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APPEALS TO LINCOLN'S CLEMENCY.

IN all his many-sided aspects Abraham Lincoln is perhaps better understood and more thoroughly appreciated than any other great American, for his life was as open as the day. His heart went out spontaneously to the lowly, whose hopes and aspirations he understood. He was very approachable. With a cause to plead, the meanest as well as the greatest could reach Lincoln's ear at all times. Lincoln hated strife and bloodshed, yet his career culminated in the greatest war of modern times. He was made miserable by the trials and misfortunes of his country; his honest heart was wrung by cases of cruelty and hardship incident to a state of war that were daily brought to his attention on appeal in some form. The tender-hearted President was the terror of military despots and brutal jailers everywhere. Through appeals to him many criminals richly deserving punishment were allowed to go free.

It was almost impossible at first to secure Lincoln's consent to the execution of a soldier for desertion, and through immunity for this crime the army just after Fredericksburg was actually threatened with dissolution. He could not withstand the agonized tears of fathers, mothers, and friends of the condemned; seemingly would not understand why a man who had enlisted to be shot by the enemy, perhaps, should be shot in cold blood by his own friends.

In some respects the foregoing would appear to characterize an essentially weak, womanish nature; but Lincoln was far from being a weak man, though easily moved by misery and suffering, and apparently totally free from every sort of prejudice. On occasion he could be as firm as a rock when he thought justice should be vindicated, and especially so when the well-being or lives of the struggling soldiers at the front were involved. In cases of the wanton murder of Union soldiers it was seldom that an appeal for clemency was successful.

It has been my duty[1] to handle, in the departments at Washington, thousands of official documents relating to prisoners of war and analogous subjects. This has been a wonderful revelation to me, although the knowledge thus gained has in no wise modified my original impressions of the War President, and every scrap and line I have examined confirms in all particulars the world's affectionate judgment upon his noble and magnanimous character.

The multitude as well as the multifarious character of the appeals made to Lincoln are evidence of the unalterable conviction of the people that he was their sheet-anchor. There was not the least hesitation in approaching him, because there was a popular confidence that he was kind, unselfish, and honest. The wounded soldier hobbling alone into the White House was not an unusual sight, and he never came away without cheer of some kind.

Among the wounded Bull Run prisoners returning from Richmond after many weary months in Libby was a lad named Will Upham, of the Second Wisconsin Infantry. This boy found his way into the presence of Lincoln, who sympathetically drew from him the story of his adventures in battle and in prison, and sent him away with an appointment to West Point, from which academy Upham was subsequently graduated with honors. Recently this protégé of Lincoln was chosen Governor of Wisconsin. One day Lincoln was found counting over and dividing into parcels a small sum in greenbacks for a negro messenger in the Treasury Department who was in hospital with the smallpox, unable to sign the roll and draw his pay. The President of the United States cheerfully undertook to cut the Gordian knot of red tape, procure the poor man's wages, and make the desired disposition thereof. Books and newspapers and living men teem with anecdotes of Lincoln like the foregoing.

But as the war progressed, Mr. Lincoln's cares increased. He became too deeply engrossed in more important affairs to devote much time to mere individual concerns, even when they involved the liberty of a citizen. To the ordinary appeals from prisoners for release or redress he paid but little attention himself, beyond referring them to the proper bureau; occasionally he made a personal order, generally, as appears, on the representation of some influential political friend or supporter. These latter orders were of the most formal and perfunctory kind, and en-

[1] The writer, a member of the Government Commission engaged in publishing the War Records, has charge of the compilation relating to prisoners of war.—EDITOR.

tirely lacking in the original and sometimes humorous characteristics of the earlier indorsements found on papers of this nature passing through his hands, unerringly indicating, as they did, a deep interest in the matter in hand. It must not be understood, however, that he had become callous to the call of humanity. He was harassed by greater duties; besides, he had learned that this sort of thing could be handled as well by others.

In the multitude of appeals brought by prisoners and their friends many deceits and frauds were practised, and even perjuries committed, to secure release and immunity through the soft-hearted Lincoln. Doubtless the good man was often deceived; in many cases it is not unlikely he was willing to be deceived. Still, in those matters where there was doubt, he sometimes dealt with the crafty wariness of a criminal lawyer,—a phase of character not ascribed to him by the masses,—more likely rather to protect himself than from any fear that real harm to public interests would ensue.

In the case of Michael Dazey of Quincy, Ill., who appealed through Senator Browning for the release of his brother, a prisoner at Alton, Mr. Lincoln carefully indorsed the following on the letter:

Senator Browning personally knows, and vouches for, the writer of this letter. Let William T. Dazey, named within, take the oath prescribed in the proclamation of December 8, and be bailed to his brother, the writer of this letter. A. LINCOLN.

December 9, 1863.

The foregoing is unique. Now, Senator Browning had not indorsed the letter in writing; he had simply made oral representations to the President. The latter, very properly and wisely, made a complete record of the case, and at the same time made Mr. Browning responsible, with the brother, to himself for the prisoner's good behavior after release. The terms of this indorsement show the thorough politician. There is more or less of this element—protective clauses, so to speak—in nearly every indorsement made by Mr. Lincoln on papers submitted for disposition at his hands.

There is another of the same kind worth quoting. Thomas Thoroughman of St. Joseph, Mo., was arrested for disloyalty by General Totten, some time in May, 1862, and afterward sent by General Loan to Quincy, Ill. Strong appeals were made to the President for his discharge. On the face of a large official envelop which probably originally contained all the papers relating to the case I find the following in the President's handwriting:

Will the Secretary of War please direct that Mr. Thoroughman may be disposed of at the discretion of Abram Jonas and Henry Asbury of Quincy, Ill., both of whom I know to be loyal and sensible men? A. LINCOLN.

December 13, 1862.

Inside is a single paper,—the report of Henry Asbury and Abram Jonas,—from which it appears that Mr. Thoroughman was duly paroled and permitted to go to his home.

Henry N. Warfield of Lexington, Ky., a prisoner of war at Camp Douglas, Chicago, in company with other Confederate prisoners made his escape from that military prison on the night of December 2, 1862, and made his way to the house of his brother-in-law, Dr. L. W. Brown, who resided thirteen miles east of Jacksonville, Morgan County, Ill. Dr. Brown was a loyal man, and advised Warfield, who was a lad of only eighteen, to surrender himself to the Union military authorities and then take the oath of allegiance. This he did at Jacksonville, after which a petition, signed by Governor Yates, Senator Trumbull, E. B. Washburne, I. N. Arnold, and several other political notabilities, was forwarded to the President for his release. Mr. Lincoln made the following order in this case:

Let Henry N. Warfield, named within, be paroled and delivered to the custody,—bailed, so to speak,—to his brother-in-law, Dr. L. W. Brown, who and whose brothers are very near friends of mine in Illinois. A. LINCOLN.

December 14, 1863.

And if anything further were needed to prove that the President did not always permit his woman's heart to mislead him, even in cases of this nature, the following will convince the most skeptical. Henry A. Wilkerson of Nashville, Tenn., a boy of seventeen, ran away from school in Kentucky and joined the Confederate army. He was captured, and his friends in Nashville prevailed upon Governor Johnson to recommend his discharge to the President. A formal petition of citizens of Nashville was forwarded to Washington by Governor Johnson, but unaccompanied by any indorsement or recommendation of his own. After examining the paper, Mr. Lincoln indorsed upon it:

If Governor Johnson will say in writing on this sheet that in his opinion this man should be discharged, I will discharge him.

A. LINCOLN.

December 5, 1864.

On the 10th Governor Johnson telegraphed his recommendation that young Wilkerson be released on taking the amnesty oath, to report at Nashville to «enter upon such further obligation as may be agreed upon.» This telegram was attached to the original paper, and the careful President indorsed the following order upon it:

Let this man take the oath of December 8, 1863, and be discharged as recommended by Governor Johnson. A. LINCOLN.
December 15, 1864.

Charles O. Roby of Fairfax County, Va., whose father was a Union man, was wounded and captured at Gettysburg in the Confederate service, into which, according to the affidavit of his father, he had been conscripted, and from which he tried to escape. On the father's affidavit Mr. Lincoln indorsed:

My impulse would be to say, "Let Charles O. Roby take the oath and be discharged," yet I do not so say, not knowing what valid objection there may be known at the War Department. Mr. Foster, who presents this, was a M.C. from New York several years ago, and afterwards a resident of Virginia, as he states. He is vouched to me as a respectable and worthy gentleman. I submit the case to the Secretary of War. A. LINCOLN.
October 14, 1863.

Roby was soon after released, on the order of the Secretary of War, on taking the oath.

Notwithstanding his kindly impulses, Mr. Lincoln appears to have combined policy largely with his mercy, even in dealing with cases appealing to the heart rather than to the head. A son of the Hon. Thomas A. R. Nelson, a distinguished Union citizen of east Tennessee, floated into the Confederate army, like hundreds of other young fellows of the South, from one cause or another. He was captured by Grant at the Big Black in 1863, and sent to Point Lookout. War did not have the same rosy hue to the young man after he had languished in prison several months, and he longed for liberty. His father made application for his release, stating as a basis for it that his son had been practically coerced into the rebel service, and had always been favorable to the Union side. He also stated that one of his sons, from choice, had served twelve months in the Confederate army and been discharged, and that two others were then in the Union armies. Mr. Lincoln's indorsement reads:

The writer of this, Hon. Mr. Nelson of Tennessee, is a man of mark, and one whom I would like to have obliged. I am in favor of discharging his son, with pledge that he shall not be conscripted, upon his taking the oath of December 8. A. LINCOLN.
February 19, 1864.

Mr. Lincoln, lawyer-like, appears never to have taken anything for granted in the cases submitted, and no matter what his ultimate intentions were, he never concluded a case without proper inquiry. Abraham Samuels was caught passing through the Union lines to obtain medical supplies for the Southern army; but an application for his release asserted that his real purpose was to escape from the South. Mr. Lincoln indorsed:

It is confessed in this case that Samuels, when arrested, had on his person a paper *prima facie* showing that he was going North to obtain medical supplies for the rebels. Will the officer in command at Fort Monroe please give him an opportunity of trying to prove that this was not his real object, and report the evidence, with his opinion on it, to me?
A. LINCOLN.

The above is an exception to the almost invariable rule of Mr. Lincoln carefully to date every indorsement, of whatever nature, that he made upon a paper. Considerable testimony was taken by General Shepley in the Samuels case, and December 10, 1864, the original application turns up again, and is indorsed with the laconic order:

Let the prisoner Samuels be discharged.
A. LINCOLN.

A prisoner in Camp Morton, Indianapolis, whose name need not be written, made a feeling personal appeal to the President for release, the opening paragraph of which was as follows: «Mr. President, I never was, am not, and never can be, a secessionist. I have been of a highly nervous temperament, with weak lungs, and easily excited. I was shamefully deceived by a supposed friend, who made me believe that I would be killed unless I fled my home and native State to seek safety in the South,» etc. Upon this document the President made this droll indorsement:

This man being so well vouched, and talking so much better than any other I have heard, let him take the oath of December 8, and be discharged. A. LINCOLN.
July 1, 1864.

On a paper presented by a tearful mother in behalf of her imprisoned son he wrote:

Let this woman have her boy out of Old Capitol Prison. A. LINCOLN.
January 3, 1863.

Mr. Lincoln's absolute impartiality when dealing with affairs wherein he was personally interested is well illustrated in the following despatch to a Union general:

WAR DEPARTMENT, WASHINGTON, D. C.,
August 8, 1864.

MAJOR-GENERAL BURBRIDGE, Lexington, Ky.:

Last December Mrs. Emily T. Helm, half-sister of Mrs. L., and widow of the rebel general Ben. Hardin Helm, stopped here on her way from Georgia to Kentucky, and I gave her a paper, as I remember, to protect her against the mere fact of her being General Helm's widow. I hear a rumor to-day that you recently sought to arrest her, but was prevented by her presenting the paper from me. I do not intend to protect her against the consequences of disloyal words or acts spoken or done by her since her return to Kentucky, and if the paper given her by me can be construed to give her protection for such words or acts, it is hereby revoked *pro tanto*. Deal with her for current conduct just as you would with any other. A. LINCOLN.

His sense of humor, as well as lack of prejudice, finds expression in this telegram to the Governor of Kentucky:

WAR DEPARTMENT, WASHINGTON, D. C.,
November 10, 1864.

GOVERNOR BRAMLETTE, Frankfort, Ky.:

Yours of yesterday received. I can scarcely believe that General John B. Houston has been arrested "for no other offense than opposition to my reëlection," for if that had been deemed sufficient cause of arrest I should have heard of more than one arrest in Kentucky on election day. If, however, General Houston has been arrested for no other cause than opposition to my reëlection, General Burbridge will discharge him at once, I sending him a copy of this as an order to that effect.

A. LINCOLN.

He had a fashion of writing his most important orders on any scrap of paper, envelop, or blank card at hand at the moment. On both sides of a small visiting-card I find this request, which is in fact an order:

SECRETARY OF WAR:

Please oblige Senator Powell by giving the limits of Cleveland to Charles F. Johnson, on his parole, the Senator pledging me that the parole will not be violated. He is a prisoner now at or near Sandusky. A. LINCOLN.
July 1, 1862.

On another card he wrote:

Allow Charles H. Jonas, now a prisoner of war at Johnson's Island, a parole of three weeks to visit his dying father, Abram Jonas, at Quincy, Ill. A. LINCOLN.
June 2, 1864.

In those days it was very difficult for friends to get access to prisoners. On another card is the following order:

Allow this lady, Mrs. Parks, with her friend, Mr. Tallmadge, to see her two sons, prisoners of war at Point Lookout. A. LINCOLN.
June 24, 1864.

Occasionally there is an official communication in the shape of a formal letter on note-paper:

EXECUTIVE MANSION, WASHINGTON,
May 26, 1864.

HONORABLE SECRETARY OF WAR.

DEAR SIR: Let Stephen C. Campbell, now held as a prisoner of war at Johnson's Island, be discharged on taking the oath. This is a special case, not a precedent, the man having voluntarily quitted the rebel service, and also being subject to fits. Yours truly,

A. LINCOLN.

The fact that the man was «subject to fits» struck the President as an important item in the bill of particulars favoring his discharge. Following is another formal note to the Secretary of War, who was a much more difficult personage to reach than Mr. Lincoln. In this instance it looks as if the President sought to shift responsibility.

EXECUTIVE MANSION, WASHINGTON,
September 7, 1863.

HONORABLE SECRETARY OF WAR.

MY DEAR SIR: This lady says her husband, Theophilus Brown, and his brother, George E. Brown, are in the Old Capitol Prison as prisoners of war, that they were conscripted into the rebel army, and were never for the rebel cause, and are now willing to do anything reasonable to be at liberty. This may be true, and if true they should be liberated. Please take hold of the case, and do what may seem proper in it. Yours truly,

A. LINCOLN.

Several Union Quakers made representations to Mr. Lincoln that three North Carolina Confederate prisoners were Quakers, and at heart for the Union. The President made this indorsement on the application for their release:

This paper is presented to me by Friends John W. Tatum of Delaware, and Joseph Tatum of New Jersey, who are satisfied that the statement is correct. Let the men within named be discharged on affirming according to the oath of December 8, 1863, and that they will remain North. A. LINCOLN.
November 30, 1864.

An appeal was made in behalf of a man under sentence of death with whom the Pres-

ident had formerly been acquainted, whereupon he telegraphed this order:

EXECUTIVE MANSION, WASHINGTON, D. C., December 17, 1863.

MAJOR-GENERAL HURLBUT, Memphis, Tenn.: I understand you have under sentence of death a tall old man by the name of Henry F. Luckett. I personally knew him, and did not think him a bad man. Please do not let him be executed, unless upon further order from me, and in the meantime send me a transcript of the record. A. LINCOLN.

Here is one of his queer indorsements upon some papers filed with him by Judge-Advocate-General Holt:

I wish to grant a pardon in this case, and will be obliged to the Judge-Advocate of the Army if he will inform me as to the *way* in which it is to be done. A. LINCOLN.
March 25, 1862.

On a large bundle of papers covering but a single case, and that unimportant, appears the following sententious remark:

What possible injury can this lad work upon the cause of this great Union? I say let him go. A. LINCOLN.
April 10, 1862.

The release of A. M. Hughes, Jr., of Columbia, Tenn., a Confederate prisoner at Camp Morton, was recommended by Governor Andrew Johnson. On this paper Mr. Lincoln indorsed these words:

As a boon to Governor Johnson, let this young man take the oath of December 8, and be discharged. A. LINCOLN.
February 17, 1864.

As previously stated, in those last days there was very little circumlocution, and, indeed, very few got out except by exchange or escape, unless on the special order of the President. Congress had prescribed a special oath of allegiance for those prisoners who were tired of the war, and it was easy for the President to fall back upon this. I will give an example of Mr. Lincoln's style of treating ordinary cases coming under this provision. Governor Lewis of Wisconsin, Henry J. Raymond of the «New-York Times,» and other influential people, appealed to him for the release of William H. Turley of east Tennessee, arbitrarily arrested in April, 1863, and imprisoned at Johnson's Island for more than a year. Mr. Lincoln simply indorsed upon this petition these words:

Let this man Turley take the oath of December 8, 1863, and be discharged.
October 24, 1864. A. LINCOLN.

Occasionally, however, I find a slight variation from this blunt phraseology, as upon the papers of Louis Kinney, a Kentucky prisoner at Point Lookout:

Let this man take the oath of December 8, and be discharged. He is said to be barely past eighteen years of age, and is at Point Lookout, and sick. A. LINCOLN.
August 30, 1864.

Most of the foregoing relate to the cases of individuals who had perpetrated no crime other than being Confederate soldiers, or sympathizers with the rebellion. Mr. Lincoln seems to have been willing to consider them each and all as «special cases, and not precedents.» His clear, practical head enabled him to hold lightly the probable influence, either for good or evil, of any obscure individual upon the fortunes of the great struggle going on; and being totally free from the passions of hate and revenge, it was thus very easy for this humane man to exercise mercy in such cases.

But with all his tenderness of heart there was another and firmer side to his nature, which, when called into activity in extreme cases, was as noteworthy as the other. When he was fully convinced that it would be hurtful to the public interest to interpose executive clemency, his action was manifested in numerous instances by a terse indorsement, of which the following is an example:

I cannot interfere in this case.
A. LINCOLN.
January 1, 1863.

In the particular case—a capital one—of which the above is a part, there is ample evidence that he arrived at this, to him, painful and portentous conclusion at the end of a thorough investigation, and then only after a hard struggle for the mastery between his lawyer's head and human heart. One further illustration of this phase of his character, and I have done.

On July 11, 1863, a shocking tragedy occurred in Norfolk, Va. As it was a *cause célèbre*, all the circumstances of the murder being at the time generally discussed and the principals well known, I can see no harm, thirty years afterward, in introducing the facts here. On that day Second Lieutenant A. L. Sanborn of the First United States Colored Troops, was marching at the head of his company of blacks along one of the main streets of Norfolk. Being nettled by some taunting remarks of ex-slaveholders and Southern sympathizers, he threatened

with arrest, as perhaps was his duty, one Dr. David M. Wright, who appeared to be the most conspicuous of the offenders. There was an altercation, in the midst of which Wright drew a revolver and shot the Union officer dead.

The murderer was at once arrested, and subsequently tried by a military commission, of which General R. S. Foster was president. He was ably defended by Hon. Lemuel J. Bowden and Hon. L. H. Chandler, but was found guilty, and sentenced to be hanged. The testimony was clear and conclusive. The most desperate efforts were made during and after the trial to save Wright, who was a man of considerable note and good character. Petitions poured in upon the President from all quarters. Among the papers is one letter from Canada interceding for him. The pressure upon Mr. Lincoln was something tremendous; his first appearance in the case is in the shape of a telegram:

EXECUTIVE MANSION, WASHINGTON, D. C.,
August 3, 1863.

MAJOR-GENERAL FOSTER (or whoever may be in command of the military department with headquarters at Fort Monroe, Va.):

If Dr. Wright, on trial at Norfolk, has been or shall be convicted, send me a transcript of his trial and conviction, and do not let execution be done upon him until my further orders.

A. LINCOLN.

Judge-Advocate-General Holt transmitted the papers to the President on the 19th of August, with a report characterizing the killing of Sanborn as an «undefended assassination.» Yet the execution was delayed until Mr. Lincoln had gone through all the channels of investigation. The President found:

Upon the presentation of the record in this case and the examination thereof, aided by the report thereon of the Judge-Advocate-General, and on full hearing of counsel for the accused, being satisfied that no proper question remained open except as to the insanity of the accused, I caused a very full examination to be made on that question, upon a great amount of evidence, including all offered by counsel of accused, by an expert of high reputation in that professional department, who thereon reports to me, as his opinion, that the accused "Dr. David M. Wright was not insane prior to or on the 11th day of July, 1863, the date of the homicide of Lieutenant Sanborn; that he has not been insane since, and is not insane now." I therefore approve the finding and sentence of the military commission, and direct that the Major-General in command of the department including the place of trial, and wherein the convict is now in custody, appoint time and place and carry said sentence into execution.

A. LINCOLN.

October 7, 1863.

The execution was fixed for the 16th of October, 1863, but Messrs. Bowden and Chandler did not cease their efforts in behalf of the doomed man. On the intercession of Mr. Bowden, Mr. Lincoln sent the following reprieve the day before that fixed for the execution:

WAR DEPARTMENT, WASHINGTON, D. C.,
October 15, 1863.

MAJOR-GENERAL FOSTER, Fort Monroe, Va.:

Postpone the execution of Dr. Wright to Friday, the 23d instant (October). This is intended for his preparation, and is final.

A. LINCOLN.

On the 17th General Foster informed the President that Dr. Wright's wife desired to visit Washington to intercede with him for her husband's life. The effect on Mr. Lincoln of such an appeal from a woman can well be imagined by the reader of the foregoing pages. The responsibility with such a man of denying the agonized woman's prayer must have been dreadful, and the tenor of the following answer to General Foster shows how the President felt it:

WAR DEPARTMENT, WASHINGTON, D. C.,
October 17, 1863.

MAJOR-GENERAL FOSTER, Fort Monroe, Va.:

It would be useless for Mrs. Dr. Wright to come here. The subject is a very painful one, but the case is settled.

A. LINCOLN.

This ended the case. On the final day Dr. Wright was executed.

It may be remarked that there are very few instances of record wherein Mr. Lincoln, combating his own disposition as well as the pleadings of the convict's friends, as in Dr. Wright's case, took an inexorable stand, from which no entreaty apparently could move him. When he did assume that attitude, we may safely conclude that he was controlled wholly by cogent reasons of a public nature.

Leslie J. Perry.