

## TWO WAR-TIME CONVENTIONS.

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LINCOLN'S SECOND NOMINATION — CONTENTION OVER RECONSTRUCTION PLANS — THE  
DARK DAYS OF 1864 — McCLELLAN'S NOMINATION AT CHICAGO —  
CHASE ON THE SUPREME BENCH.

### LINCOLN'S SECOND NOMINATION.



POLITICAL discussion in Washington during the months immediately preceding the second nomination of Lincoln was exceedingly animated. Although, as we afterward found, the country at large really thought of no name but Lincoln's, Washington politicians were all agog over a variety of compromises that would placate the ultraradicals of the Republican party, and keep in line the conservatives. Fremont had been nominated at a hybrid convention in Cleveland, Ohio; and the enemies and unfriendly critics of the Lincoln administration were predicting all sorts of disasters, political and military, if the President were "forced upon the people." The commonest forecast of the situation made by these pessimists was that if the military movements of 1864 were successful, Grant would be the next President; if they were unsuccessful, neither Grant nor Lincoln could be elected that year.

The Democrats, on the other hand, were irreconcilably divided. Although they were noticeably quiet during the weeks preceding the assembling of the Union Republican National Convention at Baltimore that summer, it was clear that the "Peace" and "War" factions of the party could not possibly be made to harmonize. The two hostile camps occasionally fired a shot at each other even in the infrequent sittings of Congress. S. S. Cox was one of the more talkative and vivacious Representatives who led the War Democrats pledged to the cause of McClellan, and Fernando Wood was the acknowledged leader in Congress of the Peace faction, whose affections were fixed on Horatio Seymour.

The night before the opening of the Baltimore Convention I had a long conversation with the President in regard to the probable action of that body. He requested me to come to him when I should return from Baltimore, and bring him the odd bits of political gossip

that I might pick up in the convention, and which, as he said, would not get into the newspapers. I had hoped to see Mr. Hamlin renominated, and had anxiously given Mr. Lincoln many opportunities to say whether he preferred the renomination of the Vice-President; but he was craftily and rigidly non-committal, knowing, as he did, what was in my mind concerning Mr. Hamlin. He would refer to the matter only in the vaguest phrase, as "Mr. Hamlin is a very good man," or "You, being a New Englander, would naturally like to see Mr. Hamlin renominated; and you are quite right," and so on. By this time Lincoln's renomination was an absolute certainty, and he cheerfully conceded that point without any false modesty. But he could not be induced to express any opinion on the subject of the selection of a candidate for Vice-President. He did go so far as to say that he hoped that the convention would declare in favor of the constitutional amendment abolishing slavery as one of the articles of the party faith. But beyond that, nothing.

I may say here that when I returned from the convention I made a verbal report to the President, and entertained him with an account of some of its doings of which he had not previously heard; and he was then willing to admit that he would have been gratified if Mr. Hamlin had been renominated. But he said: "Some of our folks [referring, as I believed, to Republican leaders] had expressed the opinion that it would be wise to take a War Democrat as candidate for Vice-President, and that, if possible, a border-State man should be the nominee." Mr. Lincoln appeared to be satisfied with the result, saying, "Andy Johnson, I think, is a good man." Nevertheless, I have always been confident that Lincoln, left to himself, would have chosen that the old ticket of 1860 — Lincoln and Hamlin — should be placed in the field. It is reasonable to suppose that he had resolved to leave the convention entirely free in its choice of a candidate for the second place on the ticket.

The convention which assembled in Baltimore June 6, 1864, was not fortunate in its pre-

siding officers. Ex-Governor E. D. Morgan of New York, as chairman of the National Committee, called the convention to order, but did not long remain in the chair, for which he had no marked aptitude. The temporary chairman was the Rev. R. J. Breckinridge of Kentucky: he had a weak voice and an irresolute manner, and though he made a clear and logical speech on taking the chair, and was received with a whirlwind of the most boisterous applause, he was unable to make himself heard when the business of organization began; and the vast crowd that filled the Front Street Theater was unruly and restive under renewed delays. When the States were called upon to present the names of their delegates, Missouri appeared, as usual, with rival delegations. Another bone of contention was the claim of Tennessee, then in an inchoate political condition, to be admitted to participation in the doings of the convention. Horace Maynard made a stirring speech in which he plaintively urged that "long-suffering and much-enduring Tennessee be admitted to this national council." The temper of the convention was readily manifest when the radical delegation from Missouri and the Tennessee petitioners were both admitted to seats in the convention. The cheering that greeted the consummation of these two acts was something tremendous. It was evident that the Missouri radicals, after all, had a strong hold upon the delegates who represented the loyal States in the Union. But it was noted with some degree of acrimony that when the claims of Tennessee came up for consideration, the Missourians, who had only just squeezed in, were solidly against allowing Tennessee that recognition which they had secured for themselves. It was perhaps this evidence of meanness that induced the convention subsequently to admit also the conservative delegation from Missouri, thus giving both sides equal rights on the floor. As the persecuted State of Tennessee finally had permission to cast her fifteen votes in the convention, this was regarded as a marked indication of the preference of the convention for Andrew Johnson for Vice-President. New England, preferring Hamlin, had naturally voted against the admission of the Tennessee delegation. Later on it was seen that Missouri well-nigh prevented the final action of the convention from being unanimous. Of the other Southern States then in rebellion, South Carolina, Florida, Virginia, Louisiana, and Arkansas sent delegates to the convention: but as South Carolina, Florida, and Virginia had not taken any steps whatever toward reviving a State government, their delegates were not admitted; those of Louisiana and Arkansas, however, by a vote substantially identical with that which opened the door for Tennessee, obtained recognition in the convention.

The permanent chairman of the convention was Ex-Governor Dennison of Ohio. He made a short speech, but he was not a vigorous or cool-headed presiding officer. Whenever a wave of excitement produced confusion in the convention, the chairman apparently lost his head, and showed inability to control the storm; and many a storm there was before the convention finished its business. But the most terrific contests were made when sundry well-meaning persons were almost ready to fly at one another's throats in their anxiety to have the honor of nominating Abraham Lincoln for the presidency. As one sat on the platform, looking over the tempest-tossed assemblage, watching with amusement the frantic efforts of a score of men to climb over one another's heads, as it were, and snatch for themselves this inestimable privilege, one could not help thinking of the frequently repeated assertion of certain small politicians that Lincoln could not possibly be nominated by that convention. The most conspicuous claimants for the honor of naming Lincoln were Simon Cameron of Pennsylvania, Governor Stone of Iowa, B. C. Cook of Illinois, and Thompson Campbell of California. The last-named gentleman, who had known Lincoln intimately during his young manhood in Springfield, Illinois, was especially desirous that he might be permitted to speak for Illinois, California, and his own native State — Kentucky. This had been virtually agreed upon, but before he could secure the floor, Simon Cameron got in ahead of him, and sent up to the clerk's desk a written resolution which he demanded should be read. When the clerk opened the paper and read its contents, it was found that the resolution demanded the renomination of Abraham Lincoln of Illinois and Hannibal Hamlin of Maine. No sooner had the clerk finished reading the resolution than a frightful clamor shook the hall. Almost every delegate was on his feet objecting or hurrahing, or in other ways making his emotions and his wishes known in stentorian tones. For a few minutes pandemonium reigned, and in the midst of it Cameron stood with his arms folded, grimly smiling, regarding with composure the storm that he had raised. After the turmoil had spent itself, Henry J. Raymond of New York, in an incisive, clear-cut speech, advocated making nominations by a call of States. He urged that as entire unanimity in the choice of the presidential candidate was expected, the moral effect would be better if no noisy acclamation were made, which would give slanderers an opportunity to say that the nomination was rushed through by the overwhelming of all opposition, however small. Before the applause which followed the adoption of Raymond's resolution had en-

tirely subsided, B. C. Cook of Illinois mounted a settee and said: "Illinois once more presents to the nation the name of Abraham Lincoln—God bless him!" Another roar of applause swept through the theater, and Stone of Iowa succeeded in gaining his point by seconding Cook's nomination; but Thompson Campbell of California, who had been unfairly deprived of his coveted privilege of making the nomination, leaped upon a settee, and addressed the chair. He was constantly interrupted with cat-calls and cries of "No speeches," "Get down," "Dry up," and "Call the roll," etc. In the midst of the confusion, however, Campbell, who was a tall, spare man with a saturnine visage and tremendous lung-power, kept on speaking in dumb-show, wildly gesticulating, not a word of his speech being audible. Campbell was evidently beside himself with rage and disappointment; but those nearest him finally succeeded in coaxing him off his perch, and he sat down sullen with anger.

That was a business convention, and when the roll-call began, Maine simply announced its sixteen votes for Abraham Lincoln. New Hampshire, coming next, attempted to ring in a little speech with its vote, but was summarily choked off with cries of "No speeches," and the call proceeded in an orderly manner, no delegation venturing to make any other announcement than that of its vote. The convention struck a snag when Missouri was reached, and the chairman of the united delegations made a brief speech in which he said that the delegation was under positive instructions to cast its twenty-two votes for U. S. Grant; that he and his associates would support any nominee of the convention, but they must obey orders from home. This caused a sensation, and growls of disapproval arose from all parts of the convention; for it was evident that this unfortunate complication might prevent a unanimous vote for Lincoln. The Missouri delegates, it should be understood, had been chosen many weeks before the nomination of Lincoln became inevitable. There never was any recall of the instructions given at a time when it was apparently among the possibilities that another than Lincoln might be the nominee of the National Convention. When the clerk of the convention announced the result of the roll-call, it was found that Abraham Lincoln had 507 votes and U. S. Grant 22 votes. Thereupon Mr. Hume, chairman of the Missouri delegation, immediately moved that the nomination be declared unanimous. This was done. Straightway the long pent-up enthusiasm burst forth in a scene of the wildest confusion. Men hurrahed, embraced one another, threw up their hats, danced in the aisles or on the platform, jumped on the benches, waved flags, yelled, and

committed every possible extravagance to demonstrate the exuberance of their joy. One of the most comical sights which I beheld was that of Horace Maynard and Henry J. Raymond alternately hugging each other and shaking hands, apparently unable to utter a word, so full of emotion were they. And when the big brass band burst out with "Hail, Columbia!" the racket was so intolerable that I involuntarily looked up to see if the roof of the theater were not lifted by the volume of sound. When quiet was restored and other business was about to be resumed, the band again struck up "Yankee Doodle" in its liveliest manner, and another torrent of enthusiasm broke forth; and it was a long time before the excited and jubilant assemblage could be quieted down and order restored. In those days the mere sight of the American flag, or the sound of a national melody, would stir an assembly to fever-heat.

The chairman caused to be read a despatch addressed to him by the Secretary of War, giving a favorable account of the military situation, and news of Hunter's victory in the Shenandoah Valley, all of which was received with applause. Thereupon the Rev. T. H. Pearne of Oregon read a despatch from his State announcing the result of the general election there the previous day, which was a Union victory. The cheering again burst forth, and for a time it looked as though no other business but making announcements and "bursting into applause" would be done that day. But the convention finally got down to work, and when the Indiana delegates presented the name of Andrew Johnson for Vice-President, Stone of Iowa seconded the nomination, and Horace Maynard made a little speech in favor of the same. Simon Cameron nominated Hamlin without any speech; Kentucky presented General Rouseau; and Lyman Tremaine, in behalf of a portion of the New York delegation, presented the name of Daniel S. Dickinson. The popular demand for a War Democrat had induced some of the New Yorkers to present Dickinson's name; but it was well known that most of the delegates favored Hamlin, and their argument was that if Seward was to remain in the cabinet it could hardly be expected that a New Yorker would be made Vice-President. There was much buttonholing and wire-pulling while the vote was being taken, and before it was officially announced: but of the 520 votes cast Andrew Johnson had 202, Hannibal Hamlin 150, Daniel S. Dickinson 109, Benjamin F. Butler 28, and 31 votes were scattering; so there was no choice. As Johnson was considerably in the lead of all other candidates, his nomination was made certain by Kentucky, which, having paid its compliments to General Rouseau, threw its twenty-two votes for Andrew

Johnson, with much *empressement* on the part of the spokesman of the delegation. Oregon, having given its five votes to Schuyler Colfax, followed the lead of Kentucky. Then Pennsylvania, amid the greatest excitement of that episode of the convention, threw a solid vote of fifty-two for the Tennessean, and Andrew Johnson was declared the nominee of the convention, applause, cheering, and much enthusiasm greeting the final announcement.

The next evening, when I called on the President at home, I was astonished by his jokingly rallying me on my failure to send him word of his nomination. It appeared that nobody had apparently thought it worth while to telegraph him the result of the balloting for the presidential nominee of the convention. Probably each one of the many men who would have been glad to be the sender of pleasant tidings to the President had thought that some other man would surely anticipate him by a telegram of congratulation. In the confusion that reigned in the convention nobody went to the wires that were led into the building but the alert newspaper men, who thought only of their own business.

It turned out that the President, having business at the War Department, met Major Eckert, superintendent of the military bureau of telegraphs, who congratulated him on his nomination. "What! Am I renominated?" asked the surprised chief. When assured that this had been done, Mr. Lincoln expressed his gratification, and asked Major Eckert if he would kindly send word over to the White House when the name of the candidate for Vice-President should have been agreed upon. Lincoln, later on, was informed by Major Eckert that Johnson had been nominated, and (as the President himself subsequently told me) made an exclamation that emphatically indicated his disappointment thereat. Major Eckert afterward confirmed this statement with a hearty laugh.

While we were talking over some of the curious details of the convention (Lincoln being especially sorry for his friend Thompson Campbell's disappointment), a band came to the White House, and a messenger brought up the information that the members of the Ohio delegation to the Baltimore convention desired to pay their respects to the President, whereupon he went down to the door, hat in hand, and when the cheering and music had subsided, spoke as follows:

GENTLEMEN: I am very much obliged to you for this compliment. I have just been saying, and as I have just said it, I will repeat it: The hardest of all speeches which I have to make is an answer to a serenade. I never know what to say on such occasions. I suppose that you have done me this

kindness in connection with the action of the Baltimore convention which has recently taken place, with which, of course, I am very well satisfied. [Laughter and applause.] What we want still more than Baltimore conventions or presidential elections is success under General Grant. [Cries of "Good!" and applause.] I propose that you constantly bear in mind that the support you owe to the brave officers and soldiers in the field is of the very first importance, and we should bend all our energies to that point. Now, without detaining you any longer, I propose that you help me to close up what I am now saying with three rousing cheers for General Grant and the officers and soldiers under his command.

The President's request was acceded to, and three rousing cheers were given, Lincoln himself leading off, and waving his hat as enthusiastically as anybody else.

During the afternoon of the same day, the committee appointed by the convention to wait upon the President and notify him of his nomination was received in the East Room of the White House, and Ex-Governor Dennison of Ohio, president of the convention, made a very good little speech, and presented Lincoln with an engrossed copy of the resolutions adopted by the convention. The President appeared to be deeply affected by the address, and with considerable emotion and solemnity accepted the nomination in a very brief speech, in which he referred to pending propositions of amnesty, and to such an amendment to the Constitution as became a fitting and natural conclusion to the final success of the Union cause. His last words, referring to the amendment to the Constitution abolishing slavery, were: "Now, the unconditional Union men, North and South, perceive its importance and embrace it. In the joint names of Liberty and Union, let us labor to give it legal form and practical effect."

#### CONTENTION OVER RECONSTRUCTION PLANS.

YET, within a month from that happy and jubilant time, everything was once more in confusion in Washington, and the political skies were again darkened by clouds returning after the rain. Between the notable events of the nomination of Lincoln at Baltimore and that of McClellan at Chicago, there intervened the publication of what is known in history as the Wade-Davis manifesto. This incident in the long chapter of Southern reconstruction — a chapter that extended into the administration of Andrew Johnson — was almost inevitable when it is considered that the radicals in Congress were greatly dissatisfied with the outlines of the reconstruction policy of President Lincoln, as these appeared in his message of the previous year (1863). The pivotal point in the dis-

cussion then going on was, Are the States lately in rebellion in the Union or out of the Union? The Republican party was divided on this question, a portion contending that these-called acts of secession were inoperative in every respect; while others, in theory and practice, appeared to assume that those States had been outside of the Union, and had been conquered and brought back. On such refinements of reasoning a dangerous schism was opened in the party that was expected to support Lincoln in that canvass.

Senator Sumner was one of those who received the President's message of 1863 with undisguised impatience, and who subsequently found fault with his reconstruction speech made in answer to a serenade at the end of the war. Although it has been said that Mr. Sumner was not displeased with that message, it is certain that he expressed himself to his friends with some warmth, descanting on the President's omission to say whether the rebel States were in or out of the Union. While the message was being read, Sumner listened attentively until he saw its drift, and then he apparently withdrew his attention from the reading, and in a boyish and impetuous manner slammed his books and documents about his desk and upon the floor, and generally exhibited his ill temper to an astonished and admiring gallery. Later on in that session a bill was introduced in the House by Henry Winter Davis in which were embodied the notions of the radical Republicans. In brief, Mr. Lincoln's policy was to build up a civil government in each State as soon as military resistance should disappear; and, under the authority of military governors to be appointed by him, to develop the nucleus of an orderly government, whose powers and authority should be submitted to Congress for recognition. The scheme of Henry Winter Davis and his friends was to provide for the appointment of a provisional governor (a civil officer) in each of the States lately in rebellion, under whose authority a majority of the white male citizens of the State should elect delegates to a convention to re-establish a State government. The new constitution which should be adopted by such a convention was to provide three things — exclusion of military and civil officers of the Confederacy, the abolition of slavery, and the total repudiation of all rebel debts.

This bill was in direct opposition to the well-known plans and opinions of Lincoln, and could not be made to square with his plan of reconstruction, the details of which were already well understood. Nevertheless, the measure did not awaken much opposition among the Unionist members of Congress, and was opposed by the Democrats only on general

principles. Singularly enough, although Henry Winter Davis had been steadily hostile to every policy favored by Lincoln, nobody seemed to think that this extraordinary measure would be disapproved by the President, or that the friends of the administration ought to be shy of any proposition which came from a man who was constantly bristling with hostility to Lincoln's political ideas. Davis was a singularly alert but singularly violent politician. In his speeches advocating the passage of his bill he imputed low motives to the President, and treated his scheme of reconstruction, outlined in the amnesty proclamation and the message of December, 1863, with frank contempt. This was in exact accord with the rash and egotistical course which Davis pursued in regard to any man or any measure that did not receive his full approbation. For example, Assistant Secretary Fox of the Navy Department had in some way incurred Davis's enmity, and in one of his diatribes against the alleged inefficiency of the navy, Davis disposed of the fight between the *Monitor* and the *Merrimac* in this sweeping style: "The *Monitor* accidentally came into Hampton Roads as the *Merrimac* was trying to destroy, as it had already destroyed, some of our vessels. The collision took place; neither fleet was destroyed; neither vessel was sunk; neither party was whipped, as the boys say; and the country ran wild over two guns in a cheese-box having done anything." Extravagances like this injured the reputation of Davis for statesmanship, and should have put the friends of Lincoln on their guard when Davis formulated his policy for the reconstruction of the Southern States. Lincoln was unwilling to lay down a hard-and-fast rule to be applied to each State as it should be brought once more into Federal relations with the other States of the Union. Davis's plan contemplated restricting the President to one iron-bound scheme applicable to each and all of the States. His bill, after much speech-making on both sides of the House, went over to the Senate late in the summer of 1864. It was almost immediately passed, but with some amendments; was sent back to the House; and was ready for the signature of the President just before Congress adjourned on July 4 of that year.

The last days of a congressional session are characterized by confusion which would turn the head of any one unused to this fantastic turmoil; and the end of that particular session was unusually noisy and chaotic. Many bills of importance were pitchforked into shape at the last moment, and were tossed between the Senate and the House even to the latest hour of the session. Both branches of Congress had agreed to adjourn at twelve o'clock on July 4;

but the Senate, which was inextricably mixed up with important and unfinished business, importuned the House to extend the session ten minutes. This was done three times, so that the final hour of adjournment did not arrive until half-past twelve o'clock on that day. Great interest was felt in an important bill to amend the Pacific Railroad Act. This bill virtually increased the compensation of the railroad-builders, and in other ways enhanced their interests. It was finally squeezed through, but two other measures of more importance failed. One of these was Washburne's Whisky Tax Bill, and another was a bill to establish a commission for the purpose of ascertaining the public financial resources, and the best means of levying judicious taxation on the same. It was noticeable, however, that notwithstanding the fact that many bills of national import failed to get through, there was no failure of a bill which gave every member of the Thirty-ninth Congress a complete set of the "Congressional Globe" from the beginning of its publication until the close of that Congress.

Ten minutes before the hour for adjournment had arrived, pages darted to and fro with messages and bills, and engrossing clerks rushed madly about with sheets of parchment for the signatures of Speaker and clerk. Cabinet ministers were numerous on the floor of the House, and lobbyists slipped in through the doors in the general disorder, and buttonholed members, while the mill of legislation slowly ground out its last grist. The President was signing bills in the room set apart for his use in the Senate wing of the Capitol, being attended from time to time during the morning by members of his cabinet. As the hands of the clock drew near the fateful hour of adjournment, it was suddenly whispered about the House that the President had so far failed to sign the Wade-Davis reconstruction bill. Men held their breath at this unexpected turn of affairs, and asked, "Will he send in a veto message, or will he pocket it?" It was, of course, too late to think of a veto message, and the general opinion of those who believed that the bill would not receive his sanction was that he would give it a pocket veto. Now for the first time men who had not seriously opposed the passage of the reconstruction bill began to wish that it had never gone to the President; but all was uncertainty, and although it was the supreme moment, the reading clerk was droning forth in occasional fragments the Declaration of Independence, which somebody had demanded should be read. Most of the members and senators appeared to forget their petty jobs and schemes in the all-absorbing question, What will the President do with the reconstruction bill? Finally messages from

the Senate and from the President informed the House that no further communications were to be expected from them, and Speaker Colfax, in a few pleasant words, dismissed the members to their homes, and declared the session ended. In the disorder which followed, Davis, standing at his desk, white with wrath, his bushy hair tousled, and wildly brandishing his arms, denounced the President in good, set terms. It was known at last that the bill had failed to receive the President's signature. Congress had adjourned, leaving the great scheme of Wade, Davis, and their collaborators a mass of ruins.

This event, in the minds of those who were in at the death of that session, looms up more conspicuously in the history of that July 4, 1864, than any other that had lately occurred in Washington. I certainly was astonished to hear the bitter denunciations heaped upon the head of President Lincoln by some of the radical senators and representatives. Pomeroy, of Kansas, was of course exceedingly wrathful and sarcastic; and he went around saying, "I told you so." The Missourians were unexpectedly quiet, and Senator Gratz Brown, who had all along taken a somewhat conservative view of the matter, expressed himself as being well satisfied with the ultimate fate of the bill. Among those whom I heard express great disappointment and sharp disapproval of the President's "pocket veto" was Representative Garfield. But these malcontents soon poured out of the doors of the Capitol on all sides, leaving the gilded and decorated halls to loneliness and dusky splendor. They betook their complaints, their congratulations, their hopes and fears, to their own homes, and the first session of the Thirty-ninth Congress ended in a curious condition of unrest and dissatisfaction.

Political matters were lost sight of when, very soon after the adjournment of Congress, the capital was threatened by Early on his famous raid; but the excitement of that brief beleaguering having passed away, the publication of a letter signed by Senator Wade and Representative Davis again created a lively condition of things in national politics. The letter appeared on August 5. It is needless to recall the points of that now historic document. Its appearance created something like a panic in the ranks of the President's supporters. It was the work of two members of his own party. It was at first said that it was written by James A. Garfield, and on the strength of that report his renomination for Congress was subsequently in danger. Garfield, however, although he frankly acknowledged that he was in sympathy with the signers of the manifesto, flatly declared that he had

nothing to do with its production. It was generally understood that Davis was the author of the document, and it certainly bore evidence of his well-known skill in the art of putting things. Upon President Lincoln this letter, which was addressed to "the supporters of the Government," had a most depressing effect. Four days after Congress adjourned he had issued a proclamation, and had embodied in that document a copy of the Wade-Davis bill as it passed Congress, and had given his reasons for withholding from it his approval. This proclamation had been generally received with every sign of popular satisfaction, and the Wade-Davis manifesto, coming as it did like a thunderbolt out of a clear sky, threw politicians of every stamp into the wildest confusion. The address imputed to the President the meanest of motives, and insinuated very broadly that his policy of reconstruction was the natural outcome of his intense desire to be re-elected. It was this unjust suggestion that cut Lincoln to the heart. A day or two after the Wade-Davis manifesto appeared, Lincoln, in conversation with me, said: "To be wounded in the house of one's friends is perhaps the most grievous affliction that can befall a man. I have tried my best to meet the wishes of this man [Davis], and to do my whole duty by the country." Later on in the same conversation, while lamenting with sincere grief the implacable hostility which Henry Winter Davis had manifested, he said that Davis's pride of opinion led him to say and do things of which he (Lincoln) was certain in his own private judgment his (Davis's) conscience could not approve. When I said that it sometimes seemed as though Davis was mad, Lincoln replied, "I have heard that there was insanity in his family; perhaps we might allow the plea in this case." It was this attack upon him, apparently so needless and so unprofitable, and so well calculated to disturb the harmony of the Union party, that grieved the President more than the framing and the passage of the bill; but commenting in his own shrewd way on that bill, Lincoln said that he had somewhere read of a robber tyrant who had built an iron bedstead on which he compelled his victims to lie. If the captive was too short to fill the bedstead, he was stretched by main force until he was long enough; and if he was too long, he was chopped off to fit the bedstead. This, Lincoln thought, was the sort of reconstruction which the Wade-Davis plan contemplated. If any State coming back into Federal relations did not fit the Wade-Davis bedstead, so much the worse for the State. Lincoln's habitual diffidence in quoting erudite or classic sayings usually induced him to refer to classical stories in this vague way; and although he probably knew very well who Pro-

crustes was, he slurred over the illustration as something of which he had remotely heard.

As a matter of record, I may as well say here that at the next and last session of that Congress—the Thirty-ninth—Davis reintroduced his pet measure; and after it had been amended considerably, it was finally tabled February 21, 1865, in spite of the fiery speech which its distinguished author made in its favor. Although the bill passed both branches of Congress without serious opposition in the first instance, public opinion had so far changed under Lincoln's guiding hand, eight months later, that it was finally killed by a vote of 91 to 64, which laid it on the table.

#### THE DARK DAYS OF 1864.

IN the memory of men who lived in Washington during the months of July and August, 1864, those days will appear to be the darkest of the many dark days through which passed the friends and lovers of the Federal Union. The earlier years of the war, it is true, had been full of grief, despondency, and even agony; but the darkness that settled upon us in the summer of 1864 was the more difficult to be endured because of its unexpectedness. The hopes so buoyantly entertained by our people when Grant opened his campaign in Virginia had been dashed. No joyful tidings came from the army now; a deadly calm prevailed where had so lately resounded the shouts of victory. In every department of the Government there was a manifest feeling of discouragement. In the field of national politics confusion reigned.

When Congress adjourned on July 4, with the Wade-Davis reconstruction bill still unsigned, the turmoil inside of the Union Republican party was something terrific; and when, a month later, the Wade-Davis manifesto appeared, the consternation of the Republican leaders was very great. Early's invasion of Maryland and dash upon Washington, which caused a good deal of panic in the country generally, occurred about the middle of July. Right on the heels of this event came the President's call for five hundred thousand men, which was issued July 18, and the placing of a new two-million loan, which dropped upon the people about the same time. Nor was the military situation any more cheerful. The awful fighting in the Wilderness and at Cold Harbor had fairly startled the country by the enormous loss of life sustained by the Army of the Potomac, apparently without any corresponding gain of position. The failure of the Petersburg mine, July 30, was another addition to the burden carried in the hearts of patriotic Americans. Chase's resignation of the secretaryship of the Treasury, and the muddle which Horace Gree-

ley had succeeded in creating by his futile mission to the rebel emissaries at Niagara Falls, had so worried the people that nobody appeared to know what was in the air—a compromise in the interest of peace, or a more vigorous prosecution of the war.

The raid of Early, which occurred in July, 1864, gave us the only serious scare in the national capital which we had, although many alarms were sounded during the war and after the first terrors of the civil insurrection had died away. That incursion of the dashing rebel hosts was evidently twofold in its purpose, forage and plunder in Maryland and Pennsylvania being part of the scheme, while the more important and highly desired purpose was to seize upon Washington, then left comparatively defenseless so far as troops were concerned. The news of the approach of Early was brought to the city (whatever may have been the information lodged in the War Department) by the panic-stricken people from Rockville, Silver Spring, Tennytown, and other Maryland villages. These people came flocking into Washington by the Seventh street road, flying in wild disorder, and bringing their household goods with them. In a general way we understood that the city was cut off at the north and east, and that the famine of market-stuff, New York newspapers, and other necessities of life, was due to the cutting of railway lines leading northward. For two or three days we had no mail, no telegraphic messages, and no railway travel. Our only communication with the outer world was by steamer from Georgetown, D. C., to New York. Washington was in a ferment; men were marching to and fro; able-bodied citizens were swept up and put into the District militia; and squads of department clerks were set to drilling in the parks. It was an odd sight to see men who had been thus impressed into the public service, dressed in linen coats or in partial uniform, being put through the manual of arms by an impromptu captain, who in his turn was prompted by his orderly sergeant (a messenger employed in the War Department). These sons of Mars were all under command of Brigadier-General Bacon, a worthy grocer of Washington, who was the militia commander of the District of Columbia. The city was also garrisoned by one hundred men, Veteran Reserves as they were called (or Invalid Corps), with a few dismounted cavalry. These weak and unorganized forces were thrown into the fortifications, and Washington stood agape while we listened to the sound of the rebel cannon less than ten miles away. General Halleck was then living on Georgetown Heights, where the blue-coated Invalids mounted guard over his residence, and the bugles nightly blew "peas on a trencher." Ill-natured people were

ready to suggest that the rebels might be guilty of petty larceny should they rapidly march down Rock Creek and seize upon Halleck, who for various reasons was bitterly unpopular in Washington. The President and his family were at their summer residence, the Soldiers' Home, on the outskirts of Washington, about half-way between the outer line of fortifications at Fort Stevens and the city; but on Sunday night, the 10th, Secretary Stanton, finding that the enemy was within striking distance of that point, sent out a carriage with positive orders that the President should return to the White House. Lincoln, very much irritated, and against his will, came back to town. He was subsequently greatly discomposed and annoyed when he found that the Assistant Secretary of the Navy, Captain G. V. Fox, had kept under orders a small navy vessel in the Potomac for the President's escape in case the rebel column should succeed in piercing the line of fortifications. The wildest estimates of the force of the invaders were made, and flying rumors were to the effect that Early, Ewell, Imboden, and Breckinridge were in command of some forty thousand men. As a matter of fact, there were, according to the records, not many more than twelve thousand men. There was a vast amount of hurrying to and fro between the War Department, the White House, and the exterior lines of defense, and the telegraph wire was constantly worked to its fullest capacity. There were not a few domestic rebels in Washington who looked on this commotion with undisguised glee.

In Georgetown one nest of secessionists was rudely broken in upon by the provost guard, who discovered a half-finished Confederate flag in the house. The men were marched over to the guard-house, and the unfinished colors, probably intended to be presented to Early, were promptly confiscated. This was not the only flag made to be presented to the rebels when they should effect their triumphal entry into Washington. But early on Monday morning part of the Sixth Corps of the Army of the Potomac landed at Washington, having come from the James River in swift transports; another division (Ricketts's) was already in Maryland. The thirteen thousand men landing in Washington were commanded by General Horatio G. Wright. About noon the Nineteenth Corps, under command of General W. H. Emory, arrived from the Gulf of Mexico by way of Fort Monroe, and Washington breathed more freely.

General Alexander McD. McCook was in command of the troops and fortifications; and General Augur, who at that time was commander of the Department of Washington, had under him all the available men of the District of



Columbia, including a considerable number of drafted men from Camp Convalescent at Alexandria. Colonel Wisewell, military governor of the city, had orders to detail all of the able-bodied men in the hospitals; and before the night of Monday, thirty-two hundred fighting men from those institutions, officered, provisioned, and armed, were on their way to the front. "Contraband" negroes and refugees were also pressed into the service, and at twelve o'clock on the night of July 11 it was estimated that there were within the fortifications of Washington sixty thousand men, armed and equipped for fight. Clearly, the time for a successful assault by the rebel column had passed. But if the invasion of Maryland was designed to create a diversion from Grant's army, then in front of Richmond, that end was successful; and while our great force of effective men was kept at bay within the defenses of Washington, the bulk of Early's army was busy sweeping up all available plunder, and sending it across the Potomac.

It was popularly believed in the North at that time that President Lincoln was greatly disturbed by the imminence of the danger of the capture of Washington; but I learned from his own lips that his chief anxiety was that the invading forces might not be permitted to get away. Speaking of their escape, afterward, he said that General Halleck's manifest desire to avoid taking any responsibility without the immediate sanction of General Grant was the main reason why the rebels, having threatened Washington and sacked the peaceful farms and villages of Maryland, got off scatheless.

If Lincoln was the meddlesome marplot in military affairs which some have represented him to be, he would have peremptorily ordered a sortie of the Union forces, then numerously massed inside the defenses of Washington; but although he was "agonized" (as he said) over the evident failure of all attempts at pursuit, he kept his hands off.

Grant's distance from the scene, Halleck's disinclination to take the responsibility of pursuit, and Lincoln's firm refusal to decide any military question of detail, resulted in the safe departure of Early and his forces. It may as well be said that throughout the long and weary months of the war which followed this panic in Washington, Lincoln frequently referred to the escape of Early as one of the most distressing features of his experience in the city of Washington. He went out to Fort Stevens during the skirmishes in front of that fortification on July 12, and repeatedly exposed himself in the coolest manner to the fire of the rebel sharpshooters. He had once said to me that he lacked physical courage, although he had a fair share of the moral quality of that virtue; but his calm uncon-

sciousness of danger while the bullets were flying thick and fast about him was ample proof that he would not have dropped his musket and run, as he believed he certainly would, at the first sign of physical danger.

The scene of the desultory fighting in front of Washington was novel and striking to a party of us (civilians) who surveyed the field immediately after the rebels had fled. We saw the last glimpse of the dust which the skeddaddling pickets left behind them as they rode off in the direction of Edwards's Ferry. We found traces of rebel occupation five or six miles from Washington, where houses had been held by the invaders, the rightful owners thereof having incontinently fled at the approach of the enemy. Horses had been picketed in the orchards; fences were torn down and used for firewood, and books, letters, and women's wearing-apparel were scattered about the grounds, showing that the raiders had made the best use of their time in looting the houses where they had been quartered. In one comfortable family mansion, now in a sad state of disrepair, we found such a disorder as might have reigned if a wild Western cyclone had swept through the building. Furniture was smashed, crockery broken, and even a handsome piano was split up in the very wantonness of destruction. Obscene drawings covered the walls, and one inscription scrawled with charcoal over the place where the piano had stood read, "Fifty thousand Virginian homes have been devastated in like manner." The houses were littered with the tattered remnants of butternut-colored uniforms, as if the invaders had effected that fair exchange which in time of war is no robbery; and a picturesque disorder reigned in my lady's chamber, as well as in the kitchen and the pantry, of the homes suddenly vacated at the approach of the rebel soldiery.

It should be said that the panic in Washington, although tolerably severe among the more uninformed of the residents, was by no means so utter as people at a distance from the national capital generally supposed; and in government circles there was no fear entertained after the first dash had been ineffectively made by Early's troops. In the country at large, however, the effect of this demonstration was somewhat depressing. The capital had been threatened; the President's safety had been imperiled; only a miracle had saved treasures, records, and archives from the fate that overtook them when Cockburn seized the city during the War of 1812. These were some of the highly colored pictures presented to the people of the United States by alarmists and prophets of disaster during the week of the raid and thereafter. But there was no such frantic panic in Washington.

## McCLELLAN'S NOMINATION AT CHICAGO.

At such a time as this the men who were determined on a declaration of "peace at any price" met in Chicago to nominate a candidate for the presidency. The Democratic convention of that year had first been called to meet on July 4; but the doings of the Cleveland convention, which had nominated Frémont, and those of the Baltimore convention, at which Lincoln had been nominated, probably induced the Democratic managers to postpone the assembling of their convention until a later date — August 29, 1864. By this time it was pretty well settled that McClellan, although a war leader and a war candidate, would be the nominee of the Democratic convention; and people wondered how the advocates of peace would arrange to square their war candidate on a peace platform. A few days before the meeting of the Democratic convention, just prior to my leaving Washington for Chicago, the President said to me: "They must nominate a Peace Democrat on a war platform, or a War Democrat on a peace platform; and I personally can't say that I care much which they do."

About this time, as we now learn from Nicolay and Hay's "History of Lincoln," the President wrote, sealed, and put aside the following memorandum, which was dated August 23, 1864: "This morning, as for some days past, it seems exceedingly probable that this administration will not be reelected. Then it will be my duty to so cooperate with the President elect as to save the Union between the election and the inauguration; as he will have secured his election on such ground that he cannot possibly save it afterward." On the evening of August 24 I called on the President to say good-by, as I intended to leave for Chicago the following day; and although Lincoln had already put himself on record as more than doubtful of his own reelection, he said: "Good-by. Don't be discouraged; I don't believe that God has forsaken us yet." Possibly the good President desired to inspire those whom he met with something of the confidence which he did not himself feel. But, at any rate, he did regard with great interest the doings of the Democrats who were about to nominate their candidate and build their platform. Knowing that I would not return to Washington until a week or two after the convention had adjourned, he asked me to write two or three letters, as the convention should unfold its plans, giving him "some of the political gossip that would not find its way into the newspapers." These letters, of course, I wrote according to his request; and it is a curious illustration of his care for all papers coming into his hands that they were

found after his death in his carefully preserved and voluminous private correspondence.

Although the train on which I traveled westward was burdened with many distinguished and jubilant Democratic leaders, it was notable that the most conspicuous person was Congressman Harris of Maryland, who had been censured by the House for so-called treasonable language. It was known that he was on the train, and whenever he stopped — and that was pretty often — the Butternuts yelled vociferously for him. I made his acquaintance, and found him a very companionable person; he frankly said that he found himself much more popular in the West than in Maryland. It had been bruited abroad that McClellan was on our train, and at Plymouth, Indiana, there was a great call for "Little Mac." A Union colonel, going home on furlough, was readily passed off as the redoubtable general by some of the fun-loving Democrats, who were determined that their Indiana compatriots should not be disappointed. The colonel made a very ingenious little speech in the character of McClellan, and was received with tremendous cheers.

When we got to Chicago, and the convention began to assemble in the great wigwam near the lake shore, Vallandigham, Alexander Long, and Representative Harris were the "stars" of the occasion. Calls for them were made at every possible opportunity, and it was easy to see that these eminent Peace Democrats were more popular than any other of the delegates to the convention. It was a noisy assemblage, and it was also a Peace Democratic convention. While Alexander Long was reading a set of resolutions, which he proposed to have the convention adopt, asking for a suspension of the draft until after the election, "Sunset" Cox interfered with a motion to have all resolutions referred, without reading or debate, to the proper committee; whereupon he was roundly hissed, and the spectators, who to the number of thousands filled the pit of the great building, yelled, "Get down, you War Democrat!" much to his discomfort. The crowd of on-lookers in the pit was so great that many of them climbed up and roosted on a fence which separated them from the delegates, and their weight soon broke down this slender barrier, creating the greatest confusion. Frantic ushers and policemen attempted to preserve order; now and then a train crashing by on the Lake Shore tracks close at hand added to the racket, and filled the huge building with smoke and cinders.

Horatio Seymour, then governor of New York, was the president of the Chicago convention; and it must be said that he made a much better presiding officer than ex-Governor Denison had proved himself in the chair of the Republican convention at Baltimore. Seymour

was tall, fine-looking, of an imposing figure, with a good though colorless face, bright, dark eyes, a high, commanding forehead, dark-reddish hair, and slightly bald. He had a clear, ringing voice, with a slight imperfection in his speech, and he was in the main an attractive and effective speaker, and a capital presiding officer. His opening address, which was very calm and cool, was not well received by the crowd, who evidently wanted something more heart-firing, and who incessantly shouted, "Vallandigham! Vallandigham!" But the distinguished exile, though he was not far away, was discreet enough to remain out of sight until his turn came. His name was presented by the State of Ohio for membership of the committee on platform, and it was well known that the most important plank in that structure — that which related to the prosecution of the war — was his. One of the conspicuous figures in that convention was James Guthrie of Kentucky, a tall, huge-limbed, white-haired man about seventy years old, with a florid complexion, a clear and well-modulated voice, and the general appearance of a well-fed, well-groomed Kentucky gentleman of the old school. Another was Samuel J. Tilden of New York, who took an active part in the business of building the platform, and who surprised all to whom he was a stranger by his agile movements, his fresh, smooth, almost boyish face, and his generally alert manner. When the platform finally came before the convention, late in the afternoon of the second day, the resolution which was greeted with the most vociferous applause was that with which Vallandigham's hand had been busy. This was the famous clause which explicitly declared that "after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity, or war power higher than the Constitution, the Constitution itself has been disregarded in every part, . . . the public welfare demands that immediate efforts be made for a cessation of hostilities with a view to an ultimate convention of the States, or other peaceable means to the end that at the earliest practicable moment peace may be restored on the basis of the Federal union of the States." This was the peace platform which Lincoln had expected. The war candidate of course was soon to be forthcoming. The faces of some of the delegates when the platform was read and adopted were a study. S. S. Cox clasped his hands in his lap and dropped his head, a picture of despair. August Belmont, who was the chairman of the National Committee that year, also looked profoundly sad. But Vallandigham and Alexander Long rubbed their hands with unrestrained glee, and as soon as his famous resolution was adopted the former was surrounded by congratulating friends.

When the presidential nominations were finally before the convention, Harris of Maryland took the floor, and attempted to make a speech against McClellan. Although the chairman at first ruled him to be out of order, he went on shrieking and vociferating, denouncing McClellan for his so-called arbitrary arrests in Maryland, and saying that he had initiated tyranny and oppression before Lincoln had. The house rose at Harris as one man, cheering and encouraging him to go on. Promising to speak in order, he went up to the platform, and proceeded with his vituperation and abuse. He insisted that Lincoln had found an assassin of State rights in George B. McClellan, and shrieked, "Will you vote for such a man? I never will!" At this point several War Democrats objected to his proceeding, because, as they very properly said, if he would not promise to support the nominee of the convention, he was not fit to be a member of that body, much less to make a speech to it. He was accordingly ruled out, and disappeared from the platform; and as he went back to his seat a New York delegate rose and called him a "traitor." Harris promptly struck his defamer, and for a time there was a scene of general uproar and riotous confusion.

The Maryland delegates as a rule were opposed to McClellan on account of his so-called arbitrary arrests in their State earlier in the war. General Morgan, an Ohio delegate, attempted a defense of McClellan's conduct in Maryland, and said that McClellan would have been a traitor if he had not acted as he did, boldly and promptly, in arresting the conspirators in the Maryland legislature. At this there was a wrathful outburst from the Maryland delegation, who contradicted the Ohioan, and compelled him to diverge from that branch of the discussion.

Alexander Long was another irreconcilable delegate who insisted that freedom of speech had been denied him in this Democratic convention, and who, when indulgently allowed to speak, went on to say that McClellan was "the worst and weakest man" who could be nominated at that time; he begged that the convention would nominate Seymour of New York, or Vallandigham, or anybody but "this weak tool of Lincoln's." Speeches like these from both wings of the jarring Democracy wore out the patience of the delegates and the spectators, and the second day closed without a nomination.

Chicago was wild that night with brass bands and cheering Democrats, who visited the different hotels, and insisted upon speeches from prominent delegates. In front of the Sherman House there was a vociferous demand for Dean Richmond, who, tall, corpulent, big-nosed, aus-

tere and arbitrary in his manner, and looming up with his high white hat and blue-tailed coat, was stalking about the lobbies of the hotel, while his friend Peter Cagger, "three sheets in the wind," was impersonating Richmond at an upper window, and making a speech which convulsed the crowd with laughter.

Although McClellan was the inevitable nominee of the convention, he did not receive the honor until one formal ballot had been taken. The first ballot gave him 150 votes; Thomas H. Seymour of Connecticut had 43 votes, and Horatio Seymour of New York received 7. There were two scattering votes cast. The roll-call had been finished, but the balloting was practically settled by the action of Missouri, which, having previously voted solidly for Thomas H. Seymour, now divided its strength, and cast 7 votes for McClellan, and 4 for Thomas H. Seymour, amid great cheering. There was then a great landslide of votes for McClellan, until all but the most uncompromising of the Peace Democrats had gone over to the inevitable nominee. Long, Vallandigham, and others held out until the last; and after all changes were made, the final vote was announced thus: McClellan, 202½; Thomas H. Seymour, 23½. Instantly the pent-up feelings of the crowd broke forth in the most rapturous manner: cheers, yells, music, and screams indescribable rent the air, and outside the wigwam a park of cannon volleyed a salute in honor of the nominee. The long agony was over, and men threw up their hats, and behaved as much like bedlamites as men usually do under such circumstances. When order was restored, Vallandigham, who until then had not spoken, mounted the rostrum, and moved that the nomination be made unanimous. It is impossible to describe the tremendous applause which greeted the appearance of the Ohio "martyr," who had only lately returned through Canada from his exile. His appearance on the platform, bland, smiling, and rosy, was the signal for a terrific outburst before he could open his mouth; and when his little speech was done, another whirlwind of applause greeted his magnanimous motion in favor of a war candidate.

Some of the speeches that followed were full of venom and denunciation. Charles A. Wickliffe, who was commonly known in Washington as "Old Kentucky," offered a resolution to the effect that his State expected that the first act of the new Democratic administration would be "to open the prison doors, and let the oppressed go free." Wickliffe had previously raised a laugh in the convention by nominating ex-President Pierce in an amusing and wandering speech. Later on, after the nomination of Vice-President, Wickliffe again distinguished himself by adjuring the convention

to refrain from an adjournment *sine die*. He insisted that he and his colleagues in the West were "of the opinion that circumstances may occur between now and March 4 next which will make it proper for the Democracy of the country to meet in convention again." Although the real motive for this proposed action was not apparent to anybody, so far as I could learn by talking with the delegates afterward, Wickliffe's suggestion was received with a shout of boisterous applause. Mystery characterized many of the proceedings of the convention, and the mysteriousness of this proposition appeared to be significant to the delegates. It was taken as a warning that the managers of the party expected something extraordinary to happen, and were determined to be ready for any emergency that might arise; so the convention accordingly adopted a resolution to "remain as organized, subject to be called at any time and place that the Executive National Committee shall designate." It is a matter of history, however, that the convention never was called together again, and the reason for this cautious anchor to windward has never been disclosed.

George H. Pendleton was nominated for Vice-President without much difficulty, although there were several other candidates in the field. Indiana had proposed the name of her favorite son, "the Tall Sycamore of the Wabash," D. W. Voorhees; Pennsylvania had nominated George W. Cass; Vermont, James Guthrie of Kentucky; Illinois, Judge John D. Caton; Delaware, Lazarus W. Powell of Kentucky; Missouri, John S. Phelps of that State; and Iowa, Augustus Cæsar Dodge, once minister to Spain. It was the large vote of New York which finally made Pendleton's nomination inevitable. This State had withheld its vote until it was obvious that its sudden dropping would decide the contest; then it was ponderously thrown to Pendleton, and the contest was virtually over. Pendleton was present as a delegate from Ohio, and, mounting the platform, made a pleasant speech. The convention broke up in the most admired disorder, and that night the city of Chicago seemed drunk with political excitement. Although many of the leaders had left by afternoon trains, the marching mobs halted under the windows of all the principal hotels, and demanded speeches until midnight fell, and something like silence reigned throughout the city.

It was during the last days of August that the convention declared that the war was a failure, and that peace must be sought in a convention of Federals and Confederates. On September 3 Washington received from Sherman the good news of the fall of Atlanta, and President Lincoln issued an order in which

the national thanks were given to General Sherman and the officers and soldiers of his command before Atlanta "for the distinguished ability, courage, and perseverance displayed in the campaign in Georgia, which, under divine favor, has resulted in the capture of Atlanta." And at the same time Grant, at City Point, telegraphed to Sherman: "In honor of your great victory I have ordered a salute to be fired with shotted guns from every battery bearing upon the enemy. The salute will be fired within an hour, amidst great rejoicing." The tide had turned. The Democratic campaign of 1864 began under very different auspices from those which had attended the assembling of the convention which nominated a war candidate on a peace platform. The dark days were over.

#### CHASE ON THE SUPREME BENCH.

ANOTHER historic event which marked the wonderful transition in political affairs in this republic was the inauguration of Salmon P. Chase as Chief Justice of the United States. It was a curious coincidence that his immediate predecessor, Roger B. Taney, was, like himself, an ex-secretary of the Treasury. Students of American political history will recollect that Taney was appointed Secretary of the Treasury by Andrew Jackson in his fierce and vindictive prosecution of a war against the United States Bank. William J. Duane, as Secretary of the Treasury, had refused to become the willing tool of Jackson in that contest; and Taney, who promised to do the bidding of "Old Hickory," was appointed in his place, and did the work required of him. Subsequently, when the office of Chief Justice became vacant, Taney was promoted to that exalted station; and it surely is no violence to the memory of either of these two famous men to say that the chief-justiceship was Taney's reward for his services in removing the government deposits from the United States Bank, as Andrew Jackson had decreed. Many years had passed since that time, and the incidents of Taney's earlier career were well-nigh forgotten, when he once more made his name conspicuous by his decision to the effect that "the negro has no rights that a white man is bound to respect." Now, in the fullness of time, Taney had passed away, and another Secretary of the Treasury, of spotless reputation and unblemished character, distinguished alike for his services to the cause of human freedom and to the American nation, received the highest honor in the gift of the national executive. It was unfortunate that some of the new Chief Justice's over-zealous and indiscreet friends gleefully claimed that President Lincoln was coerced into making that appointment, and scornfully insisted that it

was a popular choice forced upon the President by men who controlled confirmations in the Senate. It was lamentable that when Lincoln willingly paid a noble honor to one who had been his competitor for the presidential nomination, he could not have at least the poor satisfaction of knowing that the purity of his motives and the fixity of his intention were appreciated by those who had made Chase and Chase's ambitions the excuse for conspiring against the good name of Lincoln. As a matter of history, it should be recorded that Lincoln never intended to appoint any other man than Chase to the chief-justiceship, and never for one moment had he entertained the name of any other person. It was a peculiar trait of Lincoln that in order to preclude all possibility of doubt in his own mind concerning the expediency of any contemplated act, he would state to those with whom he came in contact many doubts and objections not his own, but those of others, for the express purpose of being confirmed and fixed in his own judgment. For example, when a Chicago ministerial delegation visited Lincoln, and urged upon him the expediency of issuing an emancipation proclamation, it was this mental habit that induced him to argue with his visitors as though his mind were not already made up, and as if he were really uncertain as to his course in regard to that great measure. When those Chicago clergymen read the emancipation proclamation, for which Lincoln had given them no hope, they must have been amazed by what they perhaps thought was an evidence of Lincoln's secretiveness. And as a matter of truth it may be said that when Sumner and others importuned President Lincoln to nominate Chase to the chief-justiceship, and he replied in a doubtful manner, he had really made up his mind to nominate Chase.

A curious complication arose over the appointment of Chase, which made his public inauguration a matter of doubt for a week or two. The form of procedure prescribed in such a case requires that the letters patent of a justice of the Supreme Court shall pass through the hands of the Attorney-General of the United States. At that time Mr. James Speed had been appointed Attorney-General in place of Mr. Edward Bates, resigned. The Senate judiciary committee held up the nomination several days, not because they hesitated at confirming Speed, but, as one of that committee said, "to convey a mild insinuation to the President that they did not know who James Speed of Kentucky was." Meanwhile, the documents necessary to complete the induction of Mr. Chase into his new office could not be issued. Bates was out, and Speed was not in. Five times, people who frequented

the Capitol were induced to fill the limits of the Supreme Court room, expecting that they would see the inauguration of the Chief Justice, and five times were they disappointed; for the Senate boggled over the confirmation of the functionary whose signature was all that was needed to enable the new Chief Justice to put on his official robes. Finally, however, on December 15, 1864, for the sixth time the crowd assembled, and all was ready. The noble room of the Supreme Court was overflowing with an immense throng of dignitaries of various degrees, ladies, congressmen, foreign ministers, and others who wished to view the simple but impressive ceremony of swearing in the chief judicial officer of the republic. The rush was very great, and a rippling tide of humanity, chiefly women, overflowed into the sacred precincts of the bar, where sat ponderous Tom Ewing, white-headed Reverdy Johnson, Secretary Seward, and other distinguished lawyers. There were Senator Sprague, with his wife, Mrs. Kate Chase Sprague, and her sister, gorgeously dressed; Nathaniel P. Banks, erect and martial-looking; gray-headed Ben Wade; and other personages whose names are famous. Just in the rear of the Supreme Bench, on the right, the elegant form of Charles Sumner leaned against one of the marble columns in a fine and studied pose; his handsome features plainly showed his inward glow of gratification. The soft stir of the chamber was broken by the voice of the usher, who announced in a loud official tone, "The Honorable Justices of the Supreme Court of the United States"; whereupon through the side entrance behind the bench entered the gowned justices, headed by Justice Wayne, the senior member of the bench, arm in arm with the newly appointed Chief Justice. The justices advanced to their several chairs, and bowed to the left and to the right; and the bar, remaining standing, collectively bowed in return. Then the new Chief Justice came forward to his chair, and Justice Wayne handed him a paper containing the oath, which Mr. Chase opened, and read in a clear but tremulous voice, as follows: "I, Salmon P. Chase, do solemnly swear that I will, as Chief Justice of the Supreme Court of the United States, administer equal and exact justice to the poor and to the rich, in accordance with the Constitution and the laws of the United States, to

the best of my ability." Then, laying down the paper, he lifted his right hand, looked upward to the beautiful dome of the court-room, and with deep feeling added, "So help me God." A breathless hush pervaded the chamber, and the Chief Justice of the United States took his seat. Then the clerk, with a good deal of tremor in his voice, read aloud the letters patent of the Chief Justice; the simple ceremony was over, and the routine business of the court began.

As the crowd decorously moved out of the room I came face to face with "Bluff Ben Wade." My eyes met his, which were actually suffused with tears; and with great grimness, but with much fervor, he said, "Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation."

A few days after the appointment of Chief Justice Chase the President was visited by the members of the Electoral College of Maryland, who, in the course of the interview, expressed their satisfaction with the act of the President in elevating Mr. Chase to the Supreme Bench. In reply the President said that he trusted that the appointment would be for the best. The country, he added, needed some assurances on two points of great national importance; and they were assurances that could be better given by the character and well-known opinions of the appointee than by any verbal pledges. By the appointment of Mr. Chase all holders of United States securities in America and Europe felt assured that the financial policy of the Government would be upheld by its highest judicial tribunal. In sustaining that policy, Judge Chase would be only sustaining himself, for he was the author of it. The other point to which Lincoln referred was that relating to the constitutionality of the emancipation policy of the Government. He said that other distinguished gentlemen had been named as competent to undertake the great trust now borne by Judge Chase; but these did not bear the same relations to those important issues that Chase did, although they were doubtless equally sound. When we reflect that the financial policy of the Government, so far as it was involved in the legal-tender law, was subsequently disapproved by the distinguished author of it, we may well wonder what Lincoln would have thought if he had lived to read the Chief Justice's decision thereupon.

*Noah Brooks.*

