others; and that even here, in our own New England, when the Puritans had absolute power, they ordered delicate Quaker women tied to a cart-tail and whipped upon the bare back, and others hung, for no other reason than that they chose to worship God in a different way from themselves. A somewhat careful study of the rise and progress of all religions, and of all religious sects, convinces us that bigotry, intolerance, and persecution are alike common to all whenever they hold absolute power, and that in this respect the Catholics are no worse than others.



And yet, while saying all this, no less in justice to ourself than to them, we must not overlook the fact that Catholicism is the religion of a large majority of the sovereigns and princes of Europe; that absolutism (and consequent opposition to anything like a representative form of government, or the liberty of the press) is one of its cardinal principles of faith and practice; that, being so largely supported by European sovereigns, it would naturally be disposed to aid them in any way within its power; and that to aid them in overthrowing our representative form of government, and our boasted liberty of the press, would be no violation of their own cherished principles, but in exact accordance therewith. Hence in all our calculations as to influence and power, without having the least prejudice against the religion of the Catholics, we must invariably put them down as in favor of absolutism, and as only using, in this country, the name democracy (which means the reverse of absolutism) as a cloak to their real sentiments. Of course in this we only refer to the bishops, priests, and few educated laymen of the Catholic Church; for, as to the great mass of its adherents, they merely follow the dictum of others, without knowing or caring about the meaning of names, and would vote under any name, or for anybody, if only told to do so by their church officials.

It is a matter of public notoriety—indeed of public record—that, under the name of "Societies for the Propagation of the Faith," the sovereigns of Europe, and their more wealthy subjects, have sent, and are every year sending, large sums of money to this country. A single one of these societies at Lyons, France (as published in their own reports at the time), sent in this way \$65,438 in 1839; \$163,000 in 1840; \$177,000 in 1842; \$207,218 in 1843, while correspondingly large sums were doubtless sent from Spain, Austria, and other European countries during the same years; and from that time until the present every year. A portion of this was and is undoubtedly contributed from the purest of religious motives; but by far the larger portion, only with the view to subvert our representative form of government and the liberty of the press. 'All these are matters of history, and as such come legitimately within the province of any historian, and of any reader, who, aside from religious or political prejudices, would carefully weigh facts with a view to arrive at undoubted conclusions.

And thus, my friend (the reader), have we, by reciting historic facts, and through the processes of deduction and induction, shown you very plainly "How it comes that the South has not denounced the Democratic party for its perfidy in making promises which it never fulfilled;" and thus, my friend, I have, I think, fully and fairly answered your first inquiry.



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## **CHAPTER XIX. — II.—HOW COMES IT THAT THE DEMOCRATIC PARTY, WITH SUCH A WEIGHT OF SIN UPON IT, CAN STILL BE KEPT ALIVE?**

**T**O answer this question, we would first direct your attention to the United States census returns for the years 1850,'60,'70, and 80. We only go back four decades, for from these we can draw correct conclusions just as well as if we commenced at an earlier date. These returns show that for the ten years preceding 1850 there arrived in this country from Europe 1,713,251 persons; for the ten preceding 1860, 2,598,214; for the ten preceding 1870, 2,491,209; and for the ten preceding 1880, 2,742,137. Of those that came from Catholic countries, 95 out of every 100 went into the Democratic party. Of those that came from Germany and other Protestant countries, probably about one-half went into the

Democratic party; for even though they came from nominally Protestant countries, fully one-half of the emigrants from those countries are Catholics. Of those who are Protestants in Europe, but few join the Democratic party after reaching this country. Estimating that one out of every five of these emigrants becomes a voter, and that 85 out of every 100 of these voters joined the Democratic party, we should have as added to that party from naturalization alone, for the ten years preceding 1850, 290,753 votes; for the ten preceding 1860, 431,696 votes; for the ten preceding 1870, 424,505 votes; and for the ten preceding 1880, 466,164 votes. Meanwhile, while these immense additions are being made from year to year to the Democratic party from naturalization, it loses large numbers every year from increased civilization. The Whig party was, and the Republican party is, the party of enlightenment; and as foreigners, and especially their children, become more enlightened as to the advantages of a republican or representative form of government—more and more enlightened as to the advantages of a free press—they leave that party and go into the Republican; or, what is more frequent, their children, having been educated in our free schools, learn to love freedom of thought as well as of action, and, on becoming of age, join the Republican party, and some of them join Protestant churches. But for this retroactive process, which is constantly going on, this country long ago would have been completely under foreign influence, and we never should have been permitted to have celebrated the one hundredth anniversary of American independence.

Now let us take a retrospective view and see what has been the practical outcome of these two antagonistic principles. In 1852 the number of Democratic votes cast for President was 1,601,474; number of Whig votes, 1,542,403; total, 3,143,877; population of the United States in 1850, 23,191,876. In 1860, number of Republican votes, 1,866,352; Democratic and all others, 2,810,501; total, 4,676,853; population that year, 31,443,321. In 1872, number of Republican votes, 3,597,070; Democratic, 2,834,078; total, 6,431,148; population for 1870, 38,558,371. In 1880, number of Republican votes, 4,450,921; Democratic, 4,447,888; total, 8,898,809; population for 1880, 50,155,783.

The immigration for the last few years has been exceedingly large, reaching the enormous figures of 457,257 for 1880, and 669,431 for 1881. Among these were 2,600 Jews from Russia, of whom it is announced there are 10,000 more to come soon, and for whom contract has already been made with the Hamburg line of steamers. Of these it is safe to calculate that 95 out of every 100 voters will go into the Democratic party.

As showing the effect of the retroactive process heretofore spoken of, whereby enlightenment turns Catholics into Protestants and Democrats into Republicans, it may be stated (as census returns show) that while in 1801 there were in the two Protestant countries of Great Britain and the United States about 6,000,000 Roman Catholics to about 15,000,000 Protestants, or about one to two and a-half, in 1880 there were about 12,000,000 Catholics to about 74,000,000 Protestants, or about one to six. In using the word enlightenment in connection with the words Republican and Protestant, we would by no means have it inferred that all Democrats and all Catholics are ignorant. In both are to be found men of the highest intelligence and of the most exalted character; but these form the exception rather than the rule—the leading few, who have their own purposes to subserve, rather than the following many, with whom party is madness only for the benefit of the few.

Now, my friend (the reader), you can begin to see, can you not, why it is that the Democratic party, notwithstanding all its sins, has still been kept alive? But yet there is one more item to be added to account for its continued existence: namely, that it is not only supplied with recruits from Europe, but with money as well. We have heretofore shown from official sources how many hundreds of thousands of dollars have been, and are constantly being sent from Europe to this country to "propagate" the Catholic faith—which is, indeed, but another name and another way of propagating the Democratic party—and but for the extreme secrecy of their movements, we might show just as plainly that other hundreds of thousands are sent here at every Presidential election by European capitalists, European manufacturers, and European sovereigns, with a view to influence our elections. Bribery at elections being made a misdemeanor in nearly all the States, movements of this character have to be conducted with extreme secrecy; but that the thing has been done for the past forty years (ever since the inauguration of the protective system by Henry Clay), and is still being done, there is not a shadow of doubt; nor is there a doubt that this is another one of the reasons why the Democratic party is kept alive. A single Hartford convention killed the Federal party; a single set of pro-slavery resolutions, adopted by a National convention, killed the Whig party; and the part which the Democratic party took in the late rebellion would have killed it so effectually that no resurrection could have ever reached it, but for the support it has had, and still has, from European powers, through emigration and through the Catholic Church, and with the once avowed, and now no less steadily held, object of overthrowing our representative form of government, and of destroying the liberty of our press. Thus, my friend (the reader), your second query is answered beyond, as we think, all possibility of successful contradiction.



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## CHAPTER XX. — III.—FROM ALL YOUR STUDY OF HISTORY, WHAT DEDUCTIONS DO

YOU DRAW AS TO THE FINAL DECLINE AND FALL, IF SUCH A THING IS EVER TO BE, OF THIS REPUBLIC?

**T**O the casual reader, the relationship that this question bears to "Secrets of the Late Rebellion, now Revealed for the First Time," may seem very obscure, but to our mind, that sees the end from the beginning, the relationship seems very close, as our readers will also see, we think, before we close the answer.

Patrick Henry, in one of his outbursts of eloquence, said he "knew of no way to judge of the future save by the past." Taking this as our guide, let us inquire somewhat into the history of former republics, and see if we cannot gather therefrom some probabilities as to the future of our own, and some light by which to guide our own footsteps meanwhile. Our plan and limited space will only permit us to take a bird's-eye view of four—Athens, Sparta, Thebes, and Rome—but even from these alone we may learn some useful lessons.

The republic of Athens came into existence immediately after the voluntary death of King Codrus, about 1068 years before Christ. Codrus having been made to believe, through an oracle, that if he sacrificed his own life, his country would be victorious over the Heraclidæ, with whom they were then engaged in war, disguised himself as a peasant, and, purposely quarrelling with a soldier of the hostile army, procured the death he wished. His sons, Medon and Nileus, disputed the succession to the crown; and the Athenians, taking advantage of this dispute, determined to set aside the crown altogether, and thenceforth have a representative or republican form of government. Hence arose the Athenian Republic. Though they abolished the title of king, out of the high regard they had for Codrus, they appointed his son Medon chief magistrate for life, and even made the office hereditary, so that for three hundred and thirty-one years thereafter the chief magistrate continued in that family. They then abolished the perpetual archonship, and made the tenure of the office ten years. This term they reduced ere long to one year, and, instead of one archon or chief magistrate, appointed nine, with equal authority. Meanwhile their government became so purely democratic as to become utterly despotic, and the tyranny of the mob was found to be more oppressive than the restraints of a single ruler. Then followed the laws of Draco, which, because of their severity, were said to have been "written in blood." He made no distinction of offences, but punished all equally with death. He weakened the authority of the Areopagus, and instituted a new tribunal, in which judges were given almost unlimited power, and virtually made brutes. The severity of his laws defeated their own object.

Such was the condition of things when the great lawmaker, Solon, appeared on the stage, five hundred and ninety-four years before Christ. The laws which he framed and gave the Athenians were not, as he said himself, "the best possible, but the best which the Athenians were capable of receiving." To the rich he gave offices and dignities; to the poor he gave the right of suffrage, whereby in the framing of laws, the election of magistrates, the making of war or peace, the forming of treaties and alliances, and in all that regarded either religious or civil policy, they should have an equal voice with the rich, and, being much the greater in

number, their class could overbalance the other three, though out of their class could no nomination be made to any office of honor or profit. A senate of four hundred members held an intermediate place between office-holders and the people, and served as a restraint upon both. The arbitrary power of the judges, as established by Draco, Solon restrained, and made the court of Areopagus the chief judicial tribunal, and gave it also a tutorial power over all the youth of the republic. Instead of having an egotistical, half-educated state school superintendent to do such duty (as sometimes found in this country), this court appointed masters and governors for the youth, and superintended their education. The Areopagus also inquired into the life and morals of all who held offices in the state, and such as could not stand the scrutiny were not only incapacitated for employ, but declared infamous. His laws also prohibited all imprisonment for debt, and contained many other provisions in which legislators have made no improvement during the nearly two thousand five hundred years that have passed since then.

Notwithstanding the good laws of Solon, then, as now, there were found men to take advantage of their provisions to gratify their own private hates. Thus, Solon's laws allowed popular action for most offences—regarding all offences as against the "peace and dignity of the state"—as we do now; but in many cases advantage was taken of this by bad men to make the most calumnious accusations against men whose character until then had stood even above suspicion. So advantage was frequently taken of the law of ostracism (which was only meant for good), whereby some of their very best men were banished from the state. Thus, when an ignorant citizen was about to cast his vote for the ostracism of Aristides, he was asked by Aristides himself, who chanced to be passing by at the moment, and who was unknown to him:

"Why, what harm, my friend, has Aristides done to you?"

"None in the world," replied he; "but I hate to hear everybody call him the 'Just.'"

Thucydides also, from whom Athens had received the most eminent services, was in like manner banished by ostracism; as likewise were Miltiades, Cimon, Themistocles, Phocion, and many other of their most eminent men. What was meant, too, for religious freedom was made to subserve (by those who temporarily had the power) the purposes of religious bigotry, tyranny, and persecution, until even the renowned philosopher, Socrates, was made to drink the fatal hemlock.

While the great majority of Athenians were entirely satisfied with their form of government; while the masses were equally jealous of their liberty, because liberty was equally necessary to each for the enjoyment of his favorite scheme of life; yet there were those inside of the republic, as well as outside, who did not like a republican form of government, and who were all the while watching for an opportunity to overthrow it. Among these was Pisistratus, a man of large wealth, splendid talents, and of great popularity. He aspired to sovereign power, and by his artifices came so near in obtaining it, that Solon, disgusted at the want of patriotism among his countrymen, and unable to witness its degradation, bade adieu to Athens, and died in voluntary exile. He—even he, the great and good Solon—was made to feel what it was to be "a man without a country," and chose to die in exile rather than to remain in his native land, or even to look upon it again in a state of degradation. If the time should ever come (and God only knows how soon it may come!) when not only one but scores, yea, hundreds, of American Solons should be wandering throughout the world, without a home and without a country, because of the destruction of our representative form of government by European jealousy and Catholic bigotry, then, if never before, they and all others will fully understand something of the natural outgrowth of the Democratic party of this country, of which the late rebellion was the first act in the drama, and of which its secret workings only represented the machinations of a hundred Pisistratuses!

But though Pisistratus thus usurped power, and for a while played the sovereign, he was unable to retain it long. Megacles and Lycurgus, the chiefs of the Alemæonidæ, gained at length so much strength as to attack and expel the usurper from Athens. By a stratagem he again secured power, and, on dying, bequeathed the crown to his sons, Hippias and Hipparchus, but ere long Hipparchus was killed, and Hippias dethroned, and once again the republic prevailed, and statues were erected to the honor of Harmodius and Aristogiton as the authors of their country's deliverance from tyranny.

From thenceforth there was almost a constant warfare between the political parties or factions of the republic, while jealous eyes outside were consequently watching an opportunity for its destruction. Ambitious demagogues were constantly using the people as their tools, but scarcely would one obtain the chief magistracy until another would pull him down—if not by a vote of the people, then by faction or by assassination. Meanwhile Hippias, who had been dethroned, sought aid from the king of Persia to reinstate him, and thus brought a long and bloody war upon his own country. In this war were fought the renowned battles of Marathon, Salamis, Plateæ, and Mycale, and the Greeks came off victorious, but at a most fearful sacrifice of treasure and life. After this followed the disunion among the several Grecian states—the secession of some—the coldness and indifference of others; and though the brilliant administrations of Cimon and Pericles seemed to revive the republic for awhile, it was evident to all that the seeds of death were fast germinating and would bring forth fruit ere long. The Persian king, and the sovereigns of other surrounding countries, had long felt deep jealousy of the Athenian Republic, and, when an excuse came for attacking it, they were not backward in availing themselves of the opportunity. Fortunately for the Athenian Republic the attack made upon them by Persia had the effect to bring the whole power of the Spartan Republic to their aid, which, with such other aid as they received from minor states of Greece, enabled them to defeat the Persians in the end and maintain their own independence.

But a worse fate awaited them—namely, a fight among themselves. The mutual jealousies that had long existed between Athens and Sparta broke out afresh, and soon terminated in an open war between the two republics, and most of the minor states of Greece took a part in the quarrel. The first declaration of hostilities, however, was compromised before they came to actual conflict; but it proved to be only a smouldering, and not an extinguishment, of the fire that had long burned in the breast of each—a fire that afterwards broke forth in what was known as the "Peloponnesian war," and lasted twenty-eight years. Our plan and space will not permit any details of this. A history of the first twenty-two years of the war was admirably written by Thucydides, and of the last six years by Xenophon, to whom we must refer the reader who would know its particulars. Suffice it to say here that during this long internecine war each achieved

victories and each suffered defeats. At one time the Spartans so reduced Athens as to make an entire change in its constitution. The republic was abolished and thirty governors, or, as the Greek historians style them, "thirty tyrants" were substituted, whose power seems to have been absolute, unless in so far as each was restrained by the equally arbitrary will of his colleagues. So fearful and terrible was their rule, that Xenophon thinks "a greater number of Athenian citizens lost their lives by the sentence of these tyrants, in the short space of eight months, than had fallen in the whole twenty-eight years of the Peloponnesian war." Hundreds of the most eminent of the Athenian families left their country in despair, and what remained were for a time awed into silence, and dumb with consternation.

And just here we may pause to say that precisely the same kind of rule, and the same kind of results, would have been witnessed in this country, had the rebellion, by the aid of the Democratic party, succeeded in capturing Washington and in establishing their rule over this country. It is one of the "Secrets of the Late Rebellion, now Revealed for the First Time" (and our information comes from one who was behind the scenes and knew all about it, and the first sixteen chapters of this volume entirely confirm this opinion), that behind President Davis and behind General Lee stood a body of desperate men, who, at one single sweep, would have wiped them off the chess-board and put others in their stead, had they shown the least considerate humanity in dealing with Northern men, in case the rebellion had succeeded. Not Abraham Lincoln alone would have fallen at the hands of the assassin or hangman, but thousands of others throughout the North would have suffered a like fate, until the rule of the "thirty tyrants" in Athens would have been considered but child's play in comparison with the rule of the more than three hundred tyrants of this republic. Then would have been witnessed here, as there, thousands of the most eminent of American families leaving their country in despair—wandering they knew not whither—without a home, and without a country! Abraham Lincoln's assassination was indeed done by a half crazed Southern rebel; but who can doubt, after reading the secrets revealed in the foregoing pages, that the frenzy that fired Booth's brain, and the nerve that enabled him to fire the deadly shot, came as directly from the Democratic party, as a party, as that the pistol itself was purchased by a Democratic partisan. All these facts go hand-in-hand, and there is no separating one from the others.

But we have already occupied much more of time and space on the Athenian Republic than we had intended. We can only say, in conclusion, that, after the reign of the "thirty tyrants," its fortunes were up and down—oftener down than up—until the battle of Chæronea, which occurred in the year 338 before Christ, when the liberties of Greece were made to yield finally and forever to the stronger arm of the Macedonian. The Athenian Republic had existed after a fashion—and, indeed, much of the time it was orderly "after a fashion"—for seven hundred and thirty years; and when it fell, there was not so much as an empty shell left. Its internal dissensions, more than anything else, had eaten out its vitals; the jealousy of surrounding monarchies had been to it a constant source of danger, and several times a source of great disaster; while for fully one-half of the seven hundred and thirty years it was rather a government of tyranny than of liberty to those who lived under it.



*Original*

## LESSONS.

**S**PARTA was built by Lacedaemon as early as 1487 years before Christ; but it did not become a republic until Lycurgus remodelled its laws, eight hundred and eighty-four years before Christ. Though a representative form of government, and therefore a republic, yet it was so different from any other government that ever existed before or since, it may well be called unique, singular, *sui generis*. Its citizens, for instance, ate at public tables; the children were regarded as belonging to the state rather than to parents; its money was made of iron and of such weight that no one man could carry a hundred dollars. Thus, and in other ways, the accumulation of wealth was discouraged—while instruction in the art of war was made pastime—meat, drink, and sleep, as it were, to all its male inhabitants. The labor of its farms, of its shops, of its merchants even, was all done by slaves; while the administration of government, the learning how to fight, and fighting, seems to have been the principal, if not the only, employment of its free citizens. Though existing at the same time with the Athenian Republic, and within one hundred and eighty-four years as old, the two governments were in no sense a type of each other. The Athenian found in his taste for pleasure constant employment; the Spartan's taste was only for war. The arts of Athens met with the highest encouragement; at Sparta, scarcely none at all. At Athens the luxury of the rich constantly employed the industry of the poor; at Sparta, luxury was regarded as almost criminal, and he who indulged in it was regarded with contempt, if not with execration. The sciences were also cultivated by Athenians with the same ardor as the arts; while Spartans cared nothing for science, except so far as it contributed to the efficiency of warfare. As another, in contrasting the two republics, has very aptly put it, "Sparta was altogether a military establishment; every other art was prohibited, industry among individuals was unknown, and domestic economy unnecessary—for all was in common. The Lacedaemonians were active only when at war. In peace, their manner of life was languid, uniform, indolent, and insipid. Taught to consider war as the sole honorable or manly occupation, they contracted a fierce and ferocious turn of mind, which distinguished them from all the other states of Greece. Despising the arts themselves, they despised all who cultivated them. Their constitution was fitted to form a small, a brave, and an independent state; but had no tendency to produce a great, a polished, or a conquering people."

Between our own and a republic so peculiarly constituted, we can hardly make comparisons; and yet we find, even in that, some features like in our own. Lysander was not only a great general, but, as Plutarch calls him, he was a fox as well. Richelieu, when told that his enemies called him a fox, said: "Fox!—Well, I like the nickname! What did Plutarch say of the Greek Lysander?"

Joseph. I forget.

Richelieu. That where the lion's skin fell short, he eked it out with the fox's! A great statesman, Joseph, that same Lysander!

Martin Van Buren, both before and after he became President of the United States, was called a fox, because of his great slyness and shrewdness in pulling the wires for the Democratic party. He denounced that party before he died, however, and allowed himself to be run against their regular candidate for the Presidency; and, were he alive to-day, and knew of the secrets which this volume discloses, no man in the United States would be more free in denouncing that party for the part it took in the rebellion, and for the part it is still taking in helping Europeans in their designs to overthrow this government and the freedom of the press, than Martin Van Buren.

This republic, like that of Athens, had its ending with the battle of Chæronea, b.c. 338, after which the all-conquering Philip took possession of it and of all the states of Greece. The republic had existed after a fashion (for here, as at Athens, it was only "after a fashion" part of the time) through a period of five hundred and forty-six years; but finally died from the ambition of those within and the jealousy of those without.

Thebes was the last of the Grecian republics, but for a time shone with as much brilliancy as either of the others. It had its origin from fortuitous circumstances rather than from the genius of any lawmaker; but it produced and nurtured legislators as wise as Solon or Lycurgus, and soldiers as brave and as brilliant as Pericles or Lysander. When Athens and Sparta were visibly tending to decline, Thebes suddenly rose to a degree of splendor which eclipsed all her sister and contemporary states.

Long before b. c. 382, at which time the citadel of Thebes was seized by the Spartans, the government of the Thebans was called republican, but it was rather so in name than in fact. The oligarchic party at Thebes, corresponding with the Democratic party of this country, were all the while aiming at the establishment of an oligarchy, while the patriotic supporters of liberty and independence were just as determined not only to maintain the republic, but to make it so in fact as well as in name.

The last-named party of Thebes corresponded precisely with the Republican party of this country. When the contention between these two parties was at fever heat, it happened that Phoebidas, a Lacedaemonian general, was sent with an army to punish the people of Olynthus, a Thracian city, for an alleged infraction of a treaty of peace formed not long before. While Phoebidas was on this expedition, Leontiades, the head of the oligarchic party at Thebes, prevailed on him to second the attempts of his party against the liberties of their country. The Spartan general yielded to the suggestion, and, while the unsuspecting Thebans were celebrating the festival of Ceres, Phoebidas marched his army into the city and took possession of their citadel. When the republicans of Thebes protested against this, the Spartans acknowledged it an act of treason in Leontiades to have thus betrayed his country, and they reprobated the conduct of Phoebidas in giving his aid to a measure which was a direct infraction of a national treaty; but being now masters of Thebes, they did not choose to abandon their acquisition.

If through the influence and aid of Lord John Brewerton (the particulars of which are given in the fifth chapter of this volume) and others like him, the heads, the Leontiadeses, of the Democratic party of this country, could have betrayed our government into the hands of Great Britain, and thereby pleased every other kingly government of Europe, every Englishman would have acknowledged that somebody had played the traitor, and that it constituted not only a direct infraction of the treaty between their government and ours, but an infraction of the law of nations as well; yet, like the Spartans, they would have been unequal to

the conflict between virtue and self-interest, and, like them, would have replied, Now that we have the country, we'll keep it!

But though the "mills of the gods grind slowly, they grind exceeding fine," and ere long the republicans of Thebes, headed by the brave Pelopidas, and seconded by the no less brave Epaminondas, shook off the Spartan yoke—shook off the oligarchy—and reestablished a republican form of government, and from thenceforth the Theban Republic went forward in a career of glory equal to anything that Athens or Sparta could ever boast. The battle of Leuctra, in which six thousand Thebans, commanded by Epaminondas, entirely defeated twenty-five thousand Lacedaemonians, leaving four thousand, with their chief, Cleombrotus, dead upon the field, was but the beginning of a series of actions all of which reflected upon Thebes the highest glory. We have not room to relate these in detail, but one incident in the life of Epaminondas—at its close—we cannot omit. The full particulars of the incident may be found in Xenophon and Diodorus, but its gist is about as follows: At the battle of Mantinea, Epaminondas, too rashly pursuing his success, had advanced beyond the line of his troops, when, the enemy rallying, he was exposed to a whole shower of darts, and fell, pierced with numberless wounds. "His faithful Thebans," says Professor Tytler, "found means to rescue his body while life yet remained, and to bring him to his tent. A javelin stuck fast in his breast, and his physician declared that on extracting it he would immediately expire. In this extremity, breathless and fainting, while his friends stood weeping around him, he first inquired what had become of his shield, and being told that it was safe, he beckoned to have it brought to him, and kissed it. He then asked which side had gained the victory, and being told it was the Thebans, 'Then,' said he, 'all is well.' While some of his friends were lamenting his untimely fall, and regretting that he had left no children to perpetuate his memory, 'Yes,' said he, 'I have left two fair daughters, Leuctra and Mantinea (the names of battle-fields)—'these will perpetuate my memory;' so saying, with his own hands he drew forth the javelin from his breast, and instantly expired."

If the republic at that moment could have died with Epaminondas, it would have gone out in a blaze of glory; but, alas! alas! it yet contained traitors in its own bosom, and was yet to reap the fruits of treason.

Philip, King of Macedon, determined to subvert the liberties of all the Grecian republics. To him, as to European sovereigns of to-day, a representative form of government was hateful, as would have been the liberty of the press, had there been a press in those days. It was one of his favorite maxims that "no fortification was impregnable into which a mule could make its way with a bag of money!" as it was a maxim with the first Napoleon that "every man has his price?" In pursuance of this policy, Philip had his bribed emissaries in Thebes, as he had at Athens and Sparta. In Athens he had in his pay no less a man than Æschines, the great orator, and Aris-todemus and Neoptolemus, the two great comedians—all of whom were men of the highest influence in the public assemblies.

With such men at the capitals of the three largest republics—all constantly declaring themselves to be the "stanchest of democrats"—it was only a question of time with Philip when he should have the republics within his grasp. Demosthenes thundered and lightened worse than the natural elements. His "Philippics" rolled over the heads and hearts of the people, and found responsive echoes in thousands of breasts; but the still, small voice of Philip's gold in the pockets of leading loud-mouthed so-called Democrats had more influence than all the thunders of a Demosthenes. Philip's far-reaching plan was first to introduce treachery in the heart of each republic, and then set them at variance with each other, that his alliance might be courted and an opportunity furnished for introducing Macedonian troops into Greece. He had not long to wait for the maturing of his plans. The Phocians, instead of paying a fine inflicted upon them by the Amphictyonic Council (corresponding to our Congress), seized the temple of Apollo at Delphos, with all its treasures. This set the republics at war with each other—some siding with the Council and some with the Phocians. At length the Thessalians implored Philip's assistance against their tyrant, Lycophron, whose government they felt to be intolerable. The tyrant sought aid of the Phocians to support him against his own subjects. They responded to Lycophron, and Philip, with an alacrity that knew no precedent, responded to the people. The result of all this was that Philip obtained a strong foothold in Greece, the very thing he had so long sought through his paid emissaries. This advantage Philip followed up with the keen scent and persistence of a bloodhound, and although Demosthenes still continued to thunder against him, Philip's gold in the pockets of sordid ignorance, under the guise of democratic patriots, overbalanced the warnings of eloquence, and thus matters went on, step by step, until the battle of Chæronea, when, at one fell swoop, not only the republic of Thebes, but all the other republics and states of Greece, fell into the hands of Philip.

Can you not see, my friend (the reader), in all this some striking points of resemblance between the rise, progress, and fall of the Theban Republic, and the rise, progress, and what threatened to be the fall of our own government in the late rebellion?

According to European notions, we had a sort of republic, a sort of representative form of government, prior to 1776; but it was rather an oligarchy than a republic, and Washington, Adams, John Hancock, and others, determined to have a real republic or die in the attempt. Seven years of terrible struggle and fearful sacrifice brought their wishes to a successful issue. From 1783 until 1822 the course of this republic was one blaze of glory, equal to anything that Thebes could ever boast. Meanwhile the jealous eyes of many European Philips had been looking on, and finally a Congress at Vienna, in 1822, entered into a solemn treaty with each other (two of the articles of which we have heretofore quoted) that representative governments, and the liberty of the press, were "incompatible" (that is the word) with "monarchical principles," and therefore ought to be abolished. In pursuance of this resolve the Philips of Europe began to send their gold into this country, of which no less than \$612,656 were sent from a single city of France (Lyons) in four years, as we have heretofore shown from their own published reports. True, this was but a drop in the bucket, but it shows that the drops came from thick-lipped vials, and consequently were very large drops. Among the contributions made about that time, it was announced, with a great flourish of trumpets and as greatly to his credit, that the Emperor of Austria had contributed twenty thousand francs to "The Society for the Propagation of the Faith." For the propagation of what? Of the faith? God save the mark! Had the item read, For the propagation of the Democratic party, and, through it, monarchical principles, it would, in our humble judgment, have been nearer the truth. Of course we do not know—no one ever can know—what proportion of the money contributed in Europe and sent to this country (nominally to propagate the faith of the Catholic Church) went

into the hands of State and National Democratic Executive Committees; but this we do know, as well as we know any conclusion drawn from known facts by deduction, that the money so sent had for its ultimate object (no matter into whose hands it first fell) more the destruction of the representative form of this government, and the liberty of the press, than the propagation of any religious faith.

And let us pause a moment just here to say, that the process of investigation and of reasoning by which we arrive at the above conclusion, and at other conclusions heretofore announced, is very near to certainty, nor is it at all mystical. As Professor Huxley very aptly says, when writing of the results of induction and deduction, "The vast results obtained by science are won by no mystical faculties, by no mental processes, other than those which are practised by every one of us in the humblest and meanest walks of life. A detective policeman discovers a burglar from the marks made by his shoe, by a mental process identical with that by which Cuvier restored the extinct animals of Montmartre from fragments of their bones. Nor does that process of induction and deduction by which a lady, finding a stain of a particular kind upon her dress, concludes that somebody has upset the inkstand thereon, differ in any way from that by which Adams and Leverrier discovered a new planet. The man of science, in fact, simply uses with scrupulous exactness the methods which we all habitually and at every moment use carelessly."

Though our present treatise is on history rather than on science, we have used the facts which have fallen in our way from a somewhat extensive reading and study of history with as much "scrupulous exactness" as though we had been writing upon science, and we feel within our own breast that the conclusions reached are very near, if not a dead, certainty. We did not make the facts that we have used. They have been parts of current history from time to time, extending through a period of nearly three thousand years. We have simply put the facts in logical form—in the form of proposition and proof—and then drawn therefrom such inferences as seemed natural and inevitable. Politicians will say, we know, that our conclusions are the result of preconceived opinions; bigots in religion will say that our conclusions are founded upon prejudice; but neither the one nor the other will be true. Take the same facts, and we defy any logician or rhetorician in the world to reach different conclusions, if honest with his own conscience before God.





## CHAPTER XXII. THE CONCLUSION OF THE WHOLE MATTER.

HAVING more than consumed the space allotted for this volume, we have neither room nor time left in which to write of the Roman Republic as its importance demands, and as indeed we should gladly have written. And yet we confess there is not, or ought not to be, any necessity for adding another word. If the lessons taught us from what we have learned of the three preceding republics have not opened our eyes to the dangerous tendencies of the Democratic party as a party; if we are not already convinced that the leaders of that party, and those who stand behind the scenes to prompt the leaders and furnish them with the "sinews of war," in the shape of European gold, have for their ultimate object the setting aside of our representative form of government and the destruction of the liberty of our press, then we would not be convinced though one arose from the dead.

Why, then, need we add a word about the founding of the Roman Republic, five hundred and ten years before Christ; why tell of the law, then for the first time enacted by the Senate, that any citizen who had been condemned to death by a magistrate, or even to banishment, or corporal punishment, should have the right of an appeal to the people before the sentence went into effect; why tell of the wars in which the republic was thenceforth engaged, and how gloriously the people sustained the honor of the republic; why tell how the people were afterwards betrayed by their rulers, and made to suffer the most intolerable hardships until they obtained the privilege of electing tribunes; why tell of the struggles that these tribunes of the people had with rulers chosen by the aristocracy for many, many years in maintaining for the people the rights for which they had made immense sacrifice of life, and which they valued so highly; why tell—as it would take an entire volume to tell—how corruptions crept, from time to time, into the heart of the republic, how ambition took the place of patriotism, how the leaders in the provinces were watching with jealous eyes those at Rome and vice versa, how Caesar finally "passed the Rubicon," how he seized the government, how he attempted to put on a crown, and in the attempt lost both the crown and his life; and how, when great Caesar fell, fell the republic, with a crash that was heard to the uttermost ends of the earth? If we were to tell all this with the precision of a Montesquieu, or with as much display of learning as an Abbé de Vertot, there could only be gathered therefrom precisely the same lessons as we have already learned from the rise, progress, decline, and downfall of the three Grecian republics.

And thus, my friend (the reader), we are finally brought face to face to the last clause of your third question, as to What is to be the final end of this republic?

The shortest answer would be, We don't know, and then stop right there; but this would not be satisfactory to you. The next shortest answer will be that our republic will, in all human probability, follow the fate of the Grecian and Roman republics, and that it is only a question of time when that shall be. We know that such a confession is humiliating to one's pride, and that we would all much rather believe, as it is usual for Fourth of July orators to say, that "this republic is to last forever!" but alas! alas! for human vanity, it is only too true that "history but repeats itself!"

But, allowing this answer to be the correct one, it by no means lessens your and my responsibility; for whether that end comes in twenty years, or two hundred years, or two thousand years, depends altogether upon Americans themselves. There are good, and true, and intelligent men in every political party, as there are good, and true, and intelligent men in every religious organization. While we conscientiously believe that the tendency of the Democratic party to be just as we have repeatedly stated; and while we as conscientiously believe that the Roman Catholic Church, as a church, is being made use of by European sovereigns, just as we have repeatedly stated; yet we believe, indeed, we know, that both in that party and in that church are as good men, as true men, and as intelligent men as are to be found in any party or in any church on earth; and if these will but unite with the good, and true, and intelligent of other parties and of other churches, the representative form of this government, and consequently its liberties, and the liberty of its press, may be preserved yet for many scores of years, if not for many centuries. It is no mere figure of speech to say that "the price of liberty is eternal vigilance" Like panthers crouching and waiting for their prey, the enemies of this government are all the while on the watch. They have their paid emissaries not only at Washington, but at every State capital, just as Philip of Macedon had among the republics of Greece. A lack of vigilance upon the part of patriots may, at any one of our national elections, put the general government into their hands. This once in their hands, they will find a way, or make one, as we have heretofore said, to hold it for all time to come; for every crowned head of Europe would at once, openly or secretly, rally to their support. Then would come a weeping, and wailing, and gnashing of teeth, but, alas, it would be too late! Then would be found Americans in all parts of the world without a home and without a country, but their regrets, alas! would bring back neither. There are Greeks and Romans to-day, as there were Greeks and Romans two thousand and three thousand years ago; but it blurs the eye to see (as we have seen in their own lands), and it sickens the heart to think (as any intelligent man may think) of, the difference between a citizen of Greece and of Rome to-day and of the citizen who lived when they were republics! Pigmies and giants are the only two English words we have to express such difference; but to one who has seen and felt the difference, while travelling through their own lands, these words fail utterly to convey a true conception of the real difference which exists.

And now, my good friend (the reader), I must bid you farewell. We have travelled a long way together—longer, perhaps, than has occurred to you as we have steadily pursued our course. Starting in our own times, and with events in some of which we have ourselves taken part, we have slowly ascended the river of time until we reached a point (the beginning of the Athenian Republic) nearly three thousand years from where we started. Then, retracing our way, we slowly descended the river, stopping long enough to gather a few grains of wheat at one place, a few grains of rye at another, a few grains of corn at another, and so on, and on, until we have got back to where we started. In the beginning of our journey we peeped into some dark places—places into which the light of history never before had shone, but which, from this time forth, will be as well known as any other facts of the great rebellion.

All that I have done for you, in all these journeyings, is, at near the close of our pilgrimage, to select out the different kinds of grain, arrange them in form of proposition and proof, just as any other logician or rhetorician might have done, and then point out to you that, if we would be profited by these grains (of information), picked up on the way, and treat them in a certain manner, they would yield wholesome bread and sustain life (the life of our republic) for many years to come; whereas, treated in another way, these same grains would only make the vilest of whiskey, which, used wrongfully, could only lead to misery and final death here and eternal death hereafter. In some things, my friend (the reader), your knowledge is far beyond mine; in others, mine may be greater than yours, because of chances of information which happened to come in my way instead of coming in yours. While glad to learn anything I can from you, I have only done my duty, for which I claim no credit—only done as I would wish to be done by—in communicating to you such facts, and the unmistakable inference from such facts, as were secrets with others until they came to me, and secrets with me until I now communicate them to you, and through you and the printed page to the rest of the world.

And now, what is your and my duty in the premises? Is it to sit with folded hands and see our glorious republic drift on and on until it falls into the hands of the Democratic party, and then into the hands of European sovereigns, and then is blotted out in one eternal night? Or shall we not rather (as Gough so graphically pictures in one of his inimitable lectures) cry aloud to those whom we see carelessly sailing on the river of Time—the Niagara River,—only a little way above the rapids, and within plain hearing of the thundering of the all-devouring falls—"Young men, ahoy there; the rapids are below you!" And if they should at first respond with a "Ha! ha! we will laugh and quaff; all things delight us; what care we for the future?"—then to cry again, still louder than before, "Beware! Beware! The rapids are below you!" and if, after all this, they still go shrieking, howling, blaspheming over the falls of the river of Time, your skirts and mine will be free of their blood.

Or, to change the metaphor, my friend, let you and I and all of us who love a representative form of government, who love the freedom of the press, who love our own glorious republic—let us, whenever we see the "ship of state" floundering in the breakers and liable to be engulfed by the angry waves of passion, hate, and self-interest, imitate the example of our blessed Saviour, and cry aloud, "Peace; be still!" and though we may not, like Him, calm the waves by miraculous power, yet, if with our cry we put our shoulders firmly together, and pull at the same end of the rope, all of us who really love the republic—the honest Democrat with the honest Republican, the honest Catholic with the honest Protestant—we and our descendants may save the "ship of state" from sinking, at least for many years, if not for many centuries to come. And may God bless and prosper every such united effort for the saving of our glorious republic!

## **THE END.**

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