

“The most unpopular man in

As dawn approached on the morning of May 25, 1863, General William S. Rosecrans, the Union commander in Tennessee, found himself in charge of a prisoner he would soon and gladly be rid of. The man was Clement L. Vallandigham—the most reviled member of that controversial political sect of the American Civil War, the Copperheads. A former United States congressman from Ohio recently defeated for re-election, Vallandigham had achieved notoriety by denouncing Abraham Lincoln as a dictator and by demanding an immediate armistice to end the war, with full restoration of the South’s constitutional rights and privileges. His real game, many believed, was to accomplish the permanent separation of the South and the acceptance of its independence by the North.

Vallandigham’s views, which he had given unbridled expression in an unending round of orations in the East and West, had roiled countless loyal Unionists. During his membership in the House of Representatives, petitions had poured out of Ohio electoral districts calling for his expulsion from the House as a “traitor and a disgrace to the State.” Five months after the outbreak of war, one of Vallandigham’s staunchest supporters was writing, “There is no denying the fact now that he is the most unpopular man in the north, and that here in his own district he has but a minority of the people with him.”

Just three weeks had passed since the long-gathering storm of condemnation had finally crashed down upon Vallandigham. On May 7, 1863, a military commission had tried him and found him guilty of publicly expressing sentiments calculated to hinder the suppression of the rebellion; he had been sentenced to prison. But President Lincoln had come up with a better idea: he simply ordered the troublesome Vallandigham exiled to the South, behind Confederate battle lines, for the rest of the war.

Now, as he prepared to hand his prisoner over to the Rebels, General Rosecrans provided him the benefit of a polite lecture on loyalty which concluded with the emphatic observation that were Vallandigham not under heavy guard, Rosecrans’ sol-

diers would tear him to pieces. “That, sir,” Vallandigham answered evenly, “is because they are just as prejudiced and ignorant of my character and career as yourself....”

“I have a proposition to make,” Vallandigham continued. “Draw your soldiers up in a hollow square tomorrow morning, and announce to them that Vallandigham desires to vindicate himself, and I will guarantee that when they have heard me through they will be more willing to tear Lincoln and yourself to pieces than they will Vallandigham.” Rosecrans, of course, refused, but the rest of their conversation was amiable enough; when it was time to depart for the Confederate lines, the General laid his hand on Vallandigham’s shoulder and said to an aide, “He don’t look a bit like a traitor, now does he, Joe?”

History, in whose approving judgment Vallandigham had indestructible faith, has not smiled upon him. The prevailing view is that he was a traitor, or at best only a half-step removed from being one. Yet for all of the severity and assurance with which the verdict has been rendered, history’s estimation of Vallandigham is still open to question. Although he stands in no danger of becoming a national hero, several key facts of his career remain shrouded in doubt, and the good that he did, which was not unimportant, has been interred with his bones.

What manner of man was Clement Laird Vallandigham? He was born in New Lisbon, Ohio, on July 29, 1820, the son of a Presbyterian minister of southern extraction. Young Clement’s upbringing included a thorough grounding in religion and study at Jefferson College at Canonsburg, Pennsylvania, which at the time had a large southern clientele. Upon returning to Ohio, he practiced law in New Lisbon and subsequently in Dayton and went into politics. A spellbinding champion of the Jeffersonian vision of individual liberty, local autonomy, and agrarian simplicity, he served in the Ohio legislature and, commencing in 1858, in the United States House of Representatives.

Vallandigham’s congressional career was large-

the north”

By LOUIS W. KOENIG

Peace without victory was the crusade of Clement L. Vallandigham, the volatile extremist spokesman of the antiwar “Copperheads.” Too often his deeds had a suspicious odor of treason

“The Constitution as it is, the Union as it was,” proclaimed Vallandigham in his damaging campaign to end the Civil War. The Ohio politician is shown at right in a photograph by Matthew Brady. Above a cartoon of 1863 shows the Copperheads. They were officially known as Peace Democrats, about to strike at a beleaguered mom; the threat was not wholly empty.



ly devoted to assailing the abolitionists, whose anti-slavery preachings, he believed, were impairing the general peace and harmony and threatening the dissolution of the Union. To preserve peace—which was the natural interest of the Midwest with its acute dependence upon unfettered use of the Mississippi—Vallandigham counselled a strict observance of states' rights. "With the domestic policies and institutions of Kentucky, or any other State," he declared, "the people have no more right to intermeddle than with the laws or form of government in Russia. Slavery in the South is to them as polygamy in the Turkish Empire."

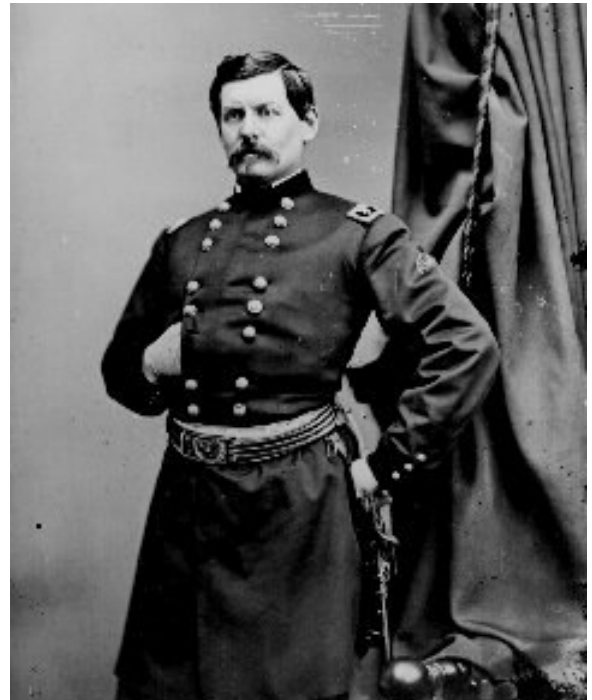
But the exhortations of Vallandigham and others in Congress who sincerely advocated peace were all in vain. The states of the Deep South seceded, the Confederacy was established, Fort Sumter was attacked, and the Union disintegrated in the roaring furnace of war.

Vallandigham's position in the new state of affairs was quickly and candidly revealed. He refused to aid the war by word or deed. "I had rather my right arm were plucked from its socket, and cast into eternal burnings," he cried in his theatrical fashion. When a gigantic army appropriation bill went before the House, Vallandigham tried to attach an amendment that would have required the President to appoint commissioners to accompany the army on the march and receive and consider propositions looking toward the suspension of hostilities and the return of the Confederate states to the Union.

By far the most fertile ground for Vallandigham's opposition to the Lincoln administration was the vital issue of freedom and civil liberty. The Constitution's requirements concerning both the fundamental procedures of government and the protection of individual rights were being rapidly and sweepingly subordinated to the exigencies of war. In the ten weeks between the outbreak of hostilities at Fort Sumter and the convening of Congress on July 4, Lincoln expanded the Army and Navy without authorization of Congress; applied unappropriated funds of the Treasury to their support; and levied a blockade without the prior declaration of war by Congress contemplated by the Constitution. Above all, he suspended the writ of habeas corpus in various parts of the country and caused the arrest and military detention of individuals "who were represented to him" as persons engaging in or contemplating "treasonable practices." "Are all the laws *but one* to go unexecuted," asked Lincoln in justifying his extraordinary ac-

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On August 31, 1864, the Democratic convention meeting at the National Amphitheater in Chicago nominated for President the popular former commander of the Army of the Potomac, General George B. McClellan (below). But Vallandigham and others in the Copperheads wing of the party seriously hurt "Little Mac's" chances by forcing into the platform a plank which called the war a failure and demanded an immediate end to hostilities. (During these eventful days, an attempt by Confederate agents in the city to foment an uprising by Copperheads sympathizers fizzled out.) Having nominated a war hero and with equal enthusiasm declared for peace, the delegates had created a paradox which their Republican opponents did not hesitate to exploit. The cartoon below is one such anti-McClellan cartoon.



GREAT COPPERHEAD JUBILEE!

The friends of "Free Speech," "Free Press," and "Free Fight," are invited to take the Gambut **DISUNION**, Captain **PRACEATANYPRICE**, on the 4th of March, 1865, for **SALT RIVER**. "Abe" will furnish a colored Band.

The Hero of **MUNSON HILL**
Little MAC,
COMMANDER
 Of all Faithful Copperheads

The Presiding Delty of the Chicago Convention.

Grandmother "**BUCHANAN**" will give the Guests a hearty welcome on their arrival at the **SALINE SPRINGS**.

N.B.—Merchants having empty "**DRY GOODS BOXES**" can realize the highest prices for them, by applying to Gov. **SEYMOUR**, or to the National Democratic Committee. Warranted not to be used for election purposes.

ON THE BANKS OF SALT RIVER!

SEYMOUR & WOOD, Managers. Via "CHICAGO PLATFORM"



“The most unpopular man in the north” CONTINUED FROM PAGE 14

tions, “and the Government itself to go to pieces lest that one be violated ... ?”

The Lincoln government, in short, had an authoritarian side, and Vallandigham was its most tireless and articulate critic. He flayed the President for not assembling Congress, and for capriciously overlooking the fact that the Constitution empowers Congress, and Congress alone, to raise and support armies. Yet the President, without prior legislative sanction, had created his own army—a course which if pursued by an English sovereign within the last two centuries, Vallandigham noted, would have resulted in the loss of his head. In his unsparing attacks upon the administration, however, he seemed to make no allowance whatever for the gravity of the nation’s peril and the need for drastic and immediate action.

Vallandigham’s concerns were by no means limited to the floor of the House of Representatives, for he was heavily engaged in politics at home. In Ohio, as in many another state of the West and East, there were in reality two Democratic parties. The War Democrats advocated vigorous prosecution of the war to restore the Federal Union at the earliest possible moment. Opposed to them were the Peace Democrats—or the Copperheads, as they were called by their detractors—who included Vallandigham, his fellow Ohio congressmen George H. Pendleton and Samuel S. Cox, former Governor Thomas Hart Seymour of Connecticut, and Fernando Wood, the charming but ruthless mayor of New York City. Even in Copperhead circles, Vallandigham was considered an extremist.

Vallandigham was essentially a sectional politician whose doctrines were a compound of local interest and local circumstance. In Ohio, he was the hero of the poor farmer, who, typically, had emigrated from the South, tilled substandard soil, owned a shabby homestead, and was apt to be illiterate. In Dayton, Cincin-

nati, Columbus, and other Ohio cities, Vallandigham was a favorite of the recent Irish and German immigrants, and particularly of the unskilled laborers among them. Farmers and workingmen feared that the freeing of the Negro would unloose a great flood of cheap labor that would engulf the West and drive them out of their meager employments. To these people who dreaded the changes that the war might bring, his constant electioneering slogan, “The Constitution as it is, the Union as it was,” had special point. To Vallandigham, righteous New England abolitionists and greedy, high-tariff eastern capitalists were responsible for the nation’s misery. Next to the West, his sympathies lay with the South. He was impressed with the prowess of her arms, and as the war proceeded, he expressed repeatedly in his speeches unconcealed satisfaction in her victories and grave doubts concerning the ability of Union armies ultimately to prevail.

The year 1862 subjected Vallandigham to the crucial test of re-election. The prospects for victory, as he and his most ardent followers recognized, were exceedingly poor. His congressional district had been recently gerrymandered by the newly constituted Union party (or what Vallandigham called the “no party”), an amalgam of the Republicans and the War Democrats, which now controlled the Ohio legislature. The gerrymander had added to his district a new county, Warren, one of the state’s abolitionist strongholds.

Despite the bleak prospects, Vallandigham campaigned hard. He crisscrossed his district, speaking at country picnics and on city street corners. His vehement oratory and showmanship enormously intrigued the crowds.

For all this effort, the returns on election day showed conclusively that the gerrymander had served its purpose. Vallandigham went down to defeat. Al-

though he carried the original counties of his district by a larger vote than ever before, he lost heavily in the gerrymandered county, Warren. But Vallandigham's setback resulted in no noticeable diminution of his political stock. The gerrymander had added a new dimension to his martyrdom, and in one Copperhead county after another, resolutions were adopted urging his nomination for governor in the 1863 election.

Preliminary soundings made by Vallandigham upon his return to Ohio from Washington in 1863 revealed that a majority of the state's Democratic leaders were opposed to his nomination for the governorship. Clearly he needed a dramatic and meaningful issue to build up a massive public support that the party professionals could not ignore. An ideal opportunity suddenly materialized in the person and policies of the newly appointed resident Union commander, General Ambrose E. Burnside. Tactless, impetuous, and smarting under his recent disastrous defeat at the Battle of Fredericksburg, Burnside had been sent to Ohio to halt a series of disorders attributed to the Copperheads. The General proceeded to issue a series of freedom-curbing orders which, among other things, forbade the citizenry to keep and bear arms and to speak out publicly against administration policies. The best known of Burnside's several edicts was "General Order No. 38" of April 13, 1863, with its broad and loosely denned decree that those who committed "acts for the benefit of our enemies" would be tried by military tribunal "as spies or traitors."

In one address after another, Vallandigham excoriated the Burnside orders as the ultimate in Lincolnian despotism. The most consequential of Vallandigham's angry expositions was delivered at Mount Vernon, Ohio, on May 4 before a crowd estimated at 20,000. It was for Vallandigham a mild speech until he came inevitably to speak of Burnside's Order No. 38 and dissolved into a fit of rhetorical rage. He "despised it," he shouted, "spit upon it, trampled it under his feet." The crowd roared back its defiant approval. While Vallandigham spoke, a captain of the Union volunteers in plain clothes was leaning against the speakers' platform, taking down his words in shorthand.

Late that same night, General Burnside dispatched a force to arrest Vallandigham. Awakened at 2:30 A.M. by a violent knocking on the door, the Copperhead went to a front upstairs window, not suspecting what was afoot. In an instant he knew. The tramp of armed men, the low voice of command, the rattling of arms, the bayonets glittering in the gaslight, could mean but one thing: his arrest.

As Vallandigham threw open the shutters, his wife screamed with fright. The captain in command announced his purpose. Vallandigham shouted that no military officer had the lawful right to arrest him. Unless Vallandigham came down, replied the captain, he would be shot. The beleaguered Copperhead shouted for the police. There was a moment of silence,

an angry command, and the house began to shake as the blows of axes broke down its doors. One soon gave way, and a wave of cursing men carrying bayonets surged inside. Vallandigham retreated through several rooms before he was finally encircled by a score of pointed rifles. He was quickly marched to a railroad depot and taken by special train to Cincinnati.

Vallandigham's arrest put Dayton into an uproar. By noon the next day, wagons and carriages crammed with his followers were pouring into the city. At twilight a mob of five hundred men, hooting and yelling, sacked the office of the *Dayton Journal*, a Unionist publication. Stones and bullets shattered the newspaper's windows and blazing torches were hurled inside. The fire raced through three stores, a meat market, a livery stable, and the office of a church publication. The city's firemen, their engines sabotaged and their hoses slashed, fought helplessly.

The charges against Vallandigham were based mainly on his speech at Mount Vernon. There he was alleged to have called the war "wicked, cruel, and unnecessary," claiming that it was fought "for the purpose of crushing out Liberty and erecting a Despotism," that it was "a war for the freedom of the blacks and the enslavement of the whites," and that "if the Administration had wished, the war could have been honorably terminated months ago." By these and other statements, the charges continued, Vallandigham had violated General Order No. 38.

The day following his arrest, Vallandigham was brought to trial before a military commission of eight officers. When the court convened, Vallandigham calmly stated that the commission lacked authority to try him. He was not a member of the armed forces, he pointed out, and was therefore subject only to the civil judiciary. The trial nevertheless proceeded, the shorthand notes were introduced, and Vallandigham was found guilty of the charges against him. Appeals on his part to the United States Court for the Southern District of Ohio and eventually to the Supreme Court were to no avail.

Inside the Lincoln administration, opinion was less unanimous than it was among the military judges. "The proceedings," wrote Secretary of the Navy Gideon Welles, echoing the feelings of the President, "were arbitrary and injudicious. It gives bad men the right of questions, an advantage of which they avail themselves. Good men, who wish to support the Administration, find it difficult to defend these acts." The arrest, trial, and sentencing of Vallandigham, in point of fact, had taken Lincoln rather by surprise. Once faced with an accomplished fact, however, he had to decide whether to approve the military court's decision or to annul it, thereby weakening the commanding general's authority in his district and encouraging the anti-administration element throughout the West. Lincoln chose to back up Burnside; and then, with a finesse truly indicative of his political genius, pro-

ceeded to go one step further. He wisely concluded that Vallandigham's incarceration would only refuel the fires of popular sympathy for the Copperhead, establishing a lasting source of irritation and public discussion. Instead, Lincoln chose to hand Vallandigham over to the Confederates, thus pinning upon him a contemptible and indelible badge of affiliation with the enemies of his country. So Vallandigham was hustled on board the United States gunboat *Exchange* at Cincinnati and taken down the Ohio River to Louisville; from there, he was escorted under heavy guard to Murfreesboro, the advanced headquarters of the Union Army in Tennessee. On the morning of May 25, following his brief debate with General Rosecrans on loyalty, the Copperhead was deposited behind Confederate lines.

Vallandigham's stay in the South was not passed in idleness—though a good deal of controversy still surrounds his exact activities. Some evidence suggests that his days were devoted to one of the most heinous pursuits known to man, treason. Vallandigham was extensively interviewed by leading Confederate officials and, according to some accounts, he played a vital part in persuading the Confederates to undertake two major military enterprises in the summer of 1863. One was nothing less than General Robert E. Lee's invasion of Pennsylvania, and the other was General John Hunt Morgan's daring raid into the Ohio Valley. These ventures were encouraged, said Confederate Captain Joe Lane, by Vallandigham's insistence that the North was "ripe for revolution" and only waited upon the appearance of Southern armies to overturn Lincoln and proclaim for Jefferson Davis.

A wholly opposite view of Vallandigham's conduct is provided by Colonel Robert Ould, who interviewed the exile on behalf of the Confederate President. According to Quid's account of their conversation, Vallandigham had begged the South to drop plans it was then readying to invade Pennsylvania. An invasion, Vallandigham warned, would unite the parties of the North, dissolve all popular support for the Peace Democrats, and immeasurably strengthen Lincoln's hand in suppressing political dissent.

However much Vallandigham's activities may be in dispute, it is clear that he chose to leave the Confederacy at the earliest possible moment to take up exile in Canada, "where I can see my family, communicate with my friends & transact my business as far as practicable, unmolested." The Confederates assented to this plan.

On June 17, 1863, Vallandigham set out for his new land by a circuitous route. He sailed from Wilmington, North Carolina, on the British steamer *Cornubia*, bound for Bermuda, where he arrived on June 20; a coterie of Confederate agents were his fellow passengers. Midway in the trip, a dire crisis materialized in the shape of an approaching Union man-of-war. The *Cornubia's* terror-stricken captain turned to his most famous (or infamous) passenger, Val-

landigham, for counsel. Were there British soldiers' uniforms on board? that seasoned veteran of crisis calmly inquired. Fortunately there were some, presumably destined for the British garrison on Bermuda. At Vallandigham's suggestion, the crew and the Confederate agents quickly donned the uniforms. The hasty recruits paraded with nervous inexactitude around the deck; and apparently convinced that the *Cornubia* was a British troopship, the man-of-war changed course.

After ten days in Bermuda, Vallandigham and several dozen Confederate agents embarked on another British steamer, the *Harriet Pinckney*, for Halifax, Nova Scotia. This leg of the journey also entailed several harrowing brushes with Union frigates and anxious groping through dense Atlantic fog banks; finally they reached Halifax on July 5. Vallandigham immediately pushed on to Quebec and Montreal, where he received official welcomes. He resided briefly at Clifton House on the Canadian side of Niagara Falls and then settled at Windsor, Ontario. Situated opposite Detroit, Windsor was in easy reach of Ohio and the rest of the Midwest. Vallandigham occupied a comfortable second-story apartment facing the Detroit River. He had a fine view of the town and of the United States gunboat *Michigan*, which had moved into position upon his arrival, with its guns trained directly upon his living room.

Vallandigham's chief business in his new location was to promote his candidacy for the governorship of Ohio. He had already been nominated by the Democratic state convention—his martyrdom had clinched it—and the campaign was in full swing. His opponent, John Brough, a founder of the Cincinnati *Enquirer*, a stellar outdoor orator, and a War Democrat, had been nominated by that wing of the party and also by the Republicans.

Despite a hard-fought campaign, the election's outcome was starkly foreshadowed by magnificent victories of the Union at Gettysburg and Vicksburg; they obliterated much of the lack of confidence in the Lincoln administration, on which Vallandigham's popularity long had thrived. When the returns on election day were finally totalled, the Copperhead had lost by an unprecedented majority.

While Vallandigham was nursing the wounds of defeat, the stock of another Ohioan, General George B. McClellan, was booming as the prospective Democratic nominee for the Presidency in 1864. Relieved of the command of the Army of the Potomac on November 7, 1862, the dawdling general was available. Alarmed by the possibility of a presidential candidate with a military background, a group of midwestern Peace Democrats decided to consult with Vallandigham at Windsor. The visitors had a second and not unrelated matter to take up with him: the organization of a newborn secret society, the Sons of Liberty, which conceivably might be manipulated to block

McClellan and build up another candidate—hopefully a staunch Peace Democrat.

The several predecessors of the Sons of Liberty had been pure anathema to the Lincoln administration. All were Copperhead organizations, pro-Southern in orientation, and capable of great mischief. These earlier societies were deemed responsible for the huge shipments of arms into anti-Union hands in Indiana in 1863 and for the tumultuous resistance to the draft in that state and in Illinois.

When the delegation of Peace Democrats reached Windsor, it proffered Vallandigham the supreme commandship of the Sons of Liberty. According to his own account of the interview, he at first declined, saying he was opposed in principle to secret societies. His callers pointed out, however, that the Republicans already had formed their own secret societies, the highly effective Union Leagues, to bring out the party vote, watch over the polls, and forestall possible violence. Vallandigham finally accepted, but with one condition: the Society's activities must be "kept legitimate and lawful." His visitors quickly assured him that the group "was only a political organization having reference to affairs in the States that had adhered to the Union and recognized the Federal Government and its authorities." When Vallandigham was invited to suggest an oath for his fellow members, he proposed (he later asserted) that it include a pledge to support the Constitution of the United States.

Unfortunately, what is known of Vallandigham's further Canadian activities seems to run directly counter to his protestations of loyalty to the Union. Following his investiture as supreme commander of the Sons of Liberty, he was visited by several representatives of the Confederacy. They did not just happen by; they came to Canada expressly to see him. With the war now going badly for their cause, high-ranking Confederate officials had begun to think, with a boldness born of desperation, of fomenting uprisings in the most disaffected areas of the Midwest. The uprisings were part of a larger plan aimed at securing the release of 30,000 to 50,000 Confederate soldiers in Union prison camps in Indiana and Illinois. In April of 1864, Jefferson Davis, who enthusiastically endorsed the project, appointed three commissioners, headed by Jacob Thompson, to proceed to Canada with some \$900,000. The money was to be used to bring about the release of the prisoners, to destroy Union military and naval stores, to influence the press, and to purchase arms for the several secret political societies, including the Sons of Liberty.

On June 9, 1864, Thompson's deputy, the twenty-three-year-old Captain Thomas H. Hines, who had recently won Southern acclaim by escaping with General John Hunt Morgan from an Ohio prison, visited Vallandigham at Windsor. Two days later, Jacob Thompson himself met with Vallandigham. According to Confederate accounts of the conversations, Vallandigham talked principally of the power and size of

the Sons of Liberty in Indiana, Illinois, and Ohio. Somewhere in his discourse, Vallandigham contended that if the Confederates supplied the society with a sufficient quantity of money and arms, it could successfully overthrow the existing governments of Illinois, Indiana, Ohio, and Kentucky. In such an event, these several states would be converted at once into a western confederacy, separate and independent from both the North and the South. It was a conspiratorial dream which far exceeded Jeff Davis' original aspirations, and the Confederate agents eagerly proffered their money. But, still asserting his unwillingness to identify with the Southern cause, Vallandigham declined to accept it personally. He recommended that it be entrusted instead to Dr. James A. Barrett of St. Louis, grand lecturer of the Sons of Liberty.

Late in June of 1864, with the presidential election approaching, Vallandigham decided that he must chance a return to the United States at all costs. For this necessarily furtive undertaking, he put on a disguise. His eyebrows became heavier and darker; a thick mustache swept his upper lip; a flowing beard fell to his waist; and a large concealed pillow provided Falstaffian girth. He boarded a regular Canadian passenger boat and landed safely at Detroit, only to encounter an anxious moment when a conscientious customs official poked him in his pillowed abdomen. "Pardon me," said the official, "I see I am mistaken, but I have to watch for tricks." Vallandigham moved on. He reached Hamilton, Ohio, just in time to be chosen by the Democratic convention of the third congressional district, which was gathered there, as a delegate to the future presidential convention.

Vallandigham quickly announced his presence by launching into a series of public speeches in Dayton, Syracuse, and New York City that, if anything, were more violent than those which had brought about his arrest. He still hammered at his old theme, the summoning of a convention of all the states to arrange a peace settlement restoring "the union as it was." Intermixed with his proposal were ringing defiances of the Lincoln government and veiled but unmistakable threats that in the event of his rearrest those responsible would be taken hostage by his supporters. But for all of Vallandigham's cacophony, the administration left him alone. It would be better, the President felt, to let the man's intemperate words discredit the Democratic party.

When the Democratic national convention assembled in Chicago on August 29, Vallandigham's immediate endeavors were focussed upon the resolutions committee, of which he was a member. After meeting into the early morning hours, the committee brought to the floor a brief platform of six planks, the second of which Vallandigham had prepared and forced through by a narrow vote. He rightly characterized his plank as the most "material" of the Chicago platform. It was a "peace plank," encouraged by Grant's current involvement in the long, costly, and indecisive struggle

with Lee in Virginia, which was reawakening the old doubts concerning the wisdom of the struggle. After scoring the failure of the war and the Lincoln administration's violations of constitutional liberty and private rights, the plank urged an immediate cessation of hostilities and the calling of a convention of the states "to the end that at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States." Vallandigham's plank was promptly adopted.

The next order of business was the nomination of General George B. McClellan, the party's best vote-getter, for President, an act of supreme paradox. Having declared for peace and nominated a general, the delegates had created a glaring contradiction. Which of these two acts constituted the more authoritative expression of the true position of the Democratic party? Although Vallandigham pressed McClellan hard to stand by the peace plank, the General all but repudiated it by calling for union, and therefore victory, as a prerequisite of peace. His subsequent campaign fired little enthusiasm in Vallandigham and, for that matter, in the Union as a whole. Lincoln swept to an easy victory. In Ohio political circles the question evoking more attention than the election was whether the Lincoln administration, safely entrenched in power for another four years, would again arrest Vallandigham.

Even before the Democrats nominated a presidential candidate at Chicago, more sinister events had been taking place behind the scenes. As Grant and Sherman drove deeper into Southern territory in the summer of 1864, Confederate demands upon the Sons of Liberty to commence the uprisings plotted in the several Canadian meetings became increasingly intense. Further meetings of Confederate representatives and Sons of Liberty leaders were held: one at St. Catharines, Ontario, on July 22, another at London, Ontario, on August 7. Although Vallandigham did not participate in either, federal agents who were watching the situation closely asserted that the selection of a specific date in August for launching the uprisings was left to him. Vallandigham, for his part, always denied having any knowledge of the conspiracy; he was, he said, in New York State at the time when his decision was supposedly required. Confederate records disclose that ultimately several dates had been selected, but in each instance, as the hour for action approached, the Sons of Liberty concluded that more time was needed.

Despite the several postponements, the Confederate agents looked forward hopefully to the Chicago presidential convention. Hungry for success, they demanded that a well-stocked "transportation fund," previously entrusted to Dr. Barrett, be expended to bring some 50,000 members of the Sons of Liberty to Chicago. Several days before the convention began, sixty Confederate soldiers, armed and in plain clothes,

and led by Captains Thomas Hines and John B. Castleman, slipped into the city by way of Canada. The Confederates put up at the same hotel where Vallandigham and his associates were staying.

Arms would be provided to the Sons of Liberty men; under the supervision of the Confederates, they would assault nearby Camp Douglas and Rock Island, Illinois, to release many thousands of Confederate prisoners held at those places. As the zero hour approached, the Copperhead leaders got their customary attack of cold feet; the venture was dropped. The forte of Vallandigham and his colleagues, in the Confederates' estimation, was "governmental theory." It was not revolution.

The Lincoln administration, whose agents had deftly infiltrated the higher echelons of the Sons of Liberty, was fully informed of events in Chicago. On the basis of these reports, the administration conceivably might have rearrested Vallandigham. But it did not. Nevertheless, certain arrests of lesser-known participants were made, and when the accused were brought to trial before a military commission nearly a year after the Chicago convention, Vallandigham was a voluntary defense witness, but disclaimed personal knowledge of the plot.

Felix G. Stidger, a resourceful federal agent who infiltrated the Sons of Liberty with such success that he became grand secretary of the order in the state of Kentucky, minimized Vallandigham's part in the Chicago conspiracy. Although Stidger did not corroborate Vallandigham's claim of ignorance, he carefully excluded the Copperhead from his list of the malefactors. "Vallandigham," Stidger wrote of the plot to seize arsenals and release prisoners, "took *no active part* in any of this work; and even his suggestions and advice were *overruled* by the *Active Working Head* of the Order, Harrison H. Dodd, of Indianapolis."

Was Vallandigham a misguided zealot or an opportunistic politician who turned to treason to further his own career? The evidence of several crucial episodes—in the Confederacy, in Canada, at Chicago—on which the question turns, is admittedly conflicting. But imperfect evidence cannot rescue Vallandigham from the most damaging weakness of his position: the repeated necessity for explaining his involvement in occurrences that smell of treason. The fact that one situation after another, whether in Ohio, in the South, in Canada, or in other places, has to be excused or justified withers confidence in him. Good men do not consort repeatedly with the enemy and his agents of subversion. They do not accept his money, even indirectly. Nor do they retain the leadership of organizations whose controlling elements practice treason.

If phases of Vallandigham's undercover enterprises are obscure, his visible activities, represented by his speeches, are not. Steadily, month in and month out, the guarded but all-too-transparent incitement to revolt, to secede, or otherwise to resist federal authority falls from his lips into the willing ears of his fol-

lowers. No government can well tolerate such conduct if it is to survive, least of all if it is locked in civil war.

When the Civil War ended, Vallandigham labored to restore his party's badly lagging national fortunes by revising its policy positions in light of the new realities. The original scene of his not-inconsiderable enterprise was the Democratic convention of Montgomery County which assembled at Dayton on May 18, 1871; there a series of resolutions, drafted under Vallandigham's leadership, and known as "The New Departure," were adopted. Among other things, they called for a general amnesty for the vanquished South, curtailment of the Ku Klux Klan, a merit system for the civil service, and a tax structure based upon wealth rather than population. Vallandigham's resolutions were received with general approbation in the West and East. The *New York Sun*, in an opinion typical of the eastern press, now placed Vallandigham "among the most conspicuous political leaders of the day." The *New Departure* was indeed giving the Democratic party a new start by releasing it, at long last, from the old war issues to which it had so tenaciously and so unprofitably clung. Vallandigham was the first Democrat of the postwar years to come forward with a program that faced the formidable new problems of the day, attracted national support, and restored his party to serious contention in presidential and congressional elections.

It was during his promotion of the *New Departure* that Vallandigham was engaged as defense attorney

for a Thomas McGehan, accused of murder in a fatal saloon brawl in Hamilton, Ohio. In the course of demonstrating with a loaded revolver his theory that the slain man had shot himself, Vallandigham accidentally pulled the trigger. There was a sudden crack and flash. Reeling toward a wall and exclaiming, "My God, I've shot myself," Vallandigham fell, mortally wounded. (Happily, his unstinting dedication to the case contributed to McGehan's subsequent acquittal.)

Vallandigham lingered briefly, and died on June 17, 1871, at the age of fifty-one. Sometime after his passing, his fellow warrior of Copperhead days, George Pendleton, expressed a thought that must have struck Vallandigham in his anguish. "I thank God," said Pendleton, "he has lived long enough to see that Time, the Avenger in whom he had such unwavering faith, has commenced his work, and that many who had maligned him most were beginning to see their error and to do him justice."

A three-time contributor to AMERICAN HERITAGE, Louis W. Koenig is professor of government at New York University. He is the author of a well-known study of presidential confidants, The Invisible Presidency.

For further reading: The Copperheads in the Middle West, by Frank L. Klement (University of Chicago, 1960), and Abraham Lincoln and the Fifth Column, by George F. Milton (Collier, 1962).