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Not Our Fight: The Roots and Forms of Anti-War Electoral Dissent in Civil War Wisconsin, 1860-1865

Mark Anthony Ciccone
University of Wisconsin-Milwaukee

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NOT OUR FIGHT:
THE ROOTS AND FORMS OF ANTI-WAR ELECTORAL DISSENT IN
CIVIL WAR WISCONSIN, 1860-1865

by

Mark Ciccone

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in History

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ABSTRACT
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THE ROOTS AND FORMS OF ANTI-WAR ELECTORAL DISSENT IN
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by
Mark Ciccone

The University of Wisconsin-Milwaukee, 2014
Under the Supervision of Professor Lex Renda

Although it has been discussed and examined at great length, the history of Civil War-era Wisconsin remains controversial in many ways. Though this state remained a loyal, integral part of the Northern bloc for the duration of this conflict, it was simultaneously divided deeply along political lines—Republican, Democratic, and the extreme wings of both parties—which brought about serious legislative and, at times, physical conflict between the parties and among their constituents over the nature of the state’s participation in the Civil War, and the war’s intended goals. And for the entirety of the war, there remained serious opposition on the part of many Wisconsin politicians, newspaper editors, and common citizens to the wartime and domestic policies of the Lincoln Administration.

The basis for this antagonism lay in the growing comprehension of the Civil War’s societal impact, exemplified by the measures taken by Lincoln and the Republicans to conduct it, and prepare for its long-term aftermath. As emancipation, conscription, and increased executive control of monetary and constitutional policy

became law, a significant number of Wisconsin voters—both immigrant and native-born—came to regard these shifts as infringements upon their livelihoods, rights, and race, reversing their prior favorable views of the Republican Party’s economic and racial stances. Combined with newspaper reports of corruption in the army and Washington, and of appalling losses for little gain on the battlefields, these sentiments became the anchor for domestic dissent against the Republican Party in Wisconsin, and a recurring base of electoral support for the Democratic opposition for the duration of the war. In the end, Union success on the battlefield, and the continuous use of propaganda by the Republicans labeling their Democratic and grassroots opponents as traitors, became the deciding factors in maintaining the Republican dominance of Wisconsin offices and policies.

The key primary sources for examining this area of Wisconsin history are best found in the pronouncements from the Legislature and Governor’s office, official tallies of state referenda and elections, and the archives of the state’s markedly pro-Democrat and –Republican papers. Respectively, these reveal the efforts of the Republican-dominated state leadership to maintain their wartime preeminence in the face of ever-present criticism, illustrate the effect of these opinions upon the democratic process, and provide an excellent gauge of public and editorial opinion of state and national policy.

Though in the end unable to remove the ruling party and agenda of its time, the collective antiwar sentiments and actions of the Badger State’s citizenry proved a potent influence on state and national policy. This thesis is a narrative of one of the most contentious periods in Wisconsin history, and a telling example of the power of dissent in all its forms in Civil War America.

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Prologue

On the morning of November 10th, 1862, a crowd gathered outside the Ozaukee County courthouse in the town of Port Washington, Wisconsin. It was a notably diverse multitude: Irish, Germans, Poles, Luxembourgers and others from Central and Eastern Europe, most of them very recent immigrants to the “Badger State.” Many of these folk had come in flight from the chaos and economic uncertainty that had afflicted Europe intermittently since the fall of Napoleon, in the hopes of finding success in America. In the specific case of many Germans, they had escaped oppression and marginalization by the old regimes in the multiple states of their homeland, and sought to establish stable, prosperous lives in what they considered true democracy and freedom. To them, and those like them, America was the prime example of both.

Today, however, they were witness to a process which a majority of them had never expected to see in their new homeland, and to which they were ardently opposed. With the casualty lists from the Civil War—now in its second year—lengthening almost daily, the Republican-dominated state government, in accordance with decrees from the Lincoln administration in Washington, D.C., had officially announced the implementation of conscription measures for the state militia—and by extension, the Federal Army. It was no longer enough to simply call for volunteers, or to offer cash inducements to potential recruits; the demands of the war now required a draft of those considered fit for duty by the state, and by Washington. And with the losses widely printed in state newspapers, those liable for the draft were under few illusions as to what their likely fate would be if called to the colors.

When the commissioner for Ozaukee County emerged from the courthouse to

begin the draft lottery, there was a general low muttering of discontent. In the face of this, the commissioner set out the box of names from which the draftees would be randomly chosen. Shouts of “No Draft!” began to emanate from the crowd as the first names were called. Soon, more and more took up the call, while others began shouting and shoving forward in a confused mass of motion and noise.

Within a matter of seconds, the crowd began surging forward up the courthouse steps. Several men—possibly among those who expected call-up that day—tackled the draft commissioner and hurled him into the crowd, where he was kicked and stomped repeatedly until managing to break away and flee. While some of the crowd pursued him, the rest turned to the draft records. The lottery box was hacked to pieces, and the records burned on the spot. Unsatisfied, the mob went on to demonstrate their anger upon other locations, chanting “No Draft!” as they marched. At day’s end, eight homes, including the draft commissioner’s, had been gutted, with piles of wrecked furniture and other goods burning in the streets. By an apparent miracle, there were no reported deaths or serious injuries—apart from the luckless commissioner—and the mob dispersed by sundown, not to appear again.

The state’s response was swift. The following morning, Port Washington awoke to learn that six hundred troops had arrived to suppress any further outbreaks of dissent, and to enforce the draft. Over one hundred men confirmed as rioters were arrested and confined in military prison, and either tried, released—or drafted. Once the records were restored, the draft lottery proceeded smoothly, if tensely. Whatever the attitudes of those who later acquiesced to conscription, the demonstration of force had given them pause. And despite similar tensions elsewhere in the state—particularly in Milwaukee, just to the south of Port Washington—there were no further disruptions of the draft process. Yet

the threat of opposition, and of further violence, had been made vividly clear.

By itself, the riot at Port Washington was of limited scope, with little outward impact beyond its county and state once the troops were brought in. It was also to prove almost insignificant in comparison with later disturbances, such as the 1863 draft riots in New York City, in which more than a hundred were killed, and two thousand wounded—the most destructive such disturbance in American history. Nonetheless, this incident exposed many of the social tensions in the state that had previously been manifested solely at the ballot box. The opposition Democrats would make a great deal of capital from such anger, using it to attack both the military and domestic policies of the Lincoln Administration and its backers and scoring electoral and popular gains for much of the war. And it served notice to the Republican Party, in both Wisconsin and across the North: Without coercion and popular appeals at home, subtle or overt, the Union could not expect to maintain its efforts at the front—which, conversely, required victories to maintain at-home popularity and give credence to any coercive tactics. These realizations would drastically influence the state's politics and citizenry, and both divide and unite disparate factions within both major parties and among the voting populace for the remainder of the war.

Chapter 1

First Disputes: Late 1860—Late 1861

I.

“The actors in that remote little eddy of politics realized at the time that they were making history by that solitary tallow candle in the little white schoolhouse on the prairie.”

--Alvan E. Bovay, on the inaugural meeting of the Republican Party (March 20th, 1854)

The seeds of the Port Washington Riot, and of the broader antiwar sentiment in Wisconsin, were planted well before the first shots at Fort Sumter, well before Lincoln’s inauguration—even prior to Wisconsin’s entry into the Union. By the time of the Wisconsin Territory’s admittance as a state, the population stood above 300,000, and would expand to nearly 800,000 over the following decade. Overwhelmingly rural and farm-focused for much of this same period, the state also possessed rapidly growing urban centers (Milwaukee would reach 45,000 by 1860) and was steadily woven into the rail networks originating on the East Coast beginning in the early 1850s. In most respects, the state was still considered part of the western frontier—or at the very least a way station. Yet it was also rapidly gaining the nature and characteristics of other, more established states, particularly those of the North.

One such characteristic—steady, varied immigration—would play the most important role in shaping Wisconsin’s wartime politics. The first waves of white settlers had begun to arrive in the first decade of the 19th century, hailing from New England and the central East Coast states—New York, Pennsylvania, New Jersey—as part of the general land scramble in the Northwest Territory following the Revolutionary War. By the time statehood was granted, however, the arrivals now included vast numbers of

European immigrants, predominantly from the multiple German states and the Low Countries, as well as a significant influx of Irish, Scandinavians and Eastern Europeans. These groups had arrived primarily through New York City, the main port of immigrant influx, where they first encountered word of the lush farmland and growing cities that the Wisconsin territorial and later state legislatures were eager to advertise. Through the 1850s, the southeastern counties of the state—Ozaukee, Milwaukee, Washington, and others—would be heavily settled by Germans and other Central Europeans, as either urban workers, merchants and artisans, or rural farmers. An estimated 50,000 Irish arrivals followed a similar course of settlement, while those from Eastern Europe and Scandinavia most often migrated further west, putting down roots in Dane and La Crosse counties in particular.¹

This growth and prosperity, however, had been underscored by significant political and social concerns, both prior to and following statehood. In 1846, a constitutional convention had met to consider key points of such a document, and press for statehood that year. At the start of the convention, the majority of delegates (103) had declared themselves Democrats, though many had done so based upon their opinions on single issues rather than a common overall goal. The remaining 21 seats had been filled by Whigs and independents, neither of whom held significant popular appeal in the territory outside of the cities.²

Among the provisions debated had been debt exemptions for homesteaders, granting the franchise to foreign-born settlers, bank controls, and suffrage for free blacks. With Irish-born Milwaukee lawyer Edward G. Ryan as their most vociferous advocate,

¹ Rippley, La Vern J. *The Immigrant Experience in Wisconsin* Twayne Publishers; Boston, Mass. 1985 p. 1-28

² Nesbit, Robert C. *Wisconsin: A History* The University of Wisconsin Press; Madison, WI 1973 p. 215-218

the Democrats objected to all of the above proposals—save for foreign enfranchisement, which Ryan and his supporters counted on to maintain Democratic prominence among German and Irish voters resentful of the nativist elements of the Whig Party. The banking issue was of greatest concern to the Democrats, who viewed any state support of such institutions as an unconstitutional favoring of capital over labor. Eventually, the Democratic-controlled committee created for this matter put forward severe restrictions on state banking—crafted solely by Ryan, who served as chairman—including rules barring the Legislature from authorizing or providing protections for banks in any form. These rules provoked a storm of criticism across the convention, from both the Whigs and the Democratic majority's more conservative members, who feared they would extirpate all legal banking processes in Wisconsin rather than simply preventing government support. At the same time, to make any statements considered supportive of banks opened the speaker to denunciation as a tool of banking interests.³

Even after a more moderate banking clause, among other compromises, was finally decided upon, the quarrels over this and other clauses of the constitution—such as the homestead exemption—had caused the voting populace to quickly sour on the overall draft. When the formal vote was held in April of the following year, the constitution was soundly rejected, 20,333 to 14,119. This outcome demonstrated the impatience of the voters with party disputes, and also revealed the stance of Wisconsin's differing ethnic populations. German-dominated counties, for example, had come out in strong support of the constitution, while those heavily populated by New England and other eastern settlers had staunchly opposed it. With such results in mind, the territorial government rapidly called a new convention in the winter of 1847, which took careful pains to avoid the

³ Nesbit, p. 220--222

bureaucratic and party difficulties of the first. When the second draft was put to the voters in March of 1848, the original proposals had been watered down or partially excised. All banking legislation would be put to a general referendum before ratification; homestead exemptions were recommended for those with “a reasonable amount of property”; immigrant enfranchisement was confirmed, though without the stricter requirements proposed by conservative Democrats; and black suffrage was excised altogether. Although far fewer voters (22,591) participated in the second round, the result was overwhelmingly in favor of ratification. On May 29th, 1848, Wisconsin was formally designated the 30th state in the Union.⁴

As the 1850s opened, Wisconsin was drawn further into the steadily increasing tensions nationwide—particularly that of slavery. With the conclusion of the Mexican-American War in 1848, the United States now controlled all the western lands from the 49th parallel to the Rio Grande, thus opening up tremendous opportunities for settlement. Under the 1820 Missouri Compromise, which had admitted that territory as a slave state yet barred slavery above the latitude 36-30, the expected delineation of free and slave territory at first appeared straightforward. But the increasing stridency of the New England-based abolition movement, in tandem with a series of acts passed under the Compromise of 1850—California’s admission as a free state; the option of “popular sovereignty” for the New Mexico and Utah Territories; and a much stronger Fugitive Slave Act, among others—as well as a general growing antipathy across the Northern states to the economic and political leverage enjoyed by the South, indicated that this accord was rapidly becoming unsatisfactory to both blocs.

When the Kansas-Nebraska Act—which proposed to allow voting under “popular

⁴ Nesbit, p. 222--224

sovereignty” in the new territories to decide whether slavery would be codified in their future constitutions—was put forth at the start of 1854 by Democratic Senator and future presidential candidate Stephen Douglas, it was widely perceived as a de facto nullification of the Missouri Compromise. In Kansas Territory, widespread chaos erupted as pro-slavery “Border Ruffians,” operating out of Missouri, sought to swing the vote by fraudulent ballots, often attacking and murdering Free-Soil settlers in the process, and provoking a backlash of like violence. As a result, North-South relations deteriorated even further, and the Whigs and Democrats began to fracture along similar lines. By the end of 1854, the former party would be all but dissolved, and the latter would survive largely in name only, with adherence to the Union as the primary difference between delegates.

These developments had significant impact upon Wisconsin politics. In 1850, New York lawyer and teacher Alvan Bovay, a staunch Whig and opponent of slavery, had immigrated to the nascent Wisconsin town of Ripon. After two years of debate and sounding out the inhabitants of the growing community about their perceptions of the slavery question—which now eclipsed almost any other political concerns among the nation’s voting population—Bovay began to call for the formation of a party that would adopt unswaying opposition to slavery’s expansion, a platform many in the town and state were likely to support, even if abolition was still viewed with caution or open dislike by most Northerners.⁵

On February 28th, 1854, when the Kansas-Nebraska Act debates began in earnest, Bovay called a meeting of like-minded townspeople, during which they passed a

⁵ Hasson, Charles K. “Alvan Earl Bovay: Reformer, Legislator, and Founder of the Republican Party” M.A. Thesis, 1985, p. 50

resolution declaring that if the bill were passed, they would “throw old party organizations to the winds, and organize a new party on the sole issue of slavery.” This bold statement, and the motivations behind it, were given further backing by other events in the state just over a week later. Under the strengthened terms of the Fugitive Slave Act, blacks were no longer guaranteed safe refuge in the Northern states upon fleeing Southern plantations, forcing them to continue on as far as British Canada. In addition, whites were not only prohibited from providing aid or shelter to runaways, but were also required to assist in their capture and return to their owners, who had the right to pursue them into any Northern state and seek redress in Northern courts. These provisions evoked great bitterness among many Wisconsinites, even those who were not ardent abolitionists, and led to considerations of direct action to halt any such returns.

Less than a month after the Ripon gathering, such action was taken. On March 10th, a former slave named Joshua Glover, who had fled his Missouri owner two years previously and settled in Racine County, was tracked down and arrested by a posse of US Marshals led by his old master, and brought to a Milwaukee jail under warrant for return to St. Louis. Word of this arrest spread rapidly, angering abolitionists and less-ardent Free Soil citizens alike, and by the following day a crowd of Racine citizens had gathered in the town’s central square, where an ad hoc committee rapidly passed resolutions denouncing Glover’s arrest, demanding a fair trial, and declaring the Fugitive Slave Act unconstitutional. These declarations were then sent to a Milwaukee-area printer named Sherman M. Booth, a transplanted New Englander who had already established a reputation as an unwavering abolitionist. Upon determining that Glover was indeed imprisoned in the city, Booth began turning out handbills detailing the affair, having them posted throughout Milwaukee as he rode through the city streets calling for

sympathetic citizens to meet outside the courthouse—which destroyed any chance of Glover’s removal without public scrutiny, as his owner wished. By late afternoon, several thousand onlookers waited in the city square, many of them swayed by speeches from Booth and other abolitionists warning of future constitutional abuses they themselves faced if such arrests were allowed. When the federal marshals refused a writ of *habeas corpus* gained by the abolitionists and presented by the Milwaukee sheriff, the thoroughly inflamed crowd broke open the doors of the city jail, and escorted Glover out to the street en masse. Shortly thereafter, he was guided to Underground Railroad agents outside of the city, who would eventually bring him to Canada.⁶

This open defiance of the Fugitive Slave Act demonstrated the growing appeal of anti-slavery ideology in the newly-created state among both native-born and immigrant populations, as well as the unpopularity of the 1850 Compromise and the Kansas-Nebraska Act. Even though outright calls for abolition were still viewed cautiously or critically by Yankee and European settlers alike, it was now plain that there was a burgeoning state-wide antagonism towards the “peculiar institution.” Indeed, while the federal marshals involved in Glover’s arrest were assured of their actions’ legality, the county and state sheriffs and police had stalled and equivocated throughout the affair, highlighting their own disapproval of the Fugitive Slave Act. Furthermore, when Booth was brought to trial in subsequent weeks for inciting Glover’s rescue, the Wisconsin Supreme Court not only ordered him set free, but ruled the Fugitive Slave Act unconstitutional. Although Booth himself would spend the next several years appealing federally ordered imprisonment, Wisconsin’s courts and political leadership had made

⁶ Baker, Robert H. *The Rescue of Joshua Glover: A Fugitive Slave, the Constitution, and the Coming of the Civil War* Ohio University Press; Athens, OH 2006, p. 1-23

their stance clear as well.

Celebration over Glover's liberation was marred when it became clear in the last week of March that Congress, after much acrimonious debate among the varying factions of Democrats and Whigs, intended to pass the Kansas-Nebraska Act. Therefore, on the night of March 20th, Alvan Bovay called another meeting of his friends and allies in Ripon, to gather in the town's schoolhouse. Upon gathering, Bovay later asserted, "we went in Whigs, Free-Soilers, and Democrats; we came out Republicans, and we were the first Republicans in the Union."⁷

From its beginning, the new Republican Party enjoyed substantial yet cautious backing among many of Wisconsin's citizens. As Bovay had pledged, the cornerstone of the party's policy was opposition to slavery and its expansion, an ambition that by this time was associated primarily with the Southern branch of the Democrats. By the time of the Kansas-Nebraska Act, support for such opposition could be counted on from elements of the German immigrant population and others descended from Central and Eastern Europe, especially among the so-called "Forty-Eighters"—reform-minded individuals and groups who had fled the collapse and repression of the 1848 liberal revolutions in Germany, Austria and elsewhere, and were thus inclined to join with a party that advocated the checking of what they perceived as a reactionary power in the South. Not a small number of these supporters also backed or participated in Sherman Booth's actions in Milwaukee, and avidly followed the open calls for abolition in his newspaper, the *Wisconsin Free Democrat*.

However, this show of support, while impressive, was not universal. While sympathetic to the idea of halting slavery's encroachment through legal means in the

⁷ Hasson, p. 60

territories and the North states, the majority of Germans in Wisconsin, as well as of the Irish and other immigrant citizens, did not support abolition. If slavery were done away with altogether, they believed, the resulting free population of blacks would inevitably depress wages and living standards for whites everywhere due to their cheaper labor, bringing on unwanted competition at best, and widespread unemployment at worst.⁸ In addition, there were apprehensions on the part of Irish and German Catholics that the ranks of the Republicans included nativists and others who had not defected to the fringe Know-Nothing Party, and would therefore turn the new party towards attacks on foreign-born and Catholic settlers—possibly with abolition as a tool towards such ends.

During the later state elections in 1857, this latter charge appeared verifiable, when a referendum proposing suffrage for the several hundred blacks then living within the state was put forward, building on a similar defeated proposal from 1849. As the campaign progressed, German language papers such as the *Milwaukee Banner und Volksfreund*, and the *Democratic Milwaukee News*, asserted that the Republicans sought to disenfranchise all foreign-born voters upon assuming power, and confer such rights upon blacks.⁹ These concerns were to become frequent hurdles for Republicans when campaigning among immigrant constituencies in coming elections, and an oft-used issue for the Democrats.

Nevertheless, the Republicans' initial efforts proved promising, in Wisconsin and across the North. A significant coup was the addition of one of the most popular "Forty-Eighters," Carl Schurz. A former Prussian army officer, Schurz had arrived in Wisconsin just over a year after the meetings in Ripon, after having fled the suppression of

⁸ Klement, Frank L. "Catholics as Copperheads during the Civil War," p. 36

⁹ Current, Richard N. (ed. William F. Thompson) *The History of Wisconsin (Vol. 2) The Civil War Era, 1848-1873* State Historical Society of Wisconsin; Madison, WI 1976 p. 265

revolutions in the German states of Baden and the Palatinate, in which he had played a prominent role. Settling in Watertown, he had been attracted to the anti-slavery movement, and its new ally in the Republicans. Though he would not attain political office in the prewar period, Schurz would prove an outstanding party advocate. During the Wisconsin and national elections of the later 1850s Schurz traveled and spoke to multiple predominantly German-American settlements and locales through Wisconsin and the North—often doing so in his birth language, which was widely credited with raising Republican popularity among these voters, and discrediting accusations of nativism in its rhetoric and membership.¹⁰

In 1860, he was chosen as spokesman for the Wisconsin delegation to the Republican National Convention, eventually chairing the committee which announced Lincoln's candidacy—despite having favored William Seward—and later replicated his speaking tours and tactics during the Presidential campaign. Such party loyalty would be rewarded at the outbreak of war the following year, when Schurz, after a brief tenure as ambassador to Spain, gained a commission as a brigadier general, a post he would hold for the duration of the war. Though his own claims of having fostered the Republican successes among the German populations in Wisconsin would prove false or overly aggrandizing, his presence and skills nonetheless aided in debunking, or at least assuaging, fears of nativism among the foreign-born settlers of the Badger State.

By the start of 1856, the Whigs and the Democrats had effectively broken along sectional lines. While the Southern wing of the latter party controlled much of the federal government, and would count on sympathy from Northerner James Buchanan upon his becoming President, the Northern members were either throwing their support to

¹⁰ Trefousse, Hans L. *Carl Schurz: A Biography* Fordham University Press; New York, 1998, p. 86-90

moderate Stephen Douglas, or leaving the party altogether. The Whigs, meanwhile, had already splintered into similar factions after the Democratic victory in 1852. These divisions now widened even more as their Southern delegates—the majority of whom had generally favored the Kansas-Nebraska Act, putting them at further odds with the rest of the party—renounced their membership, with some joining former Whig President Millard Fillmore’s American Party during the 1856 elections, or eventually becoming part of the short-lived Constitutional Union Party under John Bell. The Northern Whigs, who as a whole favored strong national economic and industrial growth but had little use for the slavery debate beyond curtailing the enlargement of Southern influence, broke apart in like ways before and during 1856. Some delegates added to the ranks of the Know-Nothing Party, and others—including Abraham Lincoln—abandoned politics altogether. Overall, there was little appearance of party unity in either of the two bodies that had controlled the American political system since the start of the Jacksonian era some thirty years prior.

During this same period, the preponderance of Northern departures from both parties flocked to the Republicans. These men, in accordance with Bovay’s observation, consisted of Free-Soilers disgusted with the Kansas-Nebraska Act, modernizing Whigs opposed to the dominance of the agrarian Southern planter class, and abolitionists seeking to not only halt slavery’s expansion, but end its existence throughout the nation. While these groups were in some ways opposed to one another on specific ideological grounds—anti-slavery rhetoric and the notion of black civil rights, for example, would not gain a wide following in the nascent party until the waning of the Civil War—their common anger at the influence of the South served as a crucial unifying factor, as did their devotion to the national Union over the mostly Southern-dominated adherence to

state's rights. When set against the Democrats, who were still cripplingly riven along North-South lines, the likelihood of important Republican gains was increasingly strong.

The 1856 national elections were, in effect, the final nail in the coffin of hopes for a unified Democratic Party, and a trial run for the Presidency on the part of the Republicans. The latter body chose to run noted explorer and soldier John C. Fremont for the Presidency, under the slogan of "Free Labor, Free Land, and Free Men," which encapsulated the Republican favoring of small independent workers as opposed to slave labor, of widely available small homesteads as opposed to the vast private holdings of slave-owners, and of the containment of slavery as it was presently bounded, in the hopes that its eventual collapse would lead to complete freedom for all Americans—though explicitly avoiding calls for emancipation. In the face of these increasingly popular provisions, the Democrats chose to run James Buchanan, who as a "doughface"—a Northern candidate whose loyalties and base of support lay in the South—could hold this region within the party, maintain the impression of internal unity, and exalt compromise and defense of the Constitution and Union as it then existed, in the face of Republican ideology threatening to destroy both. This platform, combined with rumors attacking Fremont's alleged Catholicism and the remaining independent Whigs' attempt to remain in the political discourse through Fillmore's American Party, led to a Buchanan victory that November.

However, the show of Republican support in the North (114 electoral votes, including Ohio, New York and all of New England, to Buchanan's 174) proved this party had become a serious and popular challenge to the conciliatory stance of the Democrats. Furthermore, the choice of Buchanan and of his Southern vice-president John C. Breckinridge had alienated much of the moderate wing of this party, which came to rally

around Stephen Douglas as their main voice. Given his “Manifest Destiny”-influenced view of railroads and western expansion, as well as his devotion to Union—which were of like importance to elements of the Republican Party—Douglas at first glance appeared a somewhat unusual pick for such a leadership role. The key differences lay in the Republican’s emphasis on denying slavery’s expansion westward by any means, as opposed to Douglas’s embrace of “popular sovereignty” and his belief that any federal constraints on the “peculiar institution” were undemocratic—the latter another source of contention between himself and Buchanan. As the nation began apprehensively moving toward the 1860 elections, Buchanan was increasingly becoming a President without a party, while his followers rallied to the “Little Giant” and the overall national discourse became much more polarized.

In Wisconsin itself, the debates, divisions and elections of 1855 and 1856 had resulted in significant gains for the Republicans, and delivered the state’s electoral votes to the national candidate, John C. Fremont.¹¹ Assemblyman Coles Bashford won the governorship—the first Republican to do so in Wisconsin history—and three Republican congressmen were seated, as well as two Senators; a slew of seats in the Legislature were also won by this party.¹² In a telling example of tensions rife at the time, William Barstow, the Democratic incumbent, had initially claimed the governorship by a mere 157 votes, but an investigation found this slim lead fraudulent. After having at first vowed to remain regardless of Bashford’s swearing-in by the state Supreme Court on January 7th, 1856—the same day Barstow was publicly re-inaugurated—the Democrat was finally forced to resign in March. A four-day attempt by his technically legitimate

¹¹ Nesbit, p. 239

¹² Current, p. 233-236

successor, Lt. Governor Arthur MacArthur, to hold the office for the Democrats was ended when Bashford arrived in Madison, with the threat of force to ensure his establishment as Governor.

The following year, Bashford declined to run again, having been charged with bribery in dealings with state railroad companies, and a growing perception of nativist support for his administration, which both parties sought to avoid in order to win the foreign-born vote. Another New York transplant, Alexander Randall, thus rose to the governorship on the Republican ticket. Arriving in the state in 1840, Randall had soon become involved in the Free Soil wing of the Democratic Party, where he frequently pressed the issue of black suffrage in the Territorial government and the constitutional convention of 1846. Elected to the Assembly in 1855, he had been among the first delegates to defect to the Republican Party, along with considerable numbers of his fellow Free-Soil men and discontented Northern Whigs.¹³ His election as governor, albeit closer than expected—he gained the governorship, but Carl Schurz, his running-mate for lieutenant-governor, had been defeated—underscored the growing success of the Republicans at the state and local levels. With his striking manner of rhetoric, and adroit politicking, Randall would prove an able state leader through the months of the Secession Crisis, and the first year of the Civil War.

As the last years of the 1850s unfolded, the national situation deteriorated even further. In early 1857, the Supreme Court, in *Dred Scott v. Sandford*, ruled that blacks, free or slave, could not be citizens, that a slave brought into free territory by his master—as Scott had been—could not sue for his freedom, and, most crucially, that the federal government had no authority to regulate slavery in the territories added to the United

¹³ Nesbit, p. 244

States since independence. This ruling thus declared the Missouri Compromise invalid, dealing another crippling blow to national unity—and to Democrats’ hopes of maintaining regional and internal unity. The Republicans’ hand was made stronger yet by President Buchanan’s endorsement of the Court’s decision, and his vacillation in confronting the general crisis.

In Wisconsin, this shift in popular opinion came about through both impatience with perceived federal kowtowing to the proslavery faction, and deep fears regarding the state’s economic stability. Over the spring and summer of 1857, banks and companies across the nation had been failing at a steady pace, causing rapid declines in specie deposits, banknote values and crop prices. This in turn led to widespread bankruptcy among rural farmers, as land values dropped and loans dried up, and recurring violence against state and banking officials who came to foreclose on farming mortgages.¹⁴ Though the panic had largely abated nationwide by 1859, Wisconsin and the other Great Lakes states remained mired in banking, commodities and land value doldrums, illustrating the difficulties that the western states and territories faced—which would only be worsened by the competition and uncertainty resulting from the Dred Scott decision. These concerns, combined with resentment towards the plantation South for having emerged practically unscathed from the panic, were reflected in Randall’s reelection to a second two-year term that same year, and the further expansion of the Republican presence in the Legislature. Not willing to concede Wisconsin or the nation, the Northern Democrats continued to defect in droves to Stephen Douglas, while their Southern colleagues began to consider other means—whether a wholly separate party, or out-and-out secession—by which they could defend what they viewed as their constitutional

¹⁴ Current, p. 237-243

rights to slavery and state power over that of Washington.

Having defeated the Republican's rising star, Abraham Lincoln, in the 1858 race for the Illinois Senate seat after a series of grueling debates, Douglas was now considered the ideal Democratic choice for the Presidency in 1860, primarily by the northern wing of his party, a view which was soon made more apparent by Buchanan's refusal to run for a second term. When the 1860 Democratic National Convention opened that April—prophetically, in Charleston, South Carolina—the Wisconsin Democrats joined together in supporting Douglas's nomination, in spite of his lack of a substantial platform beyond the slavery question. The choice of this state's delegates reflects the progressively desperate calls for maintaining the Union regardless of party or regional splits, and the paralysis of the Democrats nationwide.

These problems were further amplified by the ultimate outcome of the Convention. Although Douglas was finally chosen as the candidate for the main body of the Democrats, this was only done after the Southern wing—led by Vice-President and future Confederate general John C. Breckinridge—had broken with the pro-Douglas delegates over his refusal to endorse the creation of a federal code allowing and protecting slavery everywhere in the Union, which the Wisconsin delegates in particular knew was a non-starter for a growing number of voters in their state. When the convention reconvened two months later in Baltimore, Douglas was nominated with virtually all-Northern support. Breckinridge by this time had been put forward as a candidate by the now-distinct Southern Democrat Party, on a platform exalting state's rights—including slavery and the legality of secession. A handful of remaining Whigs and moderate Southern Democrats formed a fourth body, the Constitutional Union Party, around Tennessee Senator John Bell, with the central argument that as slavery was

constitutionally protected, there was no need for and no right of the South to break from the Union. For all intents and purposes, the Democrats had broken their party over the slavery question.

Hampered by the divisions of the Convention, the Wisconsin delegates returned home to stump for Douglas. In addition, though it was considered unseemly for anyone seeking the highest office to stump for himself, this did not stop Stephen Douglas from doing so in Milwaukee and other locations as the Democratic candidate traveled through both North and South attempting to re-unite his sundered party. His campaign messages, duplicated by the Wisconsinites, sought to placate both Unionist and pro-secession voters by attacking disunion and abolitionism, pleading the case for Union above all, and attacking any speakers or rhetoric that sought to press the slavery issue or the authority of state governments as opposed to that of Washington. The past charge of Republican ranks including Know-Nothing and other nativist candidates was also resurrected for this campaign, in the hopes of maintaining traditional Democratic strongholds among Irish and German Catholic voters, as was the unpopular prohibition plank used in previous Republican platforms. In short, the Democrats hoped to avoid the most glaring issues of the campaign with calls for general harmony, attacks on presumed Republican nativism, and warnings of racial violence and national crisis if their opponents gained Washington.

Even more than the division between their Southern and Northern wings, these tactics reflected the Democrats' lack of a real platform in 1860, and the level of disconnect between their leadership and their constituents. Though Wisconsin had entered the Union twelve years prior as a largely Democratic state, the party's increasingly inflexible positions on banks, railroads and other key elements of western

development, in tandem with its growing association with the “Slave Power,” was eroding its bases of support.

The Republicans, meanwhile, were gaining a wider and stronger following as the campaign progressed. For a plurality of voters, the most important plank in the national Republican platform was the promise of a homestead bill, by which any family could gain 160 acres at no cost simply by staking a claim in the still-largely wilderness territories—such as northern Wisconsin. Through this program, the Wisconsin Republicans hoped to not only attract further settlement, but to establish the small landholder economy demanded by the free-labor principles inherited from the Whigs and reshaped since in opposition to the South’s plantation economy. Furthermore, in a departure from their ardent initial stance of the 1850s, the Republican Party began to garb their anti-slavery position with the rhetoric of colonization. Stressing the importance of free white labor, key Republican candidates—such as Senator James Doolittle—espoused the notion of blacks, freed or enslaved, departing the United States for Africa, thus ending slavery and avoiding sectional or racial conflict, in one fell swoop.¹⁵ In this manner, the Republicans sought to deny Democratic claims that abolition and black equality held sway over their party’s platform, and also attract voters fearful of the disunion and economic catastrophe that would result from the Secession Crisis.

While there were concerns within the party over the effectiveness of the Democrats’ Know-Nothing and prohibition charges among the state’s immigrants, the Republicans nonetheless believed that Lincoln’s image—that of the homespun, self-made westerner—combined with the North’s growing impatience with the Democrats’ apparent fawning over the Southern states, would grant them victory. As the campaign wound

¹⁵ Current, p. 283

down, this impression had become increasingly accepted even by most Wisconsin Democrats. Their party had already provided an example in miniature of secession's impact on the American system, their onetime Southern colleagues were mounting independent national campaigns which were draining away border and Deep South votes from their presidential candidate, and their chief opponents in the Republicans were putting forth a platform—halting slavery, stronger infrastructure and free land—that had captured much of the voting populace's minds. With November 4th approaching, the chief concern of the Democrats was determining how poorly their candidate and party would fare, and how best to minimize the damage.

II.

“The disunion sentiments avowed in portions of the country, and sometimes in our Halls of National Legislation, are unpatriotic, undignified, disgraceful. Every *threat* of disunion should be held up to public reprobation in all sections of the Union, and every *attempt* at disunion be rewarded with a halter. The Union of these states cannot be dissolved.”

--Governor Alexander Randall, Jan. 12, 1860

When the final results of the November 6 elections became known, Republicans in Wisconsin had much reason to celebrate. Building on their gains over the past six years, they had won majorities in forty-six of the state's fifty-seven counties, strengthened their hand considerably in the Legislature, and joined the majority of northern states that had chosen Abraham Lincoln in the national election. Despite the Presidential candidate's absence from the state for the entirety of the campaign, and initial divisions among the state delegates over the nominations of Seward and Hamlin, the still-nascent party now had their man in the White House, and a comfortable hold on the reins of power in Wisconsin.

These victories masked a number of concerns, however, which would manifest

themselves as the crisis and war worsened. Lincoln had carried the state by a comfortable majority in the four-way race that was 1860 (86,110 to Douglas's 65,021; John Bell and John Breckinridge tallied 889 and 151, respectively), but the Democrats had retained their control of the city and county of Milwaukee, and drawn high support in Ozaukee and Washington Counties, to name only two.¹⁶ Also, Carl Schurz's energetic speaking tours and other electioneering tactics had produced mixed results at best. The German-American and Irish voters, concentrated primarily in the abovementioned counties and towns, had voted heavily Democratic—even to the point of carrying Watertown, Schurz's hometown, 452 to 271)—while those of native-born American descent had favored Lincoln.¹⁷ Even the German vote itself had been notably divided: Those of the Catholic faith, in tandem with their counterparts from the Low Countries, cast their lot with Douglas, while the Protestants and ardent revolutionary “Forty-Eighters”—secular, liberal-minded men cast in Schurz's mold—chose the Republican ticket.¹⁸ This indicated that the Democrats' rhetoric proclaiming Republicans as dyed-in-the-wool anti-foreigners had struck a chord with a sizeable portion of the Wisconsin immigrant electorate. These voters had shown their favor towards the Republican homestead plank, as well as toward the calls for banning slavery in the new western territories, but had rejected this party for its Whig and nativist past, demonstrating the Democratic bent of much of the state's population even in the wake of the divisions at Charleston and Baltimore.

In the initial days following the election, a tense calm prevailed. Outside the political and editorial circles of the state, few citizens believed or hoped civil war would come; threats of secession had been made across the South both before and after the

¹⁶ Wisconsin Blue Book: “Presidential Vote of 1860”

¹⁷ “Wisconsin in the Civil War” p. 7

¹⁸ Current, p. 287

campaign had started, but as yet none had been pursued, and it was hoped they would be set aside in the interest of compromise. A common warning in Democratic speeches on the trail had been that a Lincoln and Republican victory would in effect be a *casus belli*, but there was no immediate sign of hostile intent, from either North or South, giving further credence to peace-minded impressions.

The first of these hopes would be dispelled within weeks. On December 17th, 1860, after its election eleven days prior, delegates of a “secession convention” in South Carolina formally took their seats. This was followed by the announcement of similar elections in Mississippi and Alabama, with conventions set for January 7th, and word of yet more such machinations in the other Lower South states. Sensing the level of anxiety and concern statewide, Governor Randall, having already made his stance on secession clear in his 1859 inaugural, now chose to use it to turn public opinion his way, and towards support for stronger national measures aimed at ensuring the Union’s stability.

His first act in this regard came on January 10th, 1861, as the Legislature sat for its joint opening session. After a detailed description of the number and quality of state militia believed available for Federal service (nearly 130,000 in all), Randall launched into a passionate oration on slavery, disunion, and Wisconsin’s intended role in combatting both. Harking as far back as the Founders’ first efforts at American unity with the Articles of Confederation, he declared that the “General Government” created under the Constitution “was intended to be perpetual, and no plan or device was suggested or conceived whereby it could be destroyed.¹⁹” The withdrawal of South Carolina, and the anticipated like actions of the other states constituting the “Slave Power,” was therefore illegal: “A state cannot come into the Union when it pleases, and go out when it pleases.”

¹⁹ Randall, *Civil War Messages*, p. 37

Randall then gave a stark, succinct statement of his own views on the crisis—“Secession is revolution; revolution is war; war against the government of the United States is treason”—and closed with a vivid summation of the crisis, and of his state’s intended course in it:

“The hopes of civilization and Christianity are suspended now upon the answer to this question of dissolution. The capacity for, as well as the right of self-government is to pass its ordeal, and speculation to become certainty. Other systems have been tried and have failed, and all along the skeletons of nations have been strewn, as warnings and landmarks upon the great highway of historic government. Wisconsin is true, and her people steadfast. She will not destroy the Union, nor consent that it shall be done. Devised by great, and wise, and good men, in days of sore trial, it must stand. Like some bold mountain, at whose base the great seas break their angry floods, and around whose summit the thunders of a thousand hurricanes have rattled, strong, unmoved, immovable—so may our Union be, while treason surges at its base, and passions rage around it, unmoved, immovable—here let it stand forever.²⁰”

This was not to say there would be no further attempts at compromise, as many citizens still hoped both in and beyond Wisconsin. But with rhetoric such as Randall’s becoming commonplace among both anti- and pro-secessionists, and both North and South beginning to amass men and materiel for war, such efforts would prove fruitless. When the last serious endeavor—the Crittenden Compromise—was brought forth as a package of constitutional amendments in Congressional committee on February 4th, Wisconsin Congressman Cadwallader Washburn and Senator James Doolittle joined their Republican colleagues in nullifying it in the belief that it yielded too much to the South short of independence, highlighting the clause requiring their party to withdraw its opposition to slavery’s expansion westward as the most galling concession. Ironically, the two Wisconsin delegates were also joined in opposition to the eleventh-hour proposal by their ardently secessionist colleagues, who no longer believed compromise was a

²⁰ Randall, *Civil War Messages*, p. 38

viable option. While Doolittle himself proposed an alternate amendment specifically forbidding secession, Washburn called upon his House associates to reject any future compromises such as Crittenden's, and to stand firm against the burgeoning rebellion: "Let us have disunion and, if need be, civil war rather than dishonor."²¹ Largely thanks to such sentiments, a call from the Virginia legislature for a national peace convention in late February was likewise rebuffed, after considerable debate and indecision. Wisconsin Democrats wished to send representatives, but feared they would be selected with the intent to reject compromise altogether, while the Republicans either sought to send such delegates, or declared that none should be sent at all.

Following Lincoln's inauguration on March 4th, 1861, Wisconsin's parties and citizens remained on alert, avidly following the continuing crisis. By this time, Mississippi, Alabama, Georgia, Florida, Louisiana, and Texas had joined South Carolina in secession, and former US Senator Jefferson Davis had been sworn in as President of the newly-declared Confederate States of America, with Montgomery as its capital. Yet for the first several weeks of his administration, Lincoln appeared neutral, even conciliatory, towards the Secession crisis, deliberately avoiding any speeches or orders—such as ordering reinforcements or a rescue operation to the besieged garrison at Fort Sumter—that risked inflaming the situation.²² In light of this, and the increasing likelihood of violence as necessary to restore the Union after the failure of the Virginia invitation, an attitude of moderation had begun to temporarily proliferate through Wisconsin's citizenry and parties. Papers in Milwaukee and other towns decried the idea of the federal government forcing states to remain part of the Union, declaring that not

²¹ Current, p. 291

²² Goodheart, Adam *1861: The Great Awakening* Alfred A. Knopf; New York, NY 2011, p. 137-139

only did the right to do so not exist, but that it was ultimately impossible to achieve, and detrimental to the entire idea of democracy. Morton “Brick” Pomeroy, editor of the *La Crosse Democrat*, who had previously denied the right of secession, now asserted that South Carolina had done so “for her own protection,” and that coercion to restore the Union was “dangerous, impractical, and impossible.”²³

The word of Fort Sumter’s surrender sharply reversed this trend. As reports of the bombardment and yielding of the fort circulated, shock and rage among both parties and all citizens was quickly transformed into a tidal wave of patriotic fervor. Public war meetings of citizens affirming loyalty to the Union and demanding revenge for Sumter were held in Milwaukee, Madison, and numerous other cities, regardless of party strength. The Democratic members of the Legislature, and the party leadership as a whole, likewise endorsed and espoused this manner of oratory, pledging to support the Union’s nascent war effort to the hilt—literally in some instances, as offers to serve in whatever units were called to the colors attested. Before the end of summer, however, the two parties and their supporters would begin to duel once again over the state’s role in the burgeoning civil war—with both words and violence.

III.

“Rebellion and treason are abroad in our land... We know where this commenced and we know where it must end... Charleston should be razed till not one stone is left atop another, till there is no place for the owl to hoot nor the bittern to mourn. Had I the power of the thunderbolts of Jove, I would wipe out not only traitors but the seeds of traitors.”

--Gov. Randall, May 3rd, 1861

When Governor Randall received President Lincoln’s April 14th call for 75,000 three-month troops to end the rebellion, he took two immediate steps. The first was a

²³ WMH (Pomeroy) p. 108

general call to all “patriotic citizens,” asking them to report for duty after they had formed into companies ready to be mustered into service. Next, he called on the Legislature to equip Wisconsin’s expected contribution—one regiment at this time, roughly 800 men and officers—and to vote funds for the state’s general war effort.

Randall knew, however, that the level of energetic patriotism in his state meant that Wisconsin’s quota would be filled in a single day; indeed, the entire nationwide call could likely be met from the Badger State alone, as was proving the case in Ohio and other states in the Union. When, after multiple entreaties to Secretary of War Simon Cameron asking to send two more regiments—and even to increase the national call-up to 100,000, for three years rather than three months—Randall instead received word that he should cease recruiting altogether, he chose to ignore this advice. After seeing the First Wisconsin Volunteer Regiment off to Washington with great fanfare on April 22nd, he at once began overseeing the creation of six more regiments, gathered at the recruitment camp outside Madison which soon bore his name.

As yet, opposition to the military aspect of the war effort, either from the Democrats and their press allies, or from the general public, had been lukewarm or nonexistent. With the Southerners perceived as having fired the first shots, citizens statewide had set aside their previous convictions, and embraced calls for unity and defense of the nation. Senator Doolittle provided an eloquent summation of this collaboration: “Wisconsin speaks with one voice today...From town and hamlet, from native and foreign-born, from old and young, from Republican and Democrat, there comes but one response, ‘The Constitution and Union must be maintained...’”²⁴

Such unity of opinion, however, was absent in perhaps the most important area of

²⁴ Current, p. 297

the state's war policy: Economics. Since the opening of the Secession crisis, Wisconsin, like much of the rest of the North, had been affected by bank runs and general depression, caused largely by the dramatic devaluation of Southern bonds purchased by state banks—from between 80 and 90 cents on the dollar in late 1860 to between 35 and 50 by April of 1861—and the halting of trade down the Mississippi River.²⁵ During this same time, wheat, corn, butter and potato prices fell to pennies on the dollar, and began to accumulate in huge surpluses—farmers could not afford the new, exorbitant freight costs charged by merchant ships and railroad interests—where they were not simply destroyed outright; an ironic preview of the crisis that would beset Southern planters in the face of the Northern naval blockade of cotton and other export goods.

In June of 1861, prominent bankers such as Alexander Mitchell of Milwaukee tried to eliminate competitors by secretly unloading their own repositories of the worthless bonds onto local manufacturing firms—which in turn sent them out to their workers through paychecks—and then, on June 24th, publicly challenging their rivals' currency as “discredited and unacceptable.” This provoked riots and attacks on Mitchell's bank by the affected workers, which were only quelled by bringing troops onto the streets, and alarmed Mitchell and his associates into offering a plan to substitute state war bonds previously snubbed by Wall Street and other Eastern Banks for the worthless Southern notes.²⁶

This cascade of problems was eagerly seized upon by the Democrats, who declared them the result of machinations by the New York and New England capitalists who controlled the east-west railways—and, by extension, the Republican Party that they

²⁵ Merck “Economic History,” p. 193-195

²⁶ Merck, p. 199-203

believed was intricately intertwined with these interests. A frequent target that summer and fall was the Morrill Tariff. Though passed before Fort Sumter, and never more than a minor part of the Federal Government's taxation plans, the measure quickly became interpreted as intended to fund wartime expenses by doubling import and export duties (17% to roughly 36%). This, Wisconsin Democrats asserted, was the cause of the increase in costs to Wisconsin and Midwestern farmers. With these concerns, and the gubernatorial election approaching that fall, Democrats began to warn of "the coming oppressive taxation" and "general ruin" that would result from Randall's re-election, and from Republican policies in general.²⁷

Wisconsin Republicans responded to this criticism with three distinct measures. Knowing that the depression at home and the lackluster performance on the battlefield, particularly in the recent case of First Bull Run, could combine against them, they chose to continue beating the drum of patriotism. In further speeches and editorials, they reaffirmed their main pledge to preserve the Union, heaping blame for the overall economic and political crisis squarely on the Rebels. Secondly, they castigated their Democrat critics as traitors, declaring them to be aiding the Confederacy and obstructing the war effort whenever they spoke against Randall and Lincoln in particular, or the Republican Party. This last was partly softened by their declaration of an umbrella "Union" Party, taking in all "loyal" state citizens that maintained allegiance to the United States, which would prosecute the war to its fullest until victory. In this way, they hoped to attract moderate Democrats to their banner, and to assure their majority in the Legislature and the state Cabinet.

Governor Randall himself implemented the third measure—departing office.

²⁷ "Wisconsin in the Civil War," p. 21

Though he had harbored third-term ambitions, Randall had come to realize that the depression had marred his and the Republican Party's image in the eyes of the voters, and that it would be best if he removed himself as the most obvious target for their discontent. Furthermore, many in the party itself and among its wealthy backers had and were turning against him. Some did so based on his presumed ineptitude with regards to equipping the state regiments, particularly issuing uniforms that rotted away in rains, or which were the same embarrassing (and dangerous) gray color as that of the Rebels. Others attacked him for mismanagement of the bond crisis that allowed the East to reject the state's currency, and brought the railroads against him over the issue of transport costs. It did not matter that Randall had pushed for improvements in all these areas from the time of Fort Sumter, or that he had offered sage advice to the Lincoln administration on how to implement them nationwide; in the case of the army equipage issue, it can be argued that these efforts only made him more of a liability in the eyes of the national party. Faced with such difficulties, Randall decided it would be better to quietly drop out of the governor's race. This decision was later rewarded by Lincoln with the offer of the post of minister to Rome, which Randall accepted, and ensured the former governor a career at the federal level beyond the wartime period.

When Randall's departure became publicly known in September, both Democrats and Republicans began working in earnest to find likely candidates. Though Randall's exit might seem to have affected the latter most crucially, both parties were suffering from internal leadership struggles and external campaign difficulties at this time. On the Republican side, the Madison wing of the party, headed by Madison postmaster and state party "Boss" Elisha W. Keyes, managed to retain overall control in the face of maneuvering by their Milwaukee brethren, which was crucial in light of the approaching

“Union Party” convention, set for September 24th. When this event finally took place, the Republican delegates came together to nominate Southport (Kenosha) native Louis Harvey for the governorship, with a sop to the “War Democrats”—as moderate defectors from that party to the “Union” banner were soon known—in the form of three spots on the ticket, out of nine contested state offices—including the post of lieutenant governor, which was eventually accepted by Democratic Milwaukee lawyer, Edward Salomon.²⁸ This, however, would be the last real advantage that the Republicans would gain from such “unity” tactics in this campaign.

Meanwhile, the Democrats, despite the “Union” defections, believed that Randall’s withdrawal, the state’s continuing economic doldrums, and the still-present fears of innate Republican nativism among immigrant groups would grant them majority control. When the state delegates convened on October 8, 1861, they immediately passed resolutions denouncing the “Union Party” as nothing more than a front for the Republicans, and roundly attacked both Randall’s and Lincoln’s domestic and war policies. Once this was done, they duly nominated Benjamin Ferguson, a prosperous farmer from Dodge County, as their candidate for governor, alongside a complete list of seekers for the remaining offices. As the final weeks of the campaign progressed, the Democrats stepped up their criticism of Republican policy, both enacted and anticipated. The specter of emancipation—and its presumed outcome of economic decline and “Negro mongrelization” through marriage and other interaction—was also a frequently employed tactic by Democratic speakers and editors, with the aim of retaining their base

²⁸ “Wisconsin in the Civil War,” p. 22

among the German, Irish and other immigrant constituencies.²⁹

Once the tallies were finished, it was clear the “Union Party” tactic had proven both a success and a failure. Harvey had won the governorship by a concrete majority (53,777 to 45,575), yet the Democrats had made substantial gains in the Senate, and they had a likely chance for control of the Assembly in the next elections; only the “fusion” effect of the “Union Party,” or so the Democrats believed, had prevented them from achieving a majority in either chamber.³⁰ This belief was further strengthened when the results of the bellwether Congressional elections elsewhere in the nation were considered: the Democratic presence in the House increased by twenty-seven seats (88-72), primarily in the electorally crucial states of Ohio, Pennsylvania and New York, but the party had been prevented from taking control of the chamber by further “Union” defections—twenty-four in all.

The “Union” banner had in fact drawn very few Democratic delegates to the Republican side, in Wisconsin and across the nation. This illuminated the decline of ostensible pro-war unity between the parties, and foreshadowed the state government’s difficulties in meeting wartime demands. Thus, while the Republicans cheered Harvey’s inauguration in January of 1862, the Democrats began to prepare in earnest for next year’s elections. With the moderates now quieted, or “seduced” from their ranks, theirs was now largely a party of staunch opponents to Lincoln in particular, and the Republicans as a whole. This transformation was to have a profound effect on the ideology and rhetoric of both major parties for the coming year and the remainder of the

²⁹ Fowler, Robert Booth *Wisconsin Votes: An Electoral History* The University of Wisconsin Press; Madison, Wisconsin 2008, p. 35

³⁰ “Wisconsin in the Civil War” p. 22

Civil War, and lead to resentment and antagonism that would not be confined to the halls of government.

Chapter 2

Disillusionment: Late 1861—Early 1863

I.

“The result of this cause is not doubtful; and the end will be worth to the cause of Freedom and good government all the sacrifices and cost of the war.”

-Gov. Louis P. Harvey, Jan 10th, 1862

Like Randall, Louis P. Harvey was an Easterner. Born in Connecticut in 1820, his family had been among the multiple waves of New Englanders that spread across the then-lightly settled Midwest. After attending Western Reserve College in Ohio, he had moved to Southport in the early 1840s, serving as a teacher, postmaster and editor of a local Whig newspaper, the *Southport American*. When the Republican Party emerged in 1854 from the wreckage of the Whigs’ collapse two years prior, he was married and living in Rock County. Upon joining the nascent party, he was elected to the State Senate; in 1858 he was chosen as one of the delegates to the party’s national convention. When the 1859 state elections arrived, he was chosen as Secretary of State.³¹

During the 1860 election period, he campaigned energetically for Lincoln, and was widely credited as a crucial factor in delivering the state to the Republican presidential candidate. With a reputation as a devoted, hardworking party man, he had campaigned hard for the governorship, despite the general lack of enthusiasm throughout the state (beyond the war effort), and was considered the natural successor to Randall by the vast majority of Republicans. Even the Democratic delegates initially found little cause for argument with him, despite their bitterness at the pro-war “Union Party”

³¹ Civil War Messages, 89-90

strategy that had put him into office at the expense of depleting their ranks. For the moment, all eyes and efforts from both parties were focused on the war.

From the start of his tenure, Harvey made clear that this focus would be the cornerstone of his policies. In his inaugural speech to the Legislature, he outlined, in dry yet all-encompassing detail, the amounts raised to that time for disbursement by the state War Fund (\$957,368.79), the expenses for the ten Wisconsin regiments then in the field (\$1,656,659.98), and the number of volunteers expected to fill out the Lincoln Administration's call for three-year or duration troops (24,800) by spring.³² He also called for voting greater funds for enlisted men through amendments to the Soldier Volunteer Aid Act; this would provide better pay—and further incentives for other potential volunteers—and also give further credence to his campaign pledge to serve as “the soldier's friend.” He then concluded his speech with a fierce attack on the “plotters for a Southern Monarchy” who had brought about the war, and a pledge of cooperation and amity with the state's parties: “Trusting that the views I have presented will not be without their influence upon your action—that your deliberations and determinations will all be marked in the absence of partisan feeling, and by patriotic devotion to the Union, I conclude with proffering hearty co-operation of the Executive in every measure of beneficent legislation.”³³

Harvey soon found that “beneficent legislation” would be difficult to pass, even with bipartisan support. As the Governor himself had noted, the state's reserves were already running dry due to the demands of the nearly 10,000 men in the field and those still in training, and the national tax for the war effort—\$20 million, of which

³² CWM, p. 92-95

³³ *Ibid*, p. 103

Wisconsin's share was nearly \$600,000—had not yet been paid. Therefore, in response to Harvey's request for increased soldier funds, the Legislature had agreed upon payments of \$5 a month, but to the families of each enlisted man—and much of these funds were never paid out, for the simple reason that there were none available in spite of patriotic demands.

Seeking to make good on his pledge, Harvey reached out again to the Legislature in a special message on February 18th, demanding that the funds be made available by whatever means to the roughly 3,100 claimants thus far, and highlighting how the fact that the \$5 monthly payments were “the sole dependence of a helpless family against cold and hunger” was an acute embarrassment to the government.³⁴ Nonetheless, a total payment of \$50,000 would not be made into the relief fund until April, and disbursement problems persisted. Public outcry was softened by soliciting nearly \$4 million from the federal government, and issuing a total of \$3 million in new state bonds to replace earlier permanent funds.³⁵ This drawn-out affair illustrated the Republican-dominated state leadership's continuous difficulties in funding as well as meeting its military demands, and the level to which popular resentment of the war's economic burden had risen.

Harvey's relationship with the Legislature would become even more problematic over another wartime measure—pay commissioners. Shortly after the start of the war, Lincoln and the Federal Congress had passed legislation which allowed for volunteers to send all or a portion of their pay to their families, in an intended manner of relief similar to that of the state's Volunteer Aid Act. A crucial part of this measure was the appointment of three commissioners by each state, whose task was to collect allotments

³⁴ CWM, p. 104

³⁵ Nesbit, p. 272

from the camps and dispense them at home. This, of course, was a system ripe for corruption, particularly since the commissioners—despite receiving credentials from Washington as federal employees—were expected to have their salaries paid by their home states. Furthermore, since such agents were appointed by the ruling party in each state, they were likely to serve as direct or indirect promoters of the Republican agenda wherever they were posted.

From the start, Wisconsin Democrats and their brethren nationwide had viewed this program with suspicion. When Governor Randall had announced that each Wisconsin regiment sent off to war would have a state agent to accompany it—“Good Samaritan” was the term most often used to describe the intended program—the Democrats immediately heaped criticism on this decision. In their eyes, the “Samaritan system” was simply another means by which the Republicans could campaign and extend their influence over the armed forces through “political commissars,” as well as the territories and populations recaptured for the Union. Harvey’s actions in this area only intensified the opposition’s efforts. Upon becoming Governor, he had pushed through changes to the commissioner system in Wisconsin, allowing the Executive branch of the state government to name the agents directly—thereby allowing him to appoint political allies and “deserving party workers.”³⁶ To the Democrats, this merely confirmed their fears of Republican dominance and graft, and intensified their opposition to Harvey.

However, they would not have long to challenge Governor Harvey on this issue, or any others. In the first days of April 1862, word arrived in the state of the narrow and hideously expensive Union victory at Shiloh (Pittsburg Landing), Tennessee: nearly 24,000 combined casualties, including more than 2,000 dead, wounded or captured

³⁶ “Wisconsin in the Civil War” p. 24

Wisconsin soldiers—the largest and bloodiest battle yet seen on American soil. Immediately after receiving the news, Harvey issued a call for citizens to donate or contribute funds for medical supplies, which he would personally deliver to the hospital camps and ships on the Mississippi and Tennessee Rivers. Once he had received nearly a hundred crates of bandages, medicines and other goods, Harvey departed for the battlefield in the second week of April with a coterie of volunteer surgeons in tow. Two days later, after visiting a number of regimental camps near Pittsburg’s Landing, Harvey attempted to cross from one steamboat to another midstream, and fell into the Tennessee River. Despite rescue attempts he was swept away by the current, and subsequently drowned. His body was not recovered until it had traveled almost sixty miles downstream, close to two weeks later.³⁷

The sudden death of the “soldier’s friend” —Harvey had been in office for barely three months—produced great mourning in the governor’s home state and portended a major shift in public opinion towards and allegiance to the Republican Party. With the losses at Shiloh and other engagements, the perceived widespread ineptitude of the Union’s commanders, and the increasing burdens of enlistment quotas, wartime expenses and national taxes, the Democratic Party in both Wisconsin and the nation now had major potential assets for their campaigns that year and beyond. The state and country was growing weary of the war—and this weariness and opposition would soon make itself known, with violence as well as speeches.

II.

“That whenever the President of the of the United States shall call forth the militia of the States, to be employed in the service of the United States, he may specify in his call the period for which such service

³⁷ “Wisconsin in the Civil War”, p. 26

will be required, not exceeding nine months; and the militia so called shall be mustered in and continue to serve for and during the term so specified, unless sooner discharged by command of the President.”

--Opening paragraph of the Militia Act of July 17th, 1862

When word of Louis Harvey’s death reached Madison, Lieutenant Governor Edward Salomon was rapidly confirmed as his replacement. With this act, the nature of Wisconsin’s wartime governance, and its opposition, was to change dramatically.

Apart from his relatively young age—33—Salomon differed from his Republican predecessors in several notable ways. For one, though Randall and Harvey were New England transplants to Wisconsin, Salomon was a newly naturalized U.S. citizen upon becoming governor. Born in Stroebeck, Prussia in 1828, he and his brothers, Charles and Frederick—both of whom would later become generals in the Union Army—had immigrated to Wisconsin in 1849, settling in the port town of Manitowoc. Through the 1850s, he served at various times as a teacher, court clerk and county surveyor, gained admission to the Milwaukee bar in 1856, and became a regent of the University of Wisconsin in 1861.³⁸

For another, he was a relatively recent entrant not only to the governorship, but to politics in general. Upon entering the country, he had sided with the Democratic Party, but when the threat of secession loomed at the start of 1860, Salomon’s antislavery inclinations led him to break with the Southern Democrats whom he perceived as controlling the party, and declare himself a Republican. Seeking to garner more of the German-American vote in the eastern counties during the 1861 elections, the state party placed Salomon’s name on the ticket for lieutenant governor, despite his lack of prior office-holding or other political experience. He was to prove both a devoted and

³⁸ CWM, p. 114

controversial choice, in the eyes of his party and the state's citizenry.

When Harvey's death handed Salomon the reins of power, it also ushered in the state's transition from the optimism and exuberant patriotism that characterized its attitude towards and hopes for the war. Volunteering for service was still proceeding, but at a far lower level than during the initial months of the war, a clear indication of how unpopular the ever-lengthening and ever-bloodier conflict had become. What was more, the Federal government appeared increasingly inept at managing recruitment. Though the allegedly corrupt Simon Cameron had resigned as Secretary of War in January of 1862, his replacement Edwin Stanton disbanded much of the bureaucracy needed for federal recruitment efforts shortly after entering office, then made an about-face on this policy after the carnage of the Shiloh and Peninsular Campaigns. This shift fueled further accusation of mismanagement from the Democrats and even from among branches of the Republicans. When combined with growing awareness of the financial burden of the war, and of perceived corruption and abuses within the Lincoln administration, these charges served to turn more and more of Wisconsin and the country as a whole against the Republican Party.

Well aware of this trend, Governor Salomon found himself in the thick of trying to reverse it from almost the first days of his tenure. Washington proved anything but helpful; on July 17th, after a call two weeks prior by President Lincoln for 300,000 three-year volunteers, Congress passed the Militia Act of 1862. The key element of this act called for a draft by each state of the Union into that state's militia, with all able-bodied men between the ages of eighteen and forty-five registered for call-up, if volunteers were not enough to fill recruitment quotas. This decree was followed at the start of August by yet another call from Lincoln—300,000 nine-month volunteers, of whom Wisconsin's

expected contribution was 42,557. In short, the Federal government had declared its needs—and the state governments, regardless of at-home tensions, were obliged to fulfill them.³⁹

Presented with these decrees one after another, Salomon now had to implement them. Three thorny issues confronted him from the start: dividing the announced state quota into suitable demands at the county level; awarding “credits” for volunteers who had already been registered from those counties; and creating a register of all those eligible for the draft, which would greatly aid the first two endeavors. The quota and credit efforts were complicated and delicate—county recruitments needed careful scrutinizing to avoid complaints of overburdening or bias—but capable of implementation. The last, however, was sure to provoke ire towards the governor and the ruling party from the state’s citizens and the increasingly powerful Democrats, conceivably to such levels as to cost the Republicans control of the state. With half of the state legislature and six Congressional seats on the line in the upcoming November elections, this was no idle concern.

While Salomon was laboriously negotiating the county quotas, another message arrived from Washington, specifically from Secretary of War Stanton. Given recent losses among the Wisconsin regiments, Stanton now sought nearly 6,000 men, in addition to the previous state quota, to refill these depleted units no later than the end of August. To make matters worse in Salomon’s eyes, this order explicitly called for a state draft if the required number could not be met with volunteers. At first, Salomon responded by stating that since five regiments’ worth of men—far beyond the call of previous state quotas—had already been provided, these should be “credited” to Wisconsin, and the

³⁹ Current, p.311-313

new levies be met with the use of a cash bounty system to attract recruits, alongside the standard volunteering drives. However, on August 15th, Stanton's reply scotched the Governor's hopes. The draft would proceed in Wisconsin, regardless of Salomon's concerns.⁴⁰

The draft process finally began in early September, overseen by state commissioner Levi B. Vilas, a Madison banker and staunch War Democrat. On September 10th, as the enrollments were proceeding, Governor Salomon called a special session of the legislature. In his address, he stated that the North had been "sadly mistaken" in its belief that the earliest calls for volunteers would be enough to put down the rebellion, and bemoaned the fact that the recruits sent off since that time were "hurried to the field without having had time to learn the most necessary military drill and discipline."⁴¹

This last problem, he argued, had been even more glaringly exposed when the widespread paranoia and panic regarding the recent Native uprisings in Minnesota. Following a series of raids and local murders in late August by the Sioux tribes dwelling within this state, some 40,000 white settlers had fled eastward across the Mississippi and into the northwest counties of Wisconsin, spreading word of worse to come. Among the Wisconsinites, this had rapidly translated into fear and suspicion that the northern tribes—Chippewa, Potawatomi and others—would soon join the revolt, or had already done so, and would march on Milwaukee and the southern counties. Though the wave of false terror had eventually ebbed, it had, according to Salomon, forced him to send "all our State arms and all the ammunition at my disposal, into the regions threatened with

⁴⁰ "Wisconsin in the Civil War," p. 27-28

⁴¹ CWM, p. 136

danger; but in the absence of any military organization under sanction of law, I had to trust these arms to some reliable men in these localities.”; hardly an encouraging image of the state’s defenses. Therefore, Salomon concluded, the only option that would ensure the state’s safety, and provide those citizens called to the colors with suitable training and discipline, was the establishing of a more efficient militia draft, since “present laws are insufficient for this purpose; they were not made for such times or emergencies.⁴²”

Unfortunately for Salomon, the Legislature balked on this issue, choosing instead to adjourn and leave the issue of a better draft system in his hands. Regardless of party, none of the delegates wanted the taint association with such a widely unpopular measure, and so they in effect handed over their vested control over the state’s wartime efforts to the Governor.

Nor were the legislators the only ones to use whatever legal means available to avoid the issue. Despite steady enrollment, popular opposition to the draft was manifold, and growing. Two methods of dodging were particularly popular: In a blackly comic foreshadowing of similar methods used in the 20th century, a significant number of the state’s eligible male population either fled to Canada (claiming “draft malaria,” with the notion that the northern climes could cure it) or began to claim physical disability, citing chronic illness or other exemption-worthy conditions. In Manitowoc County, so many exemptions were handed out by the assigned surgeon that Salomon was forced to declare all of them invalid, incurring further opprobrium. Another temporary escape was enlisting as firemen, a field of service that provided exemptions from militia duty; the governor was soon likewise forced to place limits on the number of recruits to this field.⁴³

⁴² CWM, p. 138-139

⁴³ “Wisconsin in the Civil War,” p. 28-29

For Salomon, the most embarrassing (and politically dangerous) draft-dodging option—utilized heavily among the state’s German-born population—was to file exemption as “aliens,” without the intent of becoming citizens. Under Wisconsin law, any foreign-born resident who made clear his intent to become a citizen was guaranteed voting rights prior to completing naturalization. When Governor Salomon ruled, with Stanton’s approval, that all those among the state’s “alien” population who had made their “declaration of intent” to become citizens would be included on the draft rolls, a torrent of objections came from the immigrant communities. For the Germans, Luxembourgers, and others from Central and Eastern Europe, the threat of conscription in their homelands had been one of their primary motivations in coming to America, and to see it now implemented—especially to bolster a war effort many of them, for political or religious reasons, did not believe they had a stake in—was a violation of the promises made to them when they arrived. And this perception was fast translating into greater and greater hostility to the draft, and to the Republican Party.⁴⁴

Looking to ally such grievances with their own, Wisconsin Democrats turned up the heat, both in speeches and the press. In the run-up to their party’s state convention in Madison on September 3rd, 1862, Democratic legislators attacked every issue that they believed would bear fruit in the fall elections—the chicanery of the bond substitutions, the soaring expenses of maintaining Wisconsin units compared to other loyal states, the “wet nurse system” of regimental commissioners, legislative and judicial abuses by the Lincoln administration (especially arrests by the military and the temporary suspension of *habeas corpus* during the previous year), and many others. More and more, the attacks began to tilt away from simple criticism of Lincoln and the Republican war effort, and

⁴⁴ Current, p. 313-15

toward a platform which called for peace with the South, possibly on any terms—which could potentially bring charges of disloyalty and even treason.

When the Democratic convention formally opened, the delegate chosen to chair the resolutions committee—which determined the party’s overall platform—was Edward G. Ryan, who after 1846 had made a name for himself as the prosecutor in Sherman Booth’s trial for the Glover rescue, and also as the advocate for Bashford in the state Supreme Court’s effort to unseat the Democrat Barstow. In his main speech to the delegates (first termed “An Address to the People by the Democracy of Wisconsin,” then simply the “Ryan Address,” or the “Copperhead Bible” by its detractors), Ryan denounced the “fanaticism,” both Northern and Southern, that he perceived had brought about the war, and eloquently attacked Lincoln’s Presidency for worsening the crisis. Knowing that such criticism needed careful phrasing, however, Ryan also reaffirmed his Party’s commitment to ending the war, and to the ideals of the nation: “The Administration may err, but the Constitution does not change. And when the Administration violates the Constitution, loyalty to the Administration may become disloyalty to the Union [...] We are for the Constitution as it is, and the Union as it was.”⁴⁵

This last ambition would soon be put to the test. On September 22nd, five days after the drawn battle at Antietam, President Lincoln issued his preliminary Emancipation Proclamation, which officially—albeit selectively and de facto impotently—declared “all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free.” In the eyes of Democrats, therefore, what had been a bungled yet honest

⁴⁵ “Wisconsin in the Civil War” p. 36

military effort to preserve the Union had now become an anti-slavery crusade—precisely the type of campaign that they, the conservative Republican wing, and a large majority of the Northern voting populace had feared and opposed since the war’s beginning.

Two days later, in an edict titled General Order 141, Lincoln declared the suspension of *habeas corpus* throughout the North, with the intent of suppressing both active military or financial aid to the Rebellion, and criminalizing any moral support delivered through speeches, publications or legislation. Taken with measures pushed through the Legislature that same month to allow soldiers in the field to vote in state elections—a largely unprecedented, and possibly unconstitutional, idea—the storm of criticism against the perceived tyrannies on the part of Lincoln and the governor’s office was increasing exponentially. Across Wisconsin, the voters’ attitudes toward the war were becoming more and more resentful, and the fear of violence and mobs was not far from the minds of the state’s leaders. Public opinion was now turning sharply in the Democrats’ favor, and they stood to gain from it in just over a month’s time.

III.

“It is one of the inherent and necessary powers of every government to call upon its citizens, or subjects, to take up arms in its defense. This power exists, beyond question in the Government of the United States. [...] Resistance by you to the Government of the United States, or of this State, is both wrong and vain, and can lead only to calamity and misfortune to those who attempt it. The draft will be executed in your County as well as in every other county in the State, where it has been ordered.”

--Gov. Edward Salomon, in a letter to the citizens of Ozaukee County, Nov. 11, 1862

Realizing the poor timing of the process, Salomon announced in October that all draft calls would be put on hold until after the elections in November, claiming that this would allow more time and opportunity for volunteers alone to fill the county quotas—his original hope. This decision, however, met with minimal success. While the majority of the county governments were able to provide their required number of recruits without

much difficulty, six in particular—Milwaukee, Sheboygan, Ozaukee, Fond du Lac, Washington and Brown—had shown hardly any such results, due to the large number of German and other Central European residents who remained staunchly opposed. Thus, on November 7th, as the fall election results were still being tallied, the Governor's office issued General Order No. 35, which ordered commissioners in these counties to proceed with the draft. The men would be counted and the quotas filled, regardless of the political fallout and criticism—or the tensions on the ground.

This would prove a serious miscalculation. By the start of November, angry crowds and demonstrations had already appeared in Milwaukee, Sheboygan, West Bend and elsewhere, and though these had not yet progressed beyond throwing chants at best and eggs or stones at worst, the danger of greater disorder was ever-present. The results of the elections did not help matters for the Republicans; despite failing to gain hoped-for majorities on all contested tickets, the Democrats now controlled three out of six Congressional seats, and their presence in the Legislature had been substantially increased, now standing at 46-54 in the Assembly and 15-18 in the Senate.⁴⁶ Had it not been for the votes of battlefield troops—of which 80% were given to the Republicans, giving rise to rumors and accusations of fraud—Lincoln's party in Wisconsin would have suffered even greater losses.⁴⁷

On November 11th, the tensions boiled over. When William H. Pors, the draft commissioner for Ozaukee County—as well as a Democrat and a German—stepped out from the courthouse to begin the lottery in Port Washington, he was greeted first with angry shouts, then fists and boots. After managing to get away, he holed up in the cellar

⁴⁶ "Wisconsin in the Civil War," p. 38; Fowler, p. 36

⁴⁷ Fowler, p. 36

of the post office, while the anti-draft mob destroyed his house, along with those of seven other men—prominent Republicans all—who had declared themselves in favor of conscription.

Republican newspapers were quick to place blame, for both the Port Washington incident and recent incipient disturbances in Milwaukee. The *Wisconsin State Journal* opined, on November 11th, that the anti-draft mobs reported marching in the latter city “will learn their mistake. Mob law is not yet paramount in Wisconsin [...] The draft will be enforced in Milwaukee as in other parts of the State. No section of the State will be permitted to withhold its quota, and force upon the more patriotic districts which have raised their proportion by voluntary enlistments the additional burden of making good such deficiencies.” Upon learning that “one Adam Poertner” a recently elected Democratic Assemblyman, had been pointed out as a leader of the anti-draft processions, the *Journal* demanded that he be “promptly arrested and confined. Such a man has no right to sit in the Legislature of a loyal State.”⁴⁸

Having tried to warn Secretary of War Stanton of its technical burdens and outright dangers, Salomon was now required to implement by force the draft he had so reluctantly consented to. That night, six companies of troops from the 28th Wisconsin Regiment departed their Milwaukee barracks for Port Washington, under the command of Provost Marshal Augustus Gaylord. In his “Proclamation to the People of Ozaukee County,” dated November 11th, the governor sharply denounced the “disgraceful and violent disturbance of the public peace and forcible resistance to the draft,” and announced that he had “taken steps to have the perpetrators and abettors of these crimes promptly arrested.” Fully aware of the tensions then facing the draft in Milwaukee and

⁴⁸ WSJ, 11/11/62

other major centers, he concluded with a plea to the county's residents "to make no further resistance to the lawfully constituted authorities, but to submit to the laws of the Country."⁴⁹

The same day of this announcement, one hundred and fifty men believed responsible for destroying records and other property were arrested by the newly-arrived troops, and marched to Milwaukee, where they would be held in military prison pending charges. Within a matter of days, Pors was again on duty as commissioner, with a cordon of soldiers surrounding the Port Washington courthouse and deployed throughout the streets to ensure a peaceful lottery. Eighty of the seized men would be released by mid-December, while thirty-four would eventually enlist or be drafted. Due to President Lincoln's suspension of *habeas corpus* during the previous September, however, the remaining fifteen were held for military trial, in accordance with the suspension's declared intent that "all persons discouraging volunteer enlistments, resisting militia draft or guilty of any disloyal practice affording aid and comfort to Rebels against the authority of the United States, shall be subject to martial law and liable to trial and punishment by Courts Martial or Military Commission." This would be among the first instances in which civilians would be tried in such courts in the nation, and the very first in Wisconsin.

Such a decision only served to increase the criticism from both the Democrats and now elements of the Republicans. Combined with the dread of further disturbances in Milwaukee—which Salomon had attempted to head off with a plea similar to that aimed at Ozaukee, and endorsing the decision of that county's commissioner to suspend call-ups until more troops were available—and the still-present paranoia and fear regarding the

⁴⁹ CWM, p. 148

presumed Sioux invasion of the previous September, the antiwar sentiments rose yet higher. “In Heaven’s name, let us have no more of this conscription—a system which the most prescriptive monarchical government would scarce resort to,” lamented Flavius Mills of the Democratic *Sheboygan Journal*.⁵⁰

While the rioters’ actions were not embraced by either of these groups, they were adroitly pointed to as proof of the public’s anger towards the draft, and the actions of Salomon and Lincoln, especially in their apparent capitulation to the “Radical” branch of the Republican Party through emancipation and other measures aimed at destroying slavery at the presumed expense of the traditional Union. Responding to a *Tribune* article lauding the use of “bayonet and ball” to overawe the “home rebels” in the “malcontent neighborhood” of Port Washington, the *Daily Milwaukee News* opined acidly: “Wisconsin needs no advice from the *Chicago Tribune*. This state can take care of itself. The whetted abolition appetite for blood is not likely to be appeased yet on Wisconsin soil.”⁵¹

To the Democrats, given their recent gains, the disturbances provided a mandate to challenge Republican policy across the board in Wisconsin, and possibly nationwide. The state’s leaders, editors and citizens opposed to the Lincoln and the war had made their views clear in print, speech and violence, and forced the Republican leadership to abandon or reshape its wartime policy to placate crucial voters. As 1863 opened, these groups stood at the zenith of their influence, and believed themselves poised for yet more success.

⁵⁰ “Wisconsin in the Civil War” p. 31

⁵¹ *Daily Milwaukee News* Vol. XIV, No. 324 (11/12/1862)

Chapter 3

Discord: Early 1863—Early 1864

I.

“[...] I think the President has no power...to suspend the privilege of the writ of *habeas corpus*. It is, in my judgment, a legislative and not an executive act.”

--Wisconsin Supreme Court Chief Justice Luther S. Dixon, regarding the *In re Kemp* verdict

The first major challenges to Republican policy, regarding the soldier vote and the question of *habeas corpus*, began almost immediately after the fall results of 1862 had been fully counted.

Both areas posed equally serious difficulties for the opposition. In light of the results from the 1861 state and local elections, Wisconsin Republicans had adopted the theory of military ballots from previous efforts by their party brethren and backers in Missouri, who had seen such a system as the only means of keeping the crucial border state under the Northern banner. In his special address to the Legislature on September 10th, 1862, Governor Salomon had formally called for the creation and passage of a soldier-vote law:

“After our quota shall have been filled, we shall have about 48,000 men in the army of the Union. Among these, it is safe to presume there are at least 40,000 voters who certainly have as deep, if not a deeper, interest in the welfare of the state and Union, and in the policy that shall guide their counsels in their representative halls as those who have remained at home. The views of these brave and patriotic men should be heard through the ballot box, and should have proper weight in shaping the destiny of our imperiled country.”⁵²

⁵² CWM, p. 135

With the Republicans still in control of both houses, creation and passage was swift, with fifty-two to forty in the Assembly and nineteen to seven in the Senate. Democratic protest was vociferous, and exposed the partisanship of the issue. For Wisconsin Democrats, it was not simply a question of constitutionality as to whether the state's citizens in uniform be allowed to vote from afar; the measure itself was a blatant, unconstitutional grab by the Republicans for influence at the front and greater dominance at home.

This attitude had been reinforced by reports of widespread fraud within the voting processes of the state regiments. According to the voting legislation, three ranking officers from each unit were required to serve as election inspectors and ballot counters. As nearly all the colonels of these regiments were Republicans, the Democrats considered the entire inspection arrangement potentially biased at best. During the aftermath of the election, word reached Democratic papers of fraud and other illegalities on the part of these "inspectors": allegedly stumping for candidates among their men both before and during Election Day, altering the tallies in their party's favor, and even destroying or denying ballots from companies which had been raised in Democratic-leaning districts.⁵³ When these actions were combined with the *habeas corpus* suspension, and its exercise in the form of the Port Washington arrests, the Democrats—and a growing number of Wisconsin voters—saw yet another example of the state's and nation's slide towards tyranny under the Republican Party.

To combat these actions, the Democrats—now increasingly represented by Edward Ryan and others of his conservative brand—turned to the courts. In early December of 1862, after the Port Washington rioters had been brought before military

⁵³ "Wisconsin in the Civil War," p. 38

courts and imprisoned in accordance with General Order 141, one of their number, Nicholas Kemp, petitioned for a writ of *habeas corpus* before the Wisconsin Supreme Court. Since Kemp was a civilian, the writ argued, and his arrest and detention was based on the judgment of the military rather than a civilian court, he was therefore deprived of his constitutional right to a fair trial, and had been illegally imprisoned. After initial resistance, the military—represented in this case by the commander of the Northwest Department, Brig. General W.L. Elliot—released Kemp for trial.

Shortly after this event, Edward Ryan announced that he would represent Kemp, in the hope that not only would the Republican-dominated Wisconsin Court declare Kemp's arrest illegal, but it would also challenge the suspension order itself, with the possibility of taking the case to the US Supreme Court and further embarrassing Lincoln and the Republican Party. In his argument, Ryan stated that the Presidential suspension was unconstitutional for the simple fact that only *Congress* had the authority to order such suspensions; and even if it could be proven that this power did rest with the Executive Branch, it did not allow for illegal arrests of civilians. On January 23rd, 1863, the three-man Court handed down exactly the verdict Ryan had hoped for: Kemp was ordered released, and the suspension was declared an illegal usage of Congressional authority by Lincoln. The Court's official decision, released in two distinct statements, ran:

1. "The power of suspending the writ of habeas corpus under the first section of Art. IX of the Constitution of the United States, is a legislative power, and is vested in Congress, and the President has no power to suspend the writ of habeas corpus within the sense of that section of her constitution
2. "Martial law is restricted to and can exist only in those places which are the actual theater of war and immediate vicinity, and it cannot be extended to

remote districts, or those not immediately connected with the operations of the contending armies.”⁵⁴

The Wisconsin Democrats’ euphoria over this victory would prove short-lived. Although the suspension had been overturned, Ryan had failed to bring about a challenge to the draft law itself. Also, U.S. Attorney General Edward Bates chose not to contest the decision, seeking to avoid bringing such a controversial case before the nation’s Supreme Court—which, under the Democratically partisan Chief Justice Roger Taney, had already challenged the administration in its ordering the overturning of the 1861 temporary suspension (*Ex Parte Merryman*). Instead, he urged Lincoln to seek suspension authority from Congress, which had been under debate since the previous month at the behest of the “Radical Republicans” and others allied with the President. On March 3rd, 1863, after much debate in both houses and an attempted filibuster by Senate Democrats, the Habeas Corpus Suspension Act was passed and signed into law. Under its provisions, Lincoln was indemnified from previous suspensions, and granted the authority to issue such again for as long the rebellion lasted. Although protections for future prisoners were also codified, the Administration was now shielded from any other challenges similar to those of the Kemp case.

The soldier-vote challenge, begun at roughly the same time as the Kemp proceedings, fared even less successfully. In their case before the state Supreme Court—titled *Chandler v. Main*—the Democrats argued that the votes from units in the field had unfairly delivered a county office to one candidate (Main) in spite of the home vote favoring his opponent (Chandler). Given the favorable decision in the *habeas corpus* matter, they initially believed they would be likewise successful in overturning both the

⁵⁴ “Wisconsin in the Civil War,” p. 76

election at issue and the entire soldier-vote mechanism. However, before the verdict was handed down, the Republicans in the Legislature countered any negative outcome by altering the voting bill to encompass judicial elections, and by selecting the Chief Justice, previously independent Luther S. Dixon, as their candidate for the upcoming local and Supreme Court elections in April.

As a result, the three judges of the court voted unanimously in favor of the Republicans. Dixon himself was reelected on the strength of the soldier vote that spring and remained thereafter in the Republican camp. The Democratic press cried foul, claiming that the army's ballots had been manufactured or altered, but there was little further action after this verdict, as Klement determined.⁵⁵ Still, the opposition had ample targets for the newly-begun year, and maintained a healthy level of public support in light of the North's ineptitude on the front lines.

II.

“Workmen! Be careful! Organize yourself against this element which threatens your impoverishment and annihilation.”

--Peter V. Deuster, editor of the *Milwaukee See-Bote*, from his article “Abolition the Worst Enemy of the Free White Laborer”

By January 1863, the Lincoln administration and the Republican Party were at the lowest point in their political fortunes. The Northern public had proven lukewarm or openly hostile to the idea of emancipation, and become similarly incensed or openly dismayed by the Union's dismal war effort and the methods—conscription, suspension of constitutional rights, and military courts—used to maintain it over the past year and a half. Exploited at every turn by the Democrats, this trend had serious potential to result in

⁵⁵ “Wisconsin in the Civil War,” p. 39

further electoral losses in the Congressional elections that fall, and possibly the loss of the White House in 1864.

In Wisconsin, as in other Northern states, this trend manifested itself in the growth of the “Copperhead” ideology. Originally created by the Republican Party, this term was intended to smear Democrats who either advocated peace with the CSA in the hope of reunion without war, or objected to emancipation as both a valid war measure and policy goal. By dehumanizing them with this serpentine comparison, the Republicans, Radical and otherwise, sought to label those who had originally been mere political rivals as rebels and traitors. This therefore left any person who openly criticized the Lincoln Administration, or made any statements deemed sympathetic to the Confederacy, vulnerable to arrest and trial by the army.

While trying at times to alter the “Copperhead” image for the better, Wisconsin Democrats and their counterparts nationwide focused primarily on continued critiques and warnings regarding Lincoln’s policies. Fresh from his arguments in the Nicholas Kemp case, Edward Ryan took the lead among the state party’s leadership with his superb oratory. One example used was the recent case of ardent Copperhead and ex-congressman Clement Vallandigham, who was eventually forced into Southern exile in May of 1863 after having been brought before a military tribunal for making allegedly pro-Confederate statements. In the eyes of Ryan and his Wisconsin colleagues, such an act by the present administration was the latest exposure of the Republicans’ agenda to topple the democracy conceived by the Founding Fathers and replace it with dictatorship. The only solution, according to the Ryan Democrats, was to oppose this agenda by any and all rhetorical and electoral means, in order to bring about a government with a mandate to end the war (with or without Southern independence) and restore, in

accordance with their earlier slogan, “The Constitution as it is, and the Union as it was.” Appealing to such sentiments, the Ryan branch of the Wisconsin Democrats endeavored to appear as the defenders of constitutionally-guaranteed traditions and freedoms in the face of both the Southern rebellion and the feared domestic shift towards autocracy.

Theirs, however, was the most gentlemanly form of argument used by the state and national party. Ryan had not shied away from labeling Lincoln and his advisors as “fools,” “knaves” and the like, and thus disastrous choices as government leaders, but the rhetoric he and his followers employed was largely devoid of harsh language or epithets. This was emphatically not the case with other Democrats, Copperhead and otherwise, especially those who possessed their own press outlets. The most controversial and rancorous of these critics was Morton “Brick” Pomeroy. Though he had temporarily fallen under the moderate “Union Party” umbrella in 1861, the La Crosse editor had maintained his opposition to any hint of anti-slavery policies. When the final form of the Emancipation Proclamation had been issued on January 1st, 1863, Pomeroy attacked this measure as strenuously as his other colleagues in the Democratic press, thus bringing him fully back into the fold of the party after the hardening of its message and ranks following the ’61 elections. Not long after this, he gained a press pass, signed by Governor Salomon, and chose to tour the front in Missouri and Arkansas.⁵⁶

This journey proved both shocking and transformative to the editor and his reporting. In his dispatches to the *Democrat*, various Milwaukee papers and even outlets such as the *Chicago Times*, Pomeroy described rampant corruption amid the officers of the Army of the Southwest; specifically, the takeover of cotton land and stocks, and the confiscation of supplies other goods—including slaves, now widely viewed as

⁵⁶ “Wisconsin in the Civil War,” p. 41-43

“contraband of war” by Northern generals—from civilians suspected of Rebel sympathies, often with the result of impoverishing or starving them. In Pomeroy’s eyes, such behavior not only demeaned the troops, but also destroyed any hint of belief that the North’s war effort was solely to restore the Union.

Traveling further throughout Arkansas, the editor described in vivid detail the squalid army camps, the droves of wounded and amputees, and other such dismal sights along his journey. With each passing day, Pomeroy’s editorials became more caustic and fanatical; he came to believe that the army’s corruption was universal, extending all the way to the White House, and that every one of the North’s campaigns—which he lambasted as part and parcel of “a murderous crusade for cotton and niggers,” brought on by “fire-eaters and abolitionists”—would ultimately come to bloody failure against an unbeatable South. Eventually expelled from Arkansas after slandering his military host, General Benjamin Prentiss—who had threatened him with arrest as a spy if he returned—Pomeroy continued to lambast the war in general and Lincoln in particular. Over the course of the summer of 1863, he continually charged the President with prolonging the war in order to destroy the Constitution, establish military rule, and allow wholesale plundering and murder by a rapacious military. One such accusation, delivered in poetic form in his *La Crosse Weekly Democrat*, provided a succinct summation of his attacks:

*“There’s blood upon your garments,
 There’s guilt upon your soul,
 For the lust of ruthless soldiers
 You let loose beyond control:
 Your dark and wicked doings
 A God of mercy sees*

And the wail of homeless children

*Is heard on every breeze.*⁵⁷

Considered insane by most Republicans, and an unflinching critic by his Democratic associates, the La Crosse editor would maintain a notoriously high profile for the rest of 1863, and into the final years of the war.

Pomeroy's rhetoric demonstrated a cruder, much more populist form of appeal and criticism, one that his colleagues in Wisconsin and nationwide had employed to varying degrees as far back as 1860, and would now do so on a much wider scale. Rather than merely espousing the importance of Union, democracy and property rights—including slavery, regardless of individual attitudes towards the “peculiar institution”—Democratic speakers, moderate and Copperhead, chose to play upon the most basic fears confronting their base: Race and economics. In his “Address” of the previous September, Ryan had made clear the party's racial stance, and lambasted the Republican incitement of the war for such reasons:

“We hold this country to be the possession of the white race, and this Government to be instituted by white men for white men....the proper condition of the African was subjection to the white men... The abolition party at the North produced the disunion party at the South.”⁵⁸

Even if the war ultimately ended in Union victory, Ryan and leaders of his stripe argued, such a result would only worsen the burdens on the state's small farmers, artisans and urban workers, who at the start of 1863 were still enduring periodic economic doldrums brought on by the warfare on land and the North's naval blockade. Once

⁵⁷ WMH (1951), p. 112

⁵⁸ Current, p. 404

emancipation was imposed, the Southern economy would collapse, dragging the wearily reunified country down still further. And without wages or jobs in this region, the freed slaves would inevitably migrate northward, where their cheaper labor would encourage regional and Eastern-controlled businesses to force out droves of white workers. The end result, Democrats warned, would be ceaseless disorder and violence between whites and blacks, and continuous depression aided by the actions of Eastern magnates.

Regardless of their expression—whether through oratory of Ryan’s caliber, or Pomeroy’s form of abusive journalism—there was little that Lincoln and the Republicans could do to refute these and other criticisms hurled their way in the first six months of 1863. Even those among the state and national populace who ignored or disdained the more strident Democratic critics, and maintained their opposition to secession, were growing to believe that the war for Union had become little more than a gory stalemate at best; or, especially following the spectacular Confederate victory at Chancellorsville and Lee’s second invasion of the North, was on the verge of ending in defeat.

In Wisconsin, this resulted in men such as Ryan, Pomeroy, and others among the state’s Democrats proposing direct overtures to the South for an “honorable peace” that restored the Union, with the failed war effort held as proof that “peace and compromise” was now the only solution to mend the regional divide. The fact that they had no definitive plan for such an outcome was moot; all that mattered at the present time was ending the war. “When will the hideous Moloch who holds the press and sword of this nation call off his dogs of war, and suffer peace once more to bless our bleeding country?” Flavius Mills lamented of the administration.⁵⁹ Even after the Union victory at Gettysburg, such sentiments did not abate. Indeed, given the gruesome casualty lists, and

⁵⁹ “Wisconsin in the Civil War,” p. 43

the failure of the Union army to fully destroy Lee's force during its withdrawal to Virginia, they only increased.

By the start of summer 1863, the Democrats had prodigious support and momentum across the North, thanks in large part to the oratory of their "Copperhead" wing and the nation's increasing disaffection with the party of Lincoln. For Salomon and his branch of the Republicans, the bellwether elections for the coming fall would decide whether their party's birthplace would repudiate them after a year of unrest, panic, and unpopular laws. For the Lincoln Administration and the national Party, the country was fast approaching not only a de facto referendum on them, but also an answer to the question of whether or not the nation would be restored.

III.

"I am for the Government, right or wrong—for the Government, howsoever and by whomsoever administered."

--Statement by "War Democrat" Matthew Carpenter, Beloit delegate to the 1863 Democratic state convention

As their convention opened in Madison on August 5th, 1863, Wisconsin Democrats had cause for both concern and celebration. Even though the North was on stronger military footing, thanks to the victories at Gettysburg and Vicksburg, there was still no guarantee that the war would end in victory. The war's costs—both human and financial—were still skyrocketing, and public exhaustion was nearing similar heights. With careful campaigning and prevention of internal squabbles, the Democrats stood a decent chance of gaining the governor's chair, expanding their number in the Legislature, and in the case of Edward Ryan, possibly gaining a Senate seat.

The most contentious issue that could lead to this outcome was the Enrollment

Act, passed in March of that year. The first official conscription act for the Union Army—rather than by proxy through the state militias—this legislation seemed to confirm public fears of a prolonged campaign of attrition, and of undue influence over war and economic policy by a select wealthy few. Under its terms, all healthy males between the ages of eighteen and forty-five, whether native citizens or recently naturalized immigrants, were required to enroll as potential draftees. The only means by which one could escape would be by producing a suitably healthy substitute—which soon created an industry of “jumper” enlistees who collected what funds they could, then deserted to repeat the process again—or by paying a commutation fee of \$300, an astronomical sum for many of those targeted by the draft. Rubbing salt in the wound, any who failed to present themselves when issued draft notices would be arrested and subjected to court-martial, as had been the fate of the Port Washington rioters.

Public anger at this act had already boiled over most vividly the previous July in the form of the New York Draft Riots, which had required nearly four regiments' worth of troops (most of these called from the recent Gettysburg Campaign) to suppress, and had given rise to the now widely-popular adage “Rich man's war, poor man's fight” to describe the real roots of the conflict. And despite pleas for order from Republican (and Democratic) figures and newspapers, Wisconsin had already seen its share of violence that threatened to reach New York's level; over the course of spring and summer, enrolling officers in Milwaukee, Dodge and other counties had been chased out, beaten, even shot for attempting to complete their rolls.⁶⁰ If such antipathy could be channeled into the voting booth, the Wisconsin Democrats would gain what they sought, and possibly more.

⁶⁰ “Wisconsin in the Civil War,” p. 79

On other issues, the likely outcomes were less encouraging, or at least ambivalent. The amendments to the 1862 soldier vote legislation had cost the Democrats the chief justice seat on the Wisconsin Supreme Court, leaving them with little chance of repealing what they considered a blatantly unconstitutional measure. Furthermore, Edward Ryan's oratory and stubbornness during the party's convention for the spring elections had in fact worsened the Democrat's divide during the deliberations over which candidate to support for the election. Instead of favoring Mineral Point resident Montgomery Cothren, who was considered a staunchly Democratic option, the "high priest of Copperheadism" had favored Dixon, and lost on a razor-thin ballot, 70-68. Ryan's break with his party resulted in Dixon's ultimately gaining the judgeship, in spite of the Republicans' failure to officially name a candidate of their own, and their issuing a lukewarm endorsement of the independent candidate. The amendments, passed in the run-up to the elections, guaranteed Dixon would remain friendly to Republican interests, despite his ruling in the Kemp case.

As for the war effort itself, the North's victories at Gettysburg and Vicksburg were sufficient on their own to discredit the Democrat's predictions of costly failure against an unbeatable Confederacy. Prior to these events, at the April convention, Edward Ryan, again in his capacity as resolutions chairman, had pushed through a series of campaign planks even more controversial than his "Address" of the previous year. Two of these provoked significant reservations and ire from the conservative Democratic wing. The first had been an allegedly unified declaration by the party, accusing President Lincoln of seeking to become a dictator through his multiple violations of the Constitution and abuse of executive power. The second, and most provocative, had called for an armistice with the South, to go into effect immediately, with a "convention of the

States” formed between Union and Confederacy so as to resolve their “differences.” In short, Ryan was proposing to bring about peace with the very same methods proposed in 1860—such as those under the aegis of the stillborn Crittenden Compromise—as if the last three years, millions expended, and hundreds of thousands dead or maimed could be simply set aside.

Due to opposition from most of the state delegates, this plank had been shorn of much of its stronger language before it was at last passed by the spring convention, along with the others put forth by Ryan’s committee. Now, in August, Ryan managed to get both his 1862 address and a similar peace plank added to the party platform. This time, however, the internal opposition was stronger. As had been the case in 1862, the moderates, linked with the nationalistic “War Democrats,” considered Ryan and his branch foolhardy at best and “Copperheads” at worst. To this wing of the Democrats, the restoration of the Union took precedence over all other concerns, regardless of their personal animosities toward specific aspects of the Republican agenda, such as emancipation. With such planks as Ryan’s, these delegates feared, the party would likely be tarred as false prophets and traitors if the Republicans managed to win the war before the next national elections.

Into this tense standoff stepped Matthew Carpenter, a Democratic delegate from Beloit. Though he had officially declared himself a War Democrat, Carpenter was in fact much more opportunistic, leaning towards whichever party appeared strongest and likeliest to appeal to his own views on Union—which, in this election cycle, was increasingly the Republicans. During the Madison gathering of the previous year, he had broken with his former cohort, opposing the Address and endorsing emancipation as a legitimate tool of the war, though he and others of the emerging “War Democrats” did

not depart the party. Not long after the Ryan planks were approved at the 1863 convention, Carpenter openly denounced their author and his followers as Copperheads, and called for a separate conference in Milwaukee “to determine the true course for Wisconsin Democracy.” Forty-five other delegates—derogatorily and approvingly termed “bolters”—joined him in this call, and more soon followed across the state, even from previously traditional and moderate Democratic leanings.⁶¹ The remaining delegates eventually rallied around a candidate—Milwaukee lawyer Henry Palmer, who was considered reliable but uninspiring—but the exodus undermined their show of support. Thus, the only viable opposition to the party of Lincoln in 1863 was fragmented, largely by its own doing.

This split was made even worse by the outcome of the Republican convention, also held in Madison at the same time. From its outset, there had been evident concern and dissatisfaction among many delegates at the thought of Governor Salomon seeking a second term. In the eyes of these men—especially “Boss Keyes”—Salomon had been desultory at best in his efforts to maintain support for the party, primarily with regards to the still-staunchly Democratic German-American population. He had failed to generate any real enthusiasm for emancipation—though considering the existing antipathy towards blacks, free and otherwise, among the state’s population, this was perhaps unsurprising—and there were concerns that his orders quelling any open signs of dissent against the draft had further disaffected voters who could be swayed to the Republicans.

As a result, Keyes’ Madison machine turned to another candidate, Secretary of State James T. Lewis, as the party’s nomination for governor. The pro-Salomon delegates objected strenuously; Though Lewis had been a “War Democrat” prior to finally joining

⁶¹ “Wisconsin in the Civil War,” p. 79-80

the Republican Party, they had serious misgivings as to the sincerity of his realignment, and worried that he would prove reluctant to push the party's wartime and domestic goals. Such concerns were highlighted by the informal polls taken before the nominating vote on August 10th, which showed Salomon leading Lewis 134 to 122. Undeterred, "Boss Keyes" arranged for his supporters to stuff the ballot boxes during the formal vote, which led to the chairman of the convention declaring this vote invalid after it was found that the number of votes exceeded the number of delegates.⁶² Keyes then called for a new vote at 8pm that evening, at which time the delegates, thanks to significant back-room pressure from the Madison clique, nominated Lewis, 143 to 119. With the succession issue settled, the Republicans next created a platform that affirmed their support for Lincoln, and for crushing victory over the South, thus strongly indicating that the Democratic opposition—Copperhead and otherwise—would be labeled as traitors.

Fearing the impact of such rhetoric after the July victories, the "bolter" moderate and War Democrats under Matthew Carpenter were all too eager to join the Republicans under the renewed "Union" umbrella. On September 17th, Carpenter made this defection clear with a speech at a conference in Janesville. Drawing a direct link between the Democratic convention in Madison and that of Hartford in 1814—when the Federalists of New England had met to seriously consider that region's secession on the basis of their opposition to the War of 1812 and other federal policies of the time—the Beloit "War Democrat" called on his colleagues to back Lincoln, and, naively or perhaps disingenuously, to set aside the fiercely partisan acts and oratory that threatened the Union war effort. With this speech, Carpenter effectively switched parties, and hammered in the last nail in the coffin of the Democratic Party's hopes that year.

⁶² Klement, p. 80

Regardless of these events, neither party conceded any ground during summer and fall campaign. The Republicans' efforts revolved around two key strategies: highlighting the economic prosperity and military success their party had brought about during the past two years, and attacking the presumed treason of the "Peace Democrats" led by Ryan and his ilk, as opposed to the loyalty of the "War" members and converts such as Lewis. In the case of the first tactic, there was little hope of denying the recent prosperity the war had finally brought to the state. Crop prices, primarily those attached to corn, wheat, butter, and other goods, had increased to two or three times those of the 1860-61 depression; these, combined with advances in harvesting technology which required fewer hands, and expansion of the wool and dairy trades, helped to alleviate the problems that had dogged farmers and city folk alike for more than two years.⁶³ And even if the war remained costly and stalemated in certain theaters, Gettysburg and Vicksburg made powerful arguments against impressions that it was on the verge of ending in failure.

As for the second line of attack, the Republicans focused on the most obvious target: Ryan's "Copperhead" peace plank. This resolution had already seen considerable debate and assault during the April campaigns for the state Supreme Court, especially in the papers of both parties. In an attempt to highlight its presumed treason, one unusual Republican twist on the plank ran: "The Copperheads are for peace; Benedict Arnold was for peace; therefore, the Copperheads are Benedict Arnolds."⁶⁴ Now, with the governorship, control of the Legislature, and a Senate seat on the line, these attacks were redoubled. With the victories in July, the Republicans claimed, not only was there no need for an armistice, much less a "convention of the States," to settle the war, but any

⁶³ Merck, p. 19-21

⁶⁴ "Wisconsin in the Civil War," p. 81

calls by the Democrats for such only underscored this party's drift towards treason—and by extension the Confederacy that was the primary supporter and benefactor of this shift. Republican speakers and articles alike asserted that the Copperheads' true loyalties lay “down in Secessia,” and incessantly declared this wing and all other Democrats as traitors and rebels, save those who had converted, like James Lewis, or defected with Matthew Carpenter. Carpenter himself added fuel to these charges in an Assembly Chamber speech on October 31st—covered at length by the ardently Republican Milwaukee *Sentinel*—denouncing the Democrats' continuous kowtowing to the South throughout the 1850s, and defending the Emancipation Proclamation and military arrests as necessary war measures.

Faced with this deluge of criticism, the Democrats responded with two strategies of their own: vitriolic ripostes in the press and on the stump to all denigration, and carefully worded defense or omissions of the more problematic issues. As they had in April, party orators and editors emphasized the bias and alleged unconstitutionality of the Enrollment Act, particularly the \$300 provision, stating that such legislation only sacrificed working-class white men in what were ultimately futile, sanguinary battles led by incompetent generals. Further critiques were made of the soldier-vote bill as well, which the Democrats believed had been altered to bring about a favorable verdict in the Chandler case, and which they rightly feared would give the Republicans a decisive advantage that November. The familiar arguments against emancipation and the overreach of federal powers were also employed once again, with little abuse spared in the press. The more virulent writers turned the accusations of treason around and pointed them squarely at Lincoln, alleging that his Presidency had been the cause and prolonging factor of the war. “Abraham Lincoln is the traitor,” asserted “Brick” Pomeroy. “It is he

who has warred upon the Constitution. We have not...He has broken his oath—let himself to corruptionists and fanatics...”⁶⁵

On the military effort, the Wisconsin Democrats had fewer options, and less likelihood of successfully turning their audiences. Gettysburg and Vicksburg went either unmentioned or moderated; even if such victories *were* significant, Democrats argued, more like them would destroy or permanently cripple the country, with no other value to the families of those who perished than adding their names to the casualty lists. The wartime prosperity they dismissed as paltry compared to that enjoyed prior to 1860, and little or no comfort to those who had and were suffering and dying at the fronts in the East, Tennessee and the Mississippi Valley.

In the final event, these arguments proved futile. After the last ballots had been counted, it was clear that James Lewis would succeed Salomon, with an initial majority of 14,000, and a total of almost 25,000 once the votes from the battlefield were tallied; it was later determined that out of every fifteen votes cast by soldiers, fourteen had gone for Lewis. In the Legislature, the Republicans had increased their control to 75 of 100 seats in the Assembly, and 23 out of 33 in the Senate. On the federal level, Edward Ryan had been denied the US Senate seat.

These defeats rocked the Democrats to their core. In an interesting reflection of the divisions between moderates and Copperheads over policy, the party’s delegates now broke into separate camps over the reasons for their loss. Some grouped under the belief that Carpenter and the “bolters” were to blame, believing they had broken the party out of blind subservience to the government, and had never been true Democrats at heart. Others believed coercion had taken place, whether among the home voters or the

⁶⁵ WMH (1951) p. 112

battlefield units; the soldier-vote apparatus was subjected to a new round of attacks. The likeliest explanations—Gettysburg and Vicksburg, better prices and fatter purses, the appeal of Union and the effective “traitor” rhetoric—were largely ignored in this soul-searching.

Even while hotly debating their losses, however, the Democrats could not deny that they *had* lost, and by much more than they had remotely feared. Gradually, they came to accept that the break between the War and Peace branches had been the primary contributor to their defeat in 1863, as it had threatened to do in the elections of 1861 and the previous year. The Democratic Party would still remain a viable opposition—the war events in the coming year would, for a time, give them considerable renewed support and even a realistic chance of taking the White House—but the era of internal unity was past. The moderates would remain distant from their more extremist colleagues, having been swayed to the “Union” cause, and the “Copperheads” would likewise remain entrenched in their hostility to these and any other parties they deemed destructive of the goals of peace and reunion at any price that they sought.

Chapter 4

Ebbing Tide: Early 1864—Early 1865

I.

“The interests, the hopes and fears of millions now hang trembling in the balance, and the position of our State may turn the scale[...] Wisconsin is now standing side by side with all the Free States in support of the General Government; in support of law and order; in support of freedom.”

--Gov. James T. Lewis, Jan. 14th, 1864

In January of 1864, Governor Salomon formally handed over his office to his party's chosen successor, James Taylor Lewis, and retired to his law practice in Milwaukee. Although “Boss” Keyes and the Madison branch had been careful to publicly applaud his efforts on behalf of Wisconsin and the Union—especially the soldier vote law that had proved so decisive in many contests—during his abbreviated term, there was little love lost between the ex-governor and much of his own party. In Keyes' view, the Wisconsin Republicans had replaced a liability that had threatened to cost them state control; in Salomon's, he had been unjustly cast aside thanks to unwarranted fears and back-room strong-arming. For the rest of the war, and until his departure for New York City in 1868 after a failed bid for a Senate nomination, Edward Salomon remained disillusioned and bitter over his treatment by Keyes.

In contrast, the party's relationship with Lewis appeared solid and healthy. Originally from Clarendon, New York, the new governor had moved to Portage (Columbia) County, Wisconsin in 1845, where he had married and established a law practice, often speculating in land to great reward. After stints as a county judge and district attorney, he entered the State Assembly and then the Senate in 1852, before he was chosen as lieutenant governor the following year, departing this role in 1856 for a

brief return to the law. When the Civil War broke out, Lewis, originally a staunch Democrat, abandoned this party for the Republicans, who rewarded him with the office of Secretary of State in accordance with the “Union Party” tactic that would prove so effective in later elections.

During this campaign, the Democrats and a number of Republicans asserted that Lewis was driven solely by opportunity, seeking to cast his lot with whichever party promised the most reward and seemed guaranteed to remain in power, and lacked any real qualification for the post. His backers countered with the claim that their party, which had arisen largely from the wreckage of the pro-business Whigs, was the mecca for all persons who sought to improve the state, the nation and themselves through such means, and not remain shackled to outdated ideology such as that espoused by the still-divided Democrats. Whatever his true motivations, it is a fact that Lewis was a consummate politician, capable of gaining the trust and support of colleagues on either side of the aisle, and of charting his own course on policy matters. In addition, he retained substantial wealth from his land business days, which had ensured from the start of his political career that he would remain mostly aloof from any dealings that might result in corruption, favoritism, or accusations thereof.

On January 14, 1864, Governor Lewis made his first speech to the joint houses of the Wisconsin Legislature. He began by highlighting the many benefits the state had reaped during the war years, in comparison with the depredations visited upon the South and the border states—a healthy home front population, higher prices for its goods, and a general peace among all citizens. After a brief summary of planned war debt payments, concerns over alleged irregularities in the soldier votes, and reorganization of the state’s militia, Lewis closed with a fierce denunciation of the Southern rebels, highlighting their

machinations throughout the entire history of the nation that had led to the present rebellion. His last remarks made it clear that he intended to continue the state's contributions to the war effort, no matter the length or cost, and scorned any thought of peace overtures:

“If our fathers were patriots in establishing this Government, we certainly cannot be far wrong in maintaining it. Believing then, as we sincerely do, that the government is in the right, that it is fighting in a holy and just cause, that duty demands of us action and sacrifice in its behalf, that efforts to patch up a temporary peace or obtain it by concessions to traitors, are not only dishonorable, but tend to protract the war and make it more expensive and dangerous—we hope to see Wisconsin unite all her energies, without distinction of party or sect, in prosecuting the war with the utmost vigor. Let us sustain the government and prosecute the war with a will and determination that shall carry the conviction to the minds of traitors, that obedience to the legally constituted authorities is the only course left to them; that our Government must be respected. The Union must stand, and we shall soon see the principles of liberty and equality re-established in every part of our National domain, firm as the rock of ages, there to stand a blessing to the world, an enduring monument of the fidelity and patriotism of those noble men of the Revolution who founded, and the noble patriots who now defend it.”⁶⁶

It would not be long before Lewis's rhetoric demanded action. One of the first concerns that confronted his office came on February 1st, in the form of yet another recruitment call from President Lincoln, this time for 500,000 soldiers, raised by any and all possible means. And this was just the first of many such drives that year; by December of 1864, an overall total of 1.5 million men would be called to the colors, largely thanks to the appalling losses in General Grant's campaign towards Richmond, and similar casualties in Sherman's drive through Tennessee in the direction of Atlanta. Thus Lewis had to manage renewed calls for volunteers along with keeping those units already in the field at full strength—which, despite federal control of the bureaucratic process, still remained a cumbersome and disliked war measure—and maintaining public

⁶⁶ CWM, pg 210

support for the draft.

None of these tasks were fully accomplished during that year. As Salomon had often done, Lewis frequently wrestled with Secretary of War Stanton over the fairest quota of troops for the state, as well as credits for those already raised. And though in early spring the Wisconsin governor had managed, along with his colleagues in Indiana, Illinois and Iowa, to convince Lincoln to raise significant numbers of hundred-day volunteers to serve as garrison troops while veteran units were freed to launch the hoped-for final offensives, there were significant problems filling the number of required units. In the matter of those drafted, the state's Adjutant General, Augustus Gaylord, estimated that barely 3,500 men entered the service—out of more than 17,500 called during the entire year—while roughly 7,400 had never reported for duty, and another estimated 6,700 had been medically disqualified; a poor showing for an administration so keen on demonstrating its devotion to the Union cause.⁶⁷

To the Democratic opposition, these shortfalls and mishaps provided much-needed fodder, especially following their electoral shellacking the previous November. Campaigning for the Presidential election that fall had in fact started within days of Lewis's inaugural speech, when the Republican members of the Legislature introduced resolutions endorsing Lincoln's reelection, declaring the state's full support for his wartime policies, and praising his leadership overall. With Minority Leader and former Attorney General George Smith as their primary voice, the Democrats attacked every one of these resolutions, claiming that the state was in fact much more divided on or outright opposed to Lincoln's re-nomination. They also pointed once again to the military arrests and trials of civilians as proof of the President's repeated violations of the Constitution,

⁶⁷ "Wisconsin in the Civil War," p. 99

regardless of whatever legitimization was passed by Congress, and asserted their role as the “true defenders” of this document. Thus, although the resolutions were easily passed by the heavily pro-Lincoln Legislature, its Democratic members had made their goals patently clear: the safeguarding of “their liberties and the Constitution at all hazards.”⁶⁸

As spring of 1864 came and went, it appeared more and more likely that the Democrats’ stance and criticisms would be vindicated. By the end of May, both of the Union’s most-heralded offensives—Grant in Virginia, and Sherman in Tennessee—had not only failed to reach their goals of Richmond and Atlanta, respectively, but had done so at gruesome cost: in Grant’s case, more than 60,000 dead, wounded or missing from the Army of the Potomac—which included many Wisconsin units, particularly the famed Iron Brigade—in barely a month’s time, nearly equal to that force’s total losses in three years of fighting.⁶⁹ Editors and politicians across the North laid the blame for these losses squarely at Grant’s feet, and by extension the Lincoln administration that had raised him to commander-in-chief of all Union armies. Though the peace plank championed by Ryan had been a disastrous blunder in the previous year’s elections, a number of Democrats began to reconsider this motion in light of such press, gambling that the war effort would remain stalled or otherwise calamitous long enough for support for the plank to rise and to be accepted at the party’s national convention later in 1864.

There were promising signs from the Republicans as well, at least in the initial months of the year. While George Smith and his colleagues in the Legislature were attacking the resolutions supporting Lincoln, they had received word through the press and official declarations that the Radical branch of the Republican Party was in fact

⁶⁸ “Wisconsin in the Civil War,” p. 120

⁶⁹ Winik, p. 91-97

prepared to break with their moderate and conservative colleagues, and put forward either noted general and previous Presidential candidate John C. Fremont—who had gone so far as to enact emancipation in Missouri well ahead of Lincoln’s Proclamation, only to see this edict overruled by the President—or Treasury Secretary Salmon Chase, who had long criticized the slow pace of anti-slavery measures before and during Lincoln’s presidency, and had become a prominent ally of the Radicals.

Much to the Democrats’ elation, these speculations were confirmed on May 31st, 1864, when the Radical Republicans formally nominated Fremont as their candidate, openly demonstrating their anger at the parent party’s failure to act or legislate in any determined manner on the slavery question, or to prosecute the war with satisfactory vigor. In the Democrats’ eyes, if this split lasted until November, and drew away sufficient numbers from the pro-Lincoln camp, the voters would likely tire of having to choose between such bitterly divided candidates, and thus propel the Democratic choices for the White House and Congress into their seats with ease. With this in mind, the Democrats chose to wait to convene their national delegates until August, where they would also finally resolve their internal debates as to a suitable candidate.

However, the benefits expected from the Republicans’ disarray would prove illusory. In mid-1863, Alexander Randall had returned from his posting in Rome, and been selected as assistant Postmaster-General. During the first months of his appointment, however, he focused primarily on ensuring strong ties between the Wisconsin Republicans and the Lincoln administration, in order to avoid defections to the Radical wing, or worse, the Democrats. Due to such efforts, the pro-Lincoln measures on January 1864 passed with considerably more backing than had been previously expected—and this was only the beginning. The following month, using the authority and

connections of his office, Randall chose “Boss” Keyes as a “special commissioner,” with instructions to stump for Lincoln across the state, drawing in both wavering Republican and independent voters, and suppress any support for the still-unreconciled Radical ticket.

On March 30th, building on the success of this campaign, the state Republicans convened under the “Union Party” banner in Madison, selecting sixteen delegates for the national convention in Baltimore, with every one of these delegates affirming their support for the Lincoln-Johnson ticket.⁷⁰ When the National Union Party convened on June 7th, Lincoln’s re-nomination—and the end of Democratic hopes for another Republican split—were confirmed. Although the Radicals under Fremont would not officially abandon their campaign until later in the season, the Republicans were in effect a united party once again.

This new concern was much on the minds of the Wisconsin Democrats as they met with colleagues from the other Northern states in Chicago, on August 29th. By mid-1864, two candidates had emerged as front-runners for the nomination: two-term former New York Governor Horatio Seymour, and General George B. McClellan, de facto retired from active duty after Antietam. To the ardent peace wing of the party, Seymour was the better choice; he had been a steadfast opponent of Lincoln’s wartime policies, particularly conscription, the introduction of “greenback” paper money and emancipation, from their inception, and had held this position without the use of vitriolic editorial or public rhetoric that had cost the “Peace Democrats” so much credibility in recent elections. In the view of the majority, however, McClellan was seen as a much more favorable option; his professed commitment to reunion along traditional,

⁷⁰ “Wisconsin in the Civil War,” 120-121

constitutional lines (while remaining silent on the issues surrounding slavery), and the perception that his service to the Union had been hindered and curtailed by an administration in the grip of the Radicals, combined to create the image of the ideal wartime candidate.

Though the Wisconsin Democrats had already declared their support for McClellan prior to the convention, the rest of the party was still hotly divided. During the first round of deliberations, the general's nomination seemed assured. His supporters pointed to renewed public weariness and shock at the bloodily stalled campaigns in Virginia and Tennessee as proof that the nation longed for a President who would end the war swiftly, rather than fumbling so disastrously as Lincoln and his Radical-dominated administration had done. Furthermore, they argued, McClellan personally remained highly popular among the veterans of the Army of the Potomac—at that time stalled in a dismal, gruesome siege around Richmond and Petersburg—and other front-line units; with careful electioneering, this might finally turn the soldier vote to the Democrats.

With both of these advantages, alongside continued highlighting of the constitutional and social abuses by Lincoln's government, the pro-McClellan delegates believed the White House would be theirs. Indeed, unknown to the convention, even Lincoln had conceded that a McClellan nomination would mean certain defeat in fall, and had arranged for his Cabinet to sign a pledge—referred to as a “blind Memorandum”—several days prior to the delegates' arrival in Chicago, which asserted that if the general were elected, Lincoln and the other Cabinet members would cooperate to restore the Union before the inauguration in March, “as he [McClellan] will have secured his election on such grounds that he could not possibly save it afterwards.”⁷¹ Privately,

⁷¹ Waugh, p.269

Lincoln confessed that he believed he would “be beaten, and beaten badly” come November.

However, the party had in fact already doomed its candidacy from the outset. During the arguments shaping the election platform on the 29th, the “Copperhead” peace delegates, under the sway of Clement Vallandigham (recently returned from his Southern exile, and purportedly involved in insurrectionary plans for the creation of a “Northwest Confederacy” from the Midwestern states), gained control of the resolutions committee. In the first deliberations over suitable campaign planks, five issues were favored above all:

- 1) Respect for American rights at all levels—individual, state and Union.
- 2) An end to federal interference—real and perceived—in state elections.
- 3) A pledge of full support for all members of the armed forces if the Democrats regained Washington.
- 4) A strong denunciation of the administration’s flawed and faulty policies towards Union POWs.
- 5) A pledge of total party loyalty to the Union.⁷²

However, when the committee presented its final list to the convention that afternoon, a sixth plank had been added, forced through by Vallandigham and his supporters over the misgivings and outright objections of the moderate members. Drawing heavily from the former Congressman’s own views, this plank outright declared the Lincoln administration’s effort to restore the Union by war an utter failure, and called for an

⁷² *Ibid*, p. 285

immediate “cessation of hostilities, with a view to an ultimate convention of the States.”⁷³

In short, the party was now asked to push for an armistice without conditions, and no guarantee of reunion—the same measure that had cost Edward Ryan and the Wisconsin Democrats so dearly.

When the planks were read out to the convention, the war Democrats immediately realized the danger of the “war failure” declaration. Even with a still-popular general as their candidate, they ran the risk not only of earning the oft-used labels of traitors or cowards, but, if the war effort turned the Union’s way, false prophets. Nonetheless, their worries would count for little if McClellan were not actually chosen; thus they focused their efforts on the nomination, with the hope that the platform could be remedied later. On August 30th, after much acrimonious debate between the Peace and War wings, the Democrats nominated McClellan on the second ballot with 202 votes, increased from 174 after Seymour bowed out of the race. While this might have seemed a prime example of reconciliation, the war Democrats were grudgingly forced to accept Ohio Congressman George Pendleton as the nominee for Vice-President. Like Vallandigham, Pendleton was an ardent Peace Democrat, with strong ties to the “Copperheads,” and strongly opposed to continuing the war even if McClellan were victorious that fall.

Thus, with the convention and the war’s third summer drawing to a close, the Democratic Party found itself running a war candidate on a peace platform, gambling that the results of the war and public opinion would continue to favor their platform regardless of its flaws. With November’s arrival would come the final decision on the war’s outcome, the fate of the Union—and the vindication or discrediting of Democratic and popular opposition to the war in Wisconsin.

⁷³ Waugh, p. 285

II.

“The man who votes for Lincoln now is a traitor and murderer. He who pretending to war for, wars against the Constitution of our country is a traitor, and Lincoln is one of these men...And if he is elected to misgovern for another four years, we trust some bold hand will pierce his heart with dagger point for the public good.”

--Marcus “Brick” Pomeroy, in his August 23rd, 1864 editorial “The Widow Maker of the 19th Century and Republican Candidate for the Presidency⁷⁴”

As the Wisconsin delegates began returning home, electioneering began in earnest. Although neither the Governor’s seat nor any in the Legislature were contested in fall 1864, there were six Congressional seats on the line—divided evenly between Republicans and Democrats—in addition to the Presidential election. Perhaps due to this, and a general weariness towards elections and the war in general, the candidates and advocates for both parties found voter enthusiasm noticeably lacking in the final two months before the election. Regardless of how much effort was poured into the campaigns, there was scant indication, at least among the state’s populace, as to the likely popular response to the platforms of both parties. Ultimately, the contest would be decided by which planks seemed most in line with the public perception of the war, and the present administration.

For the Wisconsin and national Democrats, this meant reorganizing or recasting their platform almost from the moment the Chicago convention had ended. Within a week of his nomination, General McClellan, on the advice of friends and in the face of withdrawal threats from the Vallandigham-controlled peace wing, had repudiated the “war-failure” plank. In a September 8th letter to the nominating committee, he argued that “the reestablishment of the Union in all its integrity is, and must continue to be, the indispensable condition in any settlement,” and stated that he “could not look in the face

⁷⁴ “Wisconsin in the Civil War,” p. 122

of my gallant comrades of the army and navy who have survived so many bloody battles, and tell them that their labors and the sacrifices of so many of our slain and wounded brethren had been in vain; that we had abandoned that Union for which we have so often periled our lives.”⁷⁵ In effect, the general was playing the same reunion song as Lincoln and the Republicans, though without radical reforms in the areas of emancipation or constitutional authority.

The sentiments of the September letter immediately led to a storm of criticism from Vallandigham and the other Peace Democrats; by mid-month, the “arch-Copperhead” would formally break with the McClellanites and other moderates within the party, and refuse to embark on any speaking tours or other efforts on behalf of the nominee. Although many of McClellan’s partisans in Wisconsin and elsewhere saw this as a godsend, it severely hampered the promotion of the other, more popular planks of the Democratic platform. Pledging full support for Union soldiers—on the field and in Confederate prison camps—was admirable, but only went so far given the similar slogans employed by the Republicans. Denunciations of federal abuses, whether in terms of elections, habeas corpus or official corruption, had strong potential sway, but could be countered by claims of voter fraud—real or fictional—on the part of Democrats, as well as by harking back to General McClellan’s 1861 order declaring the closure and arrest of the pro-secessionist Maryland legislature. And the oath of complete loyalty to the Union had already come under heavy fire from Republican press and candidates due to Vallandigham’s past statements, and his—and other Peace Democrats’—rumored involvement with Southern agents to incite riots, Confederate prisoner escapes and possible uprisings across the North. When added to the lack of any clear postwar

⁷⁵ Waugh, p. 301

reconstruction policy, and to their nominee's own silence on the question of emancipation, these issues became an electoral millstone for the Democratic Party.

There was, however, one card that the Democrats could and did play, as frequently as possible: That of race. Even prior to the first shots at Fort Sumter, Lincoln had been careful to avoid any hint of endorsing emancipation in his public speaking tours, and even in private correspondence; nor did he give any outward hints of what his policies towards freed slaves might be if such a measure were enacted. Though this reticence was in part because his own opinions were still evolving, much of it was in fact due to his canny perception that the majority of Northern voters were in fact adamantly opposed to the idea of waging war to end slavery. Those who favored conflict to defeat the "Slave Power" largely did so out of general patriotic antagonism towards any faction that sought to break the Union, as well as personal anger at the planter class's perceived undue wealth and influence over the rest of the nation, but this did not translate into widespread sympathy for blacks, slave or free. Indeed, the implied threat of emancipation—that freed blacks would inevitably migrate northward and force whites out of prime areas of employment—had often been trumpeted against the Republicans in 1860, and might well have cost them the election had the Democrats not been badly divided. Thus, until his issuance of the Emancipation Proclamation, Lincoln largely ignored the calls for outright abolitionist actions from the Radical Republican wing of his party, and adhered to his pledge of waging war for Union alone.

Nonetheless, from the start of the war the Democrats had not hesitated to assert that Lincoln, under the sway of the Radicals, was in fact preparing to usher in the sort of calamitous economic shift in favor of blacks that they had warned against. Wisconsinites in particular had already seen elements of this argument in "Brick" Pomeroy's

increasingly acerbic articles, and among leaders and editors of the immigrant communities, particularly Germans and Irish. Nor was the Democrats' anti-black criticism limited to the economic sphere. In spring and summer of 1862, the Legislature had taken up debate on a bill allowing suffrage to Wisconsin's black residents—which had been raised repeatedly since statehood in 1848—and another banning any further settlement by blacks by August 1st. Although both bills were eventually defeated, the latter was brought forth again in early 1863 by Democratic assemblyman Peter V. Deuster, who before his election the previous fall had made similar arguments in his German-language newspaper, as part of his warnings to immigrant workers of that culture. This bill too met with failure, yet its reintroduction was a clear sign of the level of antagonism towards emancipation and blacks in general on the part of many in Wisconsin and the Northern states.

In December of 1863, the Democrats tried a new version of race-based, anti-Republican criticism designed to reach a much wider audience, both in Wisconsin and across the North. Created anonymously by two journalists on the staff of the ardently Democratic newspaper *New York World*, a pamphlet titled “Miscegenation: The Theory of the Blending of the Races, Applied to the White Man and the Negro” appeared on multiple New York City newsstands, and was mailed to locations and individuals throughout the North. Written in a tone that suggested its author was in fact a staunch abolitionist, the pamphlet called for “the blending of the various races of men,” claiming that mixed (or “miscegenetic”) groups had proven superior in every way to all others, and that the North should immediately enact policies which would allow such intermingling on a regular basis. As their primary bombshell, the writers put forward the idea that the first “blending” should be done between blacks and Irish—a suggestion certain to elicit

fierce and perhaps violent denial from the latter group towards it, and any party which they suspected of its authorship.⁷⁶

Although they had broken most of their ties to the McClellan ticket, the “Copperhead” Democrats nonetheless seized on the argument of this pamphlet shortly after the convention, eagerly deploying its allegedly truthful contents in favor of the general’s campaign. By early fall of 1864, “miscegenation” had become just one of many frequently-used epithets to describe the intended outcome of Republican policy with regards to both North and South. With abolition, the “Copperheads” and even some moderate Democrats argued, not only would the jobs and livelihoods of whites be threatened by freed blacks, but their very existence as a race and culture would be diluted and mixed beyond recognition—all with the blessing of “King Abraham.” To this wing of the Democrats, the various wartime actions and legislation of the Republicans had culminated in a platform that, according to another widely-circulated pamphlet, consisted of “Subjugation—Emancipation—Confiscation—Domination—Annihilation—Destruction, in order to produce—Miscegenation!”⁷⁷

As the fall campaign season wore on, however, Democrats in Wisconsin and nationwide found that racially-based attacks, while certainly effective at raising the ire of the voters, ultimately did not garner widespread credence. McClellan himself did not endorse the tactic, nor did the party’s governing committee, and its proponents among the Copperheads could not find many backers outside their own wing. Furthermore, the Republicans were not responding in any way to the claim that the idea of “Miscegenation” had originated in their party, except to ridicule it on the stump and in

⁷⁶ Waugh, p. 317-19

⁷⁷ Ibid, p. 320

the press; an editor on the Chicago Tribune even managed to turn the issue into a weapon against the Democrats, stating that since their platform called for both the Union and the Constitution “as it was”—which included the slave states, the only places where miscegenation logically could exist—the voters thus had another reason to vote Republican. By the start of October, though still trotted out on the campaign trail as needed, this method was all but shelved.

Moreover, though both parties hurled ever-increasing amounts of abuse on the opposing candidate over the course of the campaign, the Democrats found themselves most often having to defend themselves rather than press home on the social, economic and military issues which most preoccupied the electorate. The most frequently employed charge by the Republicans was that of treason. By failing to condemn the rebellion outright, by calling for negotiations—which implied the Confederate government was a legitimate body—and advocating the Union’s restoration without any alteration in slavery or the power of the federal government over the states, the Democrats were proving themselves Confederate sympathizers, if not out-and-out traitors. “Vote as Jeff Davis would have you vote, and you will vote for McClellan. Vote as Vallandigham tells you to vote, and you will vote for McClellan. . . Vote as the Devil himself[,] will vote and you will vote for McClellan and Pendleton—or, to express it more correctly, for Pendleton and Jeff Davis,” the *Sentinel* opined.⁷⁸ Similar assertions held that even if the southern states could somehow be brought back into the fold through negotiation, it would be an egregious slap in the face to the hundreds of thousands of soldiers and sailors who had served and the many who had perished thus far, and asked both Washington and Richmond, in effect, to ignore the wholesale devastation and economic ruin that had

⁷⁸ *Sentinel* 11.8.64, “Choose Partners”

accompanied the war's progress at every stage. Above all, such a bargain would leave much of the Deep South—the heart of the “Slave Power”—untouched, thus allowing the rebellious states to reassert the control over national policy that they had enjoyed and exerted before 1860. Such a result would weaken the Union even more definitively than secession itself had yet done—and if negotiations failed, the country might again split apart into warring factions, becoming as unstable and prone to internal violence as South America or Mexico.⁷⁹

By the end of October, however, the question of which party would oversee the end of the war had already become clear to a significant number of pundits and voters. As recently as August 5th, a Union flotilla under Admiral David Farragut had breached the defensive works around Mobile Bay, thus closing off one of the last free Confederate seaports. On September 2nd, after more than four months of siege by General Sherman's army, the Confederates abandoned Atlanta, a key logistical and manufacturing center second only to Richmond. And though still mostly bogged down in trenches in front of Petersburg and Richmond, General Grant was daily forcing Lee to overstretch his exhausted, increasingly malnourished and ill-supplied Army of Northern Virginia in defense of the Confederate capital, while General Philip Sheridan continued his scorched-earth tactics in the Shenandoah Valley, considered the “breadbasket of the Confederacy”. Victories such as these renewed hope among Wisconsinites and Northerners as a whole that the early wartime cry “On to Richmond!” would at last be fulfilled, and gave the lie to claims by Copperheads and McClellanites alike that the war was doomed to bloody stalemate for as long as Lincoln and the Republicans remained in office.

In addition, the hoped-for permanent split between the Radicals favoring John C.

⁷⁹ Ibid, “Last Words”

Fremont and the more conservative pro-Lincoln Republicans had been mended in early September. Initially believing that such a breakaway ticket would garner significant support because of the hesitancy on Lincoln's part towards emancipation, black suffrage and other key tenets of Radical policy, Fremont dreaded even more the ramifications of a McClellan victory, with his fears only increasing after the dominance of the Copperheads became clear through the "war-failure" plank. With this in mind, and despite his misgivings, Fremont withdrew from the race, in an arrangement that also removed the conservative Missouri Republican Montgomery Blair—much despised by the Radicals for his influence in the Cabinet and with Lincoln—from the position of Postmaster-General. Therefore, as November 8th drew closer, the Republicans presented a united front to the voters under the tried-and-tested "Union Party" umbrella, while the Democrats appeared muddled and divided, with no substantial policy goals beyond displacing Lincoln and his associates.

When Election Day arrived, the bulk of Wisconsin's voters—and a similar number nationwide—showed themselves unmoved by the moderates' assertions of federal abuses, the race-based attacks of the Copperheads, and the inflammatory proclamations of editors such as "Brick" Pomeroy. When the state's results were fully counted, Lincoln had gained Wisconsin's domestic vote by a substantial majority, (68,887 to McClellan's 62, 586). Though the General had taken populous Milwaukee County by more than twice Lincoln's vote, along with nearly all of eastern and southeastern Wisconsin for a total of twenty-two counties out of the state's fifty-eight, it had not been enough.⁸⁰

To make matters worse for the Democrats, Lincoln's lead in the Badger State was

⁸⁰ "Wisconsin in the Civil War," p. 122

soon increased to over 83,000 once the votes of its soldiers were tallied. They had also lost two of the three Congressional seats gained in 1862 (bringing the state's delegation to one Democrat and five Republicans), and both the State Senate and Assembly remained firmly in Republican hands.⁸¹ Nationwide, Lincoln had won an uncontested majority in the popular vote (2,218,388 to 1,812,807) and a near-landslide in the Electoral College, losing only Kentucky, Delaware, and McClellan's home state of New Jersey for a total of 212 to 21. In Congress, the Republicans had won forty-six additional House seats, for a majority of 88-72, and six Senate seats, bringing their total to 39 over the Democrats' 11.⁸²

The mood and hopes of the voters were clear: they expected the war to end soon, and they had emphatically rejected, as one Union Party slogan had urged them not to, changing horses in midstream. The Democrats in Wisconsin and the North had employed nearly every conceivable tactic to sway the electorate, and they had been discredited. Even though they would soon manifest their antagonism to the rapidly-forming Reconstruction policies of the Administration and the new Congress, their role as wartime opposition was effectively over.

III.

“Peace again smiles upon us. The work of death has ceased. The authority of the Government has been fully established, and traitors who once defied it now bow in humble submission. The accursed institution of African slavery has perished. The Union established by our fathers, cemented anew by the blood of their patriot sons sends forth a brighter and a purer light to the oppressed of other lands. The people of our State have enjoyed the blessings of health and prosperity, and the privileges of education and Divine worship. Our territory has not been polluted by the tread of the invader. Our substance has been preserved.”

--Gov. James T. Lewis, Proclamation of Thanksgiving, Oct. 28th, 1865

⁸¹ Ibid, p. 122

⁸² Waugh, p.374

In the aftermath of the 1864 elections, Democrats in Wisconsin and nationwide presented a simultaneously aggrieved and weary front to the nation. Some delegates and editors resurrected the claims of corruption, threats and fraud as explanation for their party's defeat—"the power of the sword and the purse," as one Madison paper asserted.⁸³ The moderates, pro-McClellan and otherwise, placed the blame for the party's divisions following the Chicago convention at the feet of Vallandigham and the Copperheads. Similar accusations were made against editors and speakers, such as Pomeroy, whom it was believed had pushed away independent and wavering voters with their hateful press and tactics. Still others pointed to a lack of adequate electioneering among the front-line units and those on furlough as the main cause, asserting that turning the soldier vote and those of their families would have blunted Democratic losses, if not reversed them.

Nonetheless, the prevailing Democratic attitude was that they had been beaten, plain and simple, as a result of events at the front and among themselves. Resigning themselves to the minority position, and accepting that the war would soon end in Union victory regardless of the election results, the Democrats as a body began girding themselves for the certain legislative battles over postwar policy once the last engagements at the front had been fought and the transition to peace had begun.

In Wisconsin, as in many other states, these debates centered on Reconstruction policy. One particular element of this policy brought forth for debate was the Thirteenth Amendment, which formally codified the end to slavery envisioned in the Emancipation Proclamation: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." Where the Emancipation Proclamation

⁸³ "Wisconsin in the Civil War," p. 112

had declared a *selective* end to slavery—allowing the institution to remain in the loyal border states of Maryland, Delaware, Kentucky and Missouri while attacking its defenders in the Confederacy—the Thirteenth Amendment affirmed its demise in all American states and territories, regardless of their current status.

Although this amendment had first been passed in April of 1864 by a solid majority in the Senate, and gained a similar show of support in the House, the vote in the latter chamber had fallen short of the two-thirds required for passage, delaying such until January of 1865. The primary arguments against the amendment in this body had come from the now-diminished Democratic minority, whose objections originated from concerns regarding the legislation's impact on states' rights, or that of the possibility of freed blacks becoming citizens as a result of its passage—a concept anathema to much of this party, and even certain factions within Lincoln's own. The Republicans had countered with assertions that the amendment would not only eliminate the black mark of slavery, but would also restore other constitutional rights—such as the First Amendment—which had been hampered or outright suppressed in the antebellum South, and would promote economic equality among both whites and freed blacks once the plantation economy was ended.

On January 31st, the Thirteenth Amendment was passed by a narrow two-thirds vote of 119-56, signed by Lincoln the following day, and sent out for the states—those of the North, as well as Unionist-formed Reconstruction governments in Louisiana and northern Virginia—to approve. When the amendment arrived in Madison in early February, Governor Lewis at once urged the legislators to approve its passage:

“Upon its adoption hangs the destiny of nearly four millions of human beings and it may be the destiny of the nation. I trust, and doubt not, that the Legislature of

Wisconsin will record its decision firmly, and I hope unanimously in favor of the amendment. Let us wipe from our escutcheon the foul blot of human slavery, and show by our action that we are worthy the name of freemen.”⁸⁴

Thus, on February 24th, the Wisconsin Legislature ratified the amendment, becoming one of fifteen states to do so within a month’s time. While other states, both North and South, would prove dilatory towards ratification to varying degrees (in the case of Mississippi, Delaware and Kentucky, until the early to late 20th century), Wisconsin’s Republican-controlled state government—demonstrated few or no qualms over bringing about a swift end to slavery. There were still pressing questions as to the rights and ultimate future of blacks within the state and the nation, but the most prominent barrier had been eliminated.

Meanwhile, as the legislators in Madison and Washington debated, the war was entering its final months. Such an outcome would not be long in arriving. On November 15th, 1864, General Sherman had set out on his “March to the Sea” from Atlanta, aimed towards the port of Savannah and ignoring a desperate invasion of Tennessee by Confederate general Hood. Within a month’s time, Hood’s army had been decisively broken after pitched battles outside Franklin and Nashville, and Sherman’s men were nearing the coast. On December 21st, the Union general had jubilantly wired Lincoln: “I beg to present you, as a Christmas gift, the City of Savannah, ” and soon turned his army northward, aiming for the Carolinas and the Confederate Army of the South under Joseph Johnston, the last sizeable Southern force in the Eastern theater other than Lee’s in Virginia. Over the course of winter 1864-1865, Sherman pursued this army from Savannah to Raleigh, North Carolina, retaking Charleston (the birthplace of the war) and

⁸⁴ CWM, p. 240

burning the South Carolina capital at Columbia along the way, while in Virginia Grant tightened the siege lines around Lee ever tighter. These events convinced the Northern public all the more that the war was near to ending, and gave greater impetus to debates over the nature of the peace.

On April 2nd, 1865, after blocking a desperate breakout attack by Lee one week earlier, General Grant's army broke through the Confederate lines outside Petersburg, forcing the surrender of that city by dawn the next day. By evening, Richmond—evacuated and largely gutted by fires set in the armories and warehouses by local militia—was likewise in Union hands, with the Stars and Stripes flying over Capital Square for the first time in almost four years. Six days later, after a tense, often bloody chase westward, General Lee surrendered what remained of the Army of Northern Virginia at Appomattox Courthouse.

Word of this succession of victories provoked great joy and approval among Wisconsinites of all strata. There was particular satisfaction among avowedly Republican voters and legislators, who saw themselves and their policies—social, economic, and ideological—vindicated after four years and more of often violent discord between themselves and the Democrats, and even between elements of their party. This sense of jubilation and justification was further made clear in Governor Lewis's April 12th proclamation of thanksgiving, two days after receiving word of Appomattox:

“The God of battles has again crowned our arms with victory. Under his guidance our brave soldiers are ‘marching on’ from conquest to conquest.

Richmond has fallen! The rebel army that held it in defiance of national authority, has been destroyed. The national honor has been vindicated, and peace and a restored Union, with all their countless blessings, are smiling through the clouds which have for the past four years surrounded us. Never before had a people such reason for rejoicing, such grand results to inspire them.

For all these blessings our thanks and praises are due to our Heavenly Father. We

should with grateful hearts recognize the power, wisdom and goodness of Him who gave us the victory, and bow in humble submission to His will [...] And in our praises and rejoicings, may we not forget ‘Father Abraham’, who, in the goodness of his heart, to the downtrodden hath said: ‘The year of jubilee has come,’ and to the deluded followers of Lee and Davis; ‘Return ye ransomed sinners home.’”⁸⁵

With these words, the Governor outlined the then-prevalent hopes among Republicans and much of the North for reconciliation and rebuilding, with all citizens—white and black—combining in such efforts. While certain elements of the defeated Southern rebellion, such as its higher leadership and its more ardent citizen supporters, would likely face treason trials, there would be no large-scale executions, and no bitter reprisals. The war appeared within days of ending in victory, and the time for reunion—“with malice toward none, and charity for all”—was drawing ever nearer.

These lofty sentiments, however, would soon be turned on their head within five days’ time. On April 17th, Lewis was moved to issue another, very different proclamation:

“It becomes my painful duty to announce to the people of this State the mournful and terrible intelligence of the death by assassination at Washington on the 15th instant, of Abraham Lincoln, late Chief Magistrate of the nation.

“No event could have plunged the nation into more profound sorrow. A great and good man has fallen a victim to the wickedest rebellion the world has ever seen. The friend of the poor, the downtrodden and the lowly, the pride of the nation is no more.

“As a statesman his power was felt and acknowledged. His patriotism was unquestioned. His goodness of heart was proverbial. Because he was kind and good and loved his fellow men, because the people loved and delighted to honor him, hath the wicked slain him. Oh, Justice, why didst thou sleep!

“May this sad event, this terrible wrong, this great crime, arouse the nation to a true sense of the wickedness of those men who are seeking its destruction; arouse every true lover of his country to do or die for the Republic. Have we great and good men, look to see them die by the assassin’s knife. Have we the poor and feeble, look to see them made the slaves of wicked and inhuman masters, or prepare to defend and maintain the Union and assert the power and authority of the Government.”⁸⁶

⁸⁵ CWM, p. 248

⁸⁶ Ibid, p. 249

Wisconsin's populace and parties became temporarily united in bereavement and grief over Lincoln's death, as they had been during the first weeks after Fort Sumter. The Democrats adopted a stance as shocked, angry and sorrowful as the Republicans. Regardless of Ryan's and others' animosity towards the President, they condemned the assassination in the strongest terms, and, for a time, joined many of their opponents in calls for revenge against the Southern leadership and region as a whole. There was ample reason for such shows of unity. Despite Lee's surrender, Johnston's army and others still remained in the field across the crumbling Confederacy; Jefferson Davis and his Cabinet were still at large, exhorting continued rebellion as they moved south towards Georgia by whatever means available; and most importantly, the President's killer, John Wilkes Booth, still eluded Federal capture. Moreover, the assassination had all but catapulted Lincoln into martyrdom, and elevated newcomer Vice-President and war Democrat Andrew Johnson to the Presidency—the first time such a transfer had taken place in a national crisis, and one that was still shrouded in procedural uncertainty. Therefore, strong shows of support by the Democrats became a necessity, if they were to avoid yet more charges of disloyalty, let alone remain intact as a party.

In accordance with Lewis's recommendation, all of the state's public buildings were draped in mourning for more than three months. Many newspapers lined their columns with black borders, and published glowing eulogies of the late President; even Pomeroy's *La Crosse Democrat* did so, despite having gone so far as to write a proposed epitaph for Lincoln during the 1864 campaign:

*“Beneath this turf the Widow Maker lies; Little in everything, except in size.”*⁸⁷

In April 1865, the Democrats—in Wisconsin and elsewhere—could only look back on a wartime opposition that had proven virtually fruitless, and look forward to an uncertain immediate future. In Wisconsin itself, the party had called upon every conceivable tactic to gain or retain authority in the state—harkening to constitutional tradition, attacking federal policy, and appealing to race, culture or religion—yet they ended the Civil War with far less influence and in less favor than at its start. The Republicans would dominate Wisconsin’s politics until well into the 20th century, a prominence that began with the first postwar Governor, Lucius Fairchild, a retired brigadier general who had lost an arm at Gettysburg, and would go on to win three terms after election in November 1865—a first for the relatively new state, and one of the clearest examples of the voters’ long memories regarding the presumed association of the Democrats with the rebellion.

At the same time, victory for the Union did not yield all the fruits Republicans hoped for. Within months of gaining the Presidency, Andrew Johnson began to spar with both moderate and Radical members of this party over the nature and goals of Reconstruction. While the Republican rank-and-file, to varying degrees, favored draconian measures—military occupation, disenfranchisement of pro-secession Southerners, full civil rights and land ownership for freed blacks, and loyalty oaths sworn by a majority of a state’s population as a prerequisite for readmission—Johnson soon made clear his favoring of restoring the occupied Southern states to the Union as rapidly as possible, and proved disinterested in or openly hostile towards the programs intended to aid ex-slaves. Within a year, he would be at loggerheads with much of his own party

⁸⁷ La Crosse Democrat, Aug. 23rd, 1864

over civil rights legislation, arguing that such acts favored blacks over whites and fell under the purview of state governments—the same arguments utilized by Democrats in Wisconsin and elsewhere during the wartime period.

For Wisconsin, this internal schism had been clear since the first postwar elections. Though the Republicans still controlled the governorship, Legislature, Supreme Court and Congressional delegations, this was largely due to their reputation as the party that had preserved the Union, and having made alliances with War Democrats such as James Lewis and Matthew Carpenter. Even if the voters held them in greater esteem due to the North's victory, there remained serious division and antagonism over the final results of that triumph, and their impact upon the state. During the fall 1865 campaign for governor, the Republicans initially appeared unassailable. With his wartime reputation and his calls for pensions, hospitals and other disability benefits for returning Wisconsin soldiers, Lucius Fairchild was highly popular with the state's voters.⁸⁸ On the harder Reconstruction questions, specifically black suffrage and Southern occupation, his position was much less certain. The Democrats, explicitly opposing suffrage expansion, challenged Fairchild to defend such in debate with their candidate—Harrison Hobart, another soldier and hero—gambling that the civilian and veteran voters would desert in droves if the Republican candidate did so. Choosing to demur publicly, Fairchild made his support clear in private correspondence to the Radical party members, disdaining calls by moderates such as Senator Doolittle to drop the issue.

Ultimately, this strategy gained Fairchild the governorship by 10,000 votes, but caused the defeat of black suffrage in referendum by almost 9,000. Reflecting past

⁸⁸ Wisconsin Magazine of History Vol. 60, No. 2 (Winter 1976-1977) "The Politics of Reconstruction in Wisconsin, 1865-1873" Richard N. Current. p. 83-87

elections, Milwaukee and much of the heavily Democratic southeastern areas had gone both against him and the suffrage proposal, while in certain other instances—such as in Dane County—Fairchild carried the vote while the referendum failed.⁸⁹ In an apparent vindication for the Democrats, the Wisconsin soldier vote—nearly 1,500 men were still in the field by this period—had gone overwhelmingly for Fairchild (1,169 to 330), but had come down against suffrage by the same margin.⁹⁰

This rejection rattled the Wisconsin Republicans, and increased the overall party's dislike of Johnson. From the start of his term, the President had encouraged state governments to decide black civil rights rather than Congress or the Executive Branch, but had actively opposed any results that encoded such rights. Wisconsin Democrats had failed to gain the governorship or a greater share of the Legislature, but the level of popular opposition to Republican Reconstruction policies, Radical and moderate, had been made plain. The question of suffrage for the state's several hundred blacks was eventually decided the following year, in the case *Gillespie v Palmer et al*, which held that suffrage had been in effect since a similar 1849 proposition (despite only one-sixth of the votes having been in favor).⁹¹ Even so, the black vote was of small immediate benefit to the Wisconsin Republicans, provided ample fodder for Democratic charges of their having surrendered to “niggerism,” and discredited a keystone element of national Reconstruction policy before it had been fully debated or implemented.

Nor was the opposition solely external. During the Republican state convention in September, the divisions between the Radical-leaning delegates and those favoring Johnson had widened when the President secured the support of now-Postmaster General

⁸⁹ Fowler, p. 38

⁹⁰ Wisconsin Magazine of History Vol. 60, No. 2 (Winter 1976-1977) “The Politics of Reconstruction in Wisconsin, 1865-1873” Richard N. Current. p. 87

⁹¹ *Ibid*, p. 88

Alexander Randall, “Boss” Keyes, and Senator Doolittle. The latter pushed resolutions endorsing the President’s program for speedy re-admittance of the South, which he believed would aid in retaining War Democrats who had already voted down a proposal for Negro suffrage in the former Confederacy. As a result, when Johnson and Congress began to wrangle in earnest over Reconstruction policy following the November elections, the Radicals in Wisconsin joined ranks in opposition to the President; only Senator Doolittle and Congressman Charles Eldredge—the sole remaining Democrat in Wisconsin’s delegation—stood in support. In March of 1866, when Johnson vetoed bills providing for the creation of the Freedmen’s Bureau and the establishment of basic black civil rights, the Wisconsin Republicans—save for Doolittle, Keyes, Randall, and Milwaukee banking magnate Alexander Mitchell—voted alongside their national colleagues to override the veto, the first ever such act in American history. In May of that same year, a further blow came to Wisconsin and national Republicans in the form of the Supreme Court’s decision in *Ex parte Milligan*. In its judgment, the Court ruled that while the suspension of *habeas corpus* had been lawful due to the Congressional Act passed in 1863, the trial of civilians by military courts—as in the matter of Nicholas Kemp and the other Port Washington rioters—was unconstitutional in areas where civilian courts remained open. Furthermore, the Court held that individuals could only be held without charges. Trials and executions were prohibited, even in situations where military officials received federal authorization to detain civilians for undetermined periods. This decision undercut a core aspect of the erstwhile Lincoln Administration’s wartime policy, and further threatened the Republican’s image as the virtuous party of victory.

These continuing duels of legislation and rulings, as well as general Republican

fears of increased Southern (i.e. Democratic) presence in Congress under the Thirteenth Amendment, even with the implementation of black civil rights, led in turn to proposals for the Fourteenth Amendment. Under its tenets, all male citizens born within the United States, regardless of race, would be guaranteed voting rights; state governments were prohibited from infringing upon this right in any form; and any citizens seeking to attain state or federal office after having participated in rebellion against the United States would be barred from election—in short, three of the most sought-after policy goals of the Radical Republicans.

By June 1866, when the proposed 14th Amendment had been sent to the states for ratification, Johnson had effectively lost all backing among Republicans in Wisconsin—and earned significant yet embarrassing support from the Democrats, who lauded his aims of a swift end to the Southern occupation, state control of civil rights and other altered Reconstruction policies. As the 1866 midterms drew near, the state Republican leaders redoubled their efforts to bring the disparate moderate and Radical factions together, and sought to increase the trickle of “Union Party” defectors from the Democrats. In the case of the latter strategy, the most obvious target was the refusal of nearly every former Confederate state—save Tennessee, Johnson’s birthplace—to ratify the Fourteenth Amendment. Republican papers such as the Milwaukee *Sentinel* cast the President and Senator Doolittle as traitors encouraging the South’s continuing disloyalty, and called for the state’s voters to reject such unpatriotic men and actions.⁹²

The final results of 1866 reflected the impact these exhortations had on a still war-weary public suspicious of Southern reconciliation. The Republicans gained twelve additional seats in the Legislature, bringing their majority to fifty-nine, and all five

⁹² WMH, Winter 1976-1977, p. 93

Congressmen adhering to this party were reelected. When the new Legislature opened in January of the following year, Governor Fairchild eloquently urged the delegates to ratify the Fourteenth Amendment at once, declaring the election results a clear mandate for such from the public, and indicative of Wisconsin and the North's responsibility to both defend freed blacks and loyal Southerners, and to safeguard against a resurgence of rebellion:

“In my opinion, it is the duty of Congress, the only remaining hope of loyalty and justice at the South, to provide for the future establishment of local governments over those portions of the South lately in rebellion, which have refused their assent to this amendment, such governments to be based upon impartial, loyal suffrage. In this I advocate no disregard of the Constitution. I yield to no man in my reverence for that instrument. The fact that illegal local governments have been in operation there since the cessation of hostilities, forms no bar to the right of Congress to establish legal ones. Let Congress act, and the loyal people will sustain it, be the consequences what they may. No other course will settle our troubles beyond the possibility of a recurrence, and insure justice to the Unionists of that section. The safety of our country and the fulfillment of our pledges alike demand it. We have pledged our honor that we would stand by and protect those who were loyal at the South during the struggle just ended. It were better to have failed in the contest, than now to coldly turn our backs upon those who were ‘faithful found among the faithless’. We should deserve to be wiped out from among the nations of the earth did we do this.

“I am firm in the faith that with proper action on the part of Congress, the day of settlement is at hand. Let the people stand fast in the position they have taken, and it must soon come. Would that my voice could reach all loyal men in the land, to tell them to be of good cheer, for the day is not far distant when our beloved country will be, in all its sections, a land of freedom in fact as well as in name; free in speech, free in press, and free in ballot. May God speed the coming of that happy day!”⁹³

On February 13th, the Amendment passed both houses by a safe majority, thus making Wisconsin the twentieth ratifying state. Though the final form of the proposal was in some ways unsatisfactory to the Radical Republicans—which would lead to their push for the Fifteenth Amendment within two years—their tenacity on the civil rights and general Reconstruction platforms, in the face of obstruction from the Democrats, the

⁹³ CWM, p. 293-94

defeated South and their pro-Johnson colleagues, had been vindicated.

In the end, this chain of success would prove potent yet brief. Johnson would be cast aside by his party in 1868 (in favor of war hero U.S. Grant) after narrowly avoiding impeachment, and his Wisconsin ally Doolittle would be replaced the next year by the War Democrat convert Matthew Carpenter; but these were short-term victories. By 1870, despite the Republicans (Radical and otherwise) maintaining their majority in both houses of Congress, and the expansion of black rights and federal control over the states through Reconstruction, the impulse for reform and “bloody-shirt”-inspired governance was waning fast. The Republican majorities in Wisconsin shrank with each successive election after 1866, prompting the party to all but abandon its focus on civil rights and promote expansion of railroads, canals and ports as the ideal form of Reconstruction for the state, with the assertion this stance would serve as a counter to a possible resurgent South bent on hindering the economic growth of the North through legislative stonewalling in Congress. This shift from morality to economics signaled a de facto end to the impact and importance of Union victory on Wisconsin’s various ethnic and political factions, and accelerated the decline of Reconstruction nationwide.

Conclusion

Given their antagonism towards the social and economic impact of the Union's primary wartime goals—reunion and emancipation—the support of Wisconsin's citizens was contingent upon definitive victories at the front and extensive Republican politicking within the state itself. By appealing to constituents' devotion to the still-abstract ideal of national Union during 1861 and 1862, the Republican Party in Wisconsin succeeded in swaying voters who would otherwise have staunchly opposed them on the grounds of the slavery question, or those of perceived constitutional abuses such as the *habeas corpus* suspension. Though the Democrats temporarily gained a greater voice in the Legislature and the Congressional delegation in 1862 by exploiting popular exhaustion with wartime losses, as well as discontent with the anticipated economic outcome of emancipation, the North's rising military fortunes after Gettysburg and Atlanta reversed much of the popular resentment towards the Republican Party's management of the war and the federal government. The draft process in particular would remain an unwieldy and unpopular measure, prone to corruption, shirking and bureaucratic incompetence, but there was no serious threat of popular revolt in Wisconsin following the Port Washington Riots, and even less in the war's final two years.

Furthermore, regardless of their personal attitudes towards blacks, free or slave, a majority of Wisconsin voters after 1864 did not readily respond to the "miscegenation" and other race-based tactics employed by the Democrats and the Copperhead faction during this election year. The spreading perception of the war as a moral crusade against slavery temporarily came to outweigh private fears of abolition's social and economic results, which had increased following the Emancipation Proclamation—even amongst

individuals who supported a restored Union *sans* slavery. In addition, the Republican tactic of casting those who criticized or openly opposed their policies as traitors served to further discredit the idea of rapprochement with the South without conditions, as espoused by Edward G. Ryan and other Wisconsin Peace Democrats in accordance with the national Democratic line post-1862. With the Northern armies steadily gaining ground after 1863, and with domestic military courts in place to judge and punish citizens deemed sympathetic to the Southern cause, “peace-at-any-price” rhetoric lost favor among Wisconsin voting blocs—such as the Irish and Germans—who had previously favored the Democratic Party on the basis of their opposition to abolition and other Republican policies following 1862.

When Wisconsinites objected to Republican Civil War policies—whether through ballots, speeches or riots—they did so out of fear of the impact of these policies on the societal fabric of their state: specifically, state and federal protection and favoring of banks, railroads and other industries to fund the war effort; the expanding of executive powers to manage the draft and punish real or imagined treason; and the formal ending of slavery, with its attendant costs due to the destruction of the plantation economy and the feared migration of blacks to Northern cities and jobs. The success of the Union military, combined with the Republicans’ political tactics at home, served in the end to quiet this dissent and bring about wider recognition of the benefits brought by Lincoln’s party. One conclusion is clear above all: The ongoing conflict over Republican programs, played out in Wisconsin, proved the importance of the state’s role in the Union’s war effort and restoration, and what shape that restoration would assume as the Civil War came to an end.

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