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PRESIDENT JOHNSON'S  
PAPERS

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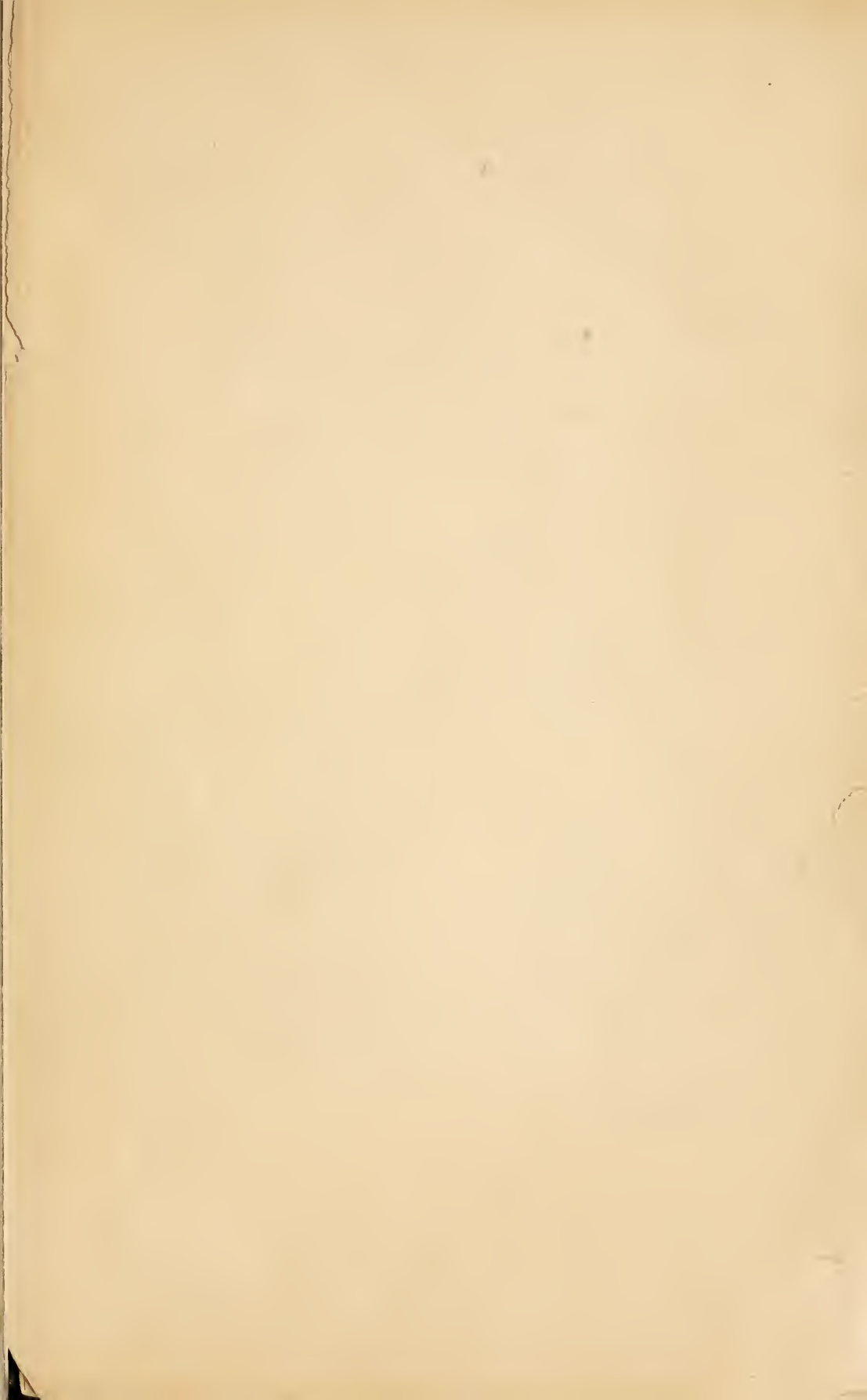
JAMES SCHOULER  
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## PRESIDENT JOHNSON'S PAPERS.

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IN two articles lately published;<sup>1</sup> I set forth some of the new historical material brought to light in the valuable collection of President Andrew Johnson's papers which the Library of Congress had recently procured, confining myself, however, to the first and crucial year of his stormy administration. In the present paper I mean to present some results gathered from a full study of that collection.

While going over those manuscripts, which cover mainly a presidential term, one is sadly impressed by the fickleness of political courtiers under a government like ours. During Johnson's first year of supreme station, and while the policy for which he so eagerly worked remained for popular submission, letters came to him from every part of the land; but after the elections in the fall of 1866 made it clear that he had lost irretrievably his domination in affairs, correspondents dropped off and the variety of counsellors ceased. Other framers of a policy for the South were waited on; other planets rose in the horizon surrounded by their satellites. And whether one pitied or not the Tennesseean's misfortune, now that he was brought to bay, most prudent aspirants in politics, regardful of their own future, were heedful that specimens of their handwriting should not get into the White House portfolio, to be produced later, perchance, to their prejudice. The wave of executive popularity subsided, and with it the freight of miscellaneous correspondence, at first so huge. But two sorts of letters from the people came occasionally through the mail,—one, brutal and threatening, from some anonymous blackguard, who signed himself (fictitiously, perhaps) a Union soldier; the other, from some superannuated voter, who dreamed of Jackson, and exhorted the new Andrew to defy Congress and make confusion worse.

<sup>1</sup> "President Johnson and Negro Suffrage," *Outlook*, January 13, 1906; "President Johnson's Policy," *Outlook*, February 3, 1906.

Two-thirds of both Houses at Washington were already united against Andrew Johnson, and, leaving Southern States still unrepresented, such was the assured condition of things for the remainder of this administration. Already, in the excited canvass of 1866, had a project been started for impeaching the obstinate Executive, and replacing him by Wade, of Ohio, President *pro tem.* of the Senate. Benjamin F. Butler, of Massachusetts, who now emerged from retirement in Lowell to run for Congress in a neighboring district as a full-fledged party Republican, pressed such a plan in campaign speeches through New York and Ohio. The President took cognizance of such assaults upon him and procured minutes of Butler's faulty record from the files of the War Department. Once — and once only, it would seem — had the two men held a personal correspondence, and that was during the first month after Johnson's accession to the Presidency, when Butler seems to have proposed that General Lee should be arrested and placed upon trial for treason.<sup>1</sup> Wendell Phillips was another strenuous pleader for Johnson's impeachment, and he proposed that the President should be "sequestered" from office while the impeachment trial went on. Cameron, too, who now re-entered Congress as a Senator of Pennsylvania, had pledged himself to an impeachment policy.

The President had injured himself and his cause immensely in that canvass by his violent harangues upon the stump, assailing the motives of his opponents in Congress, and "swinging round the circle" to advocate "my policy." Defeat at the polls, however, sobered and steadied him, and he followed fairly the advice which now came to him from friendly sources, not to try to stem the tide, but to yield, and use silently to the advantage of the country such opportunities as he might find later. Hence his opening message to Congress, in December, 1866, was unexpectedly calm, dignified, and dispassionate in tone. He still claimed stubbornly that his reconstruction plan was on principle the right one, but pugnacity he laid aside.

Impeachment discussion was strong this winter (1866-1867),

<sup>1</sup> See General Butler's long letter, April 25, 1865, written while at Washington, which argued that the effect of Lee's capitulation upon the individuals concerned therein, applied only while they were "prisoners of war"; a condition which ended (so he claimed), together with all stipulated immunity from arrest, when the Civil War ceased. (Johnson MSS.)



while Congress held its short and final session, and an inquiry was instituted in the House of Representatives. Nothing appeared upon which to found such procedure, except, perhaps, that defamation of Congress before the people which was made a definite charge a year later. A vile slander had circulated to the effect that Johnson was implicated in President Lincoln's assassination, but this received its quietus.

Johnson's discreet silence under the new provocation of his radical assailants called forth the sympathy of some eminent men identified in their day with this Society. Charles Francis Adams, still minister at London, wrote home at this time a private letter which highly praised the President's opening message and the sound financial views expressed in Secretary McCulloch's report. Robert C. Winthrop, in a friendly epistle to the President himself, reported that a clique of gold speculators were said to have raised a fund of \$50,000 for promoting impeachment in the House of Representatives. Rev. Dr. Chandler Robbins, confiding in the President's patriotic intentions, but regretting the intemperate language he had used on his Western tour, advised confidentially the publication of a letter to some friend which should apologize for the tone of his excited utterances while avowing his real sincerity of motive. These and other like tokens of good-will from men of standing the President preserved among his papers.

But in the course of the ensuing summer (1867), and while the new Congress, now fully organized, had adjourned its session, an antagonism between the President and his Secretary of War hastened to a climax. Johnson's papers show that when, in March, 1865, he resigned the military governorship of Tennessee to be sworn in as Vice-President, friendly courtesies were interchanged, Secretary Stanton commending in the warmest terms the war services Johnson had rendered. Together with his colleagues, in fact, Stanton sustained President Lincoln's generous policy towards the South, while the latter was alive; but soon after Lincoln's death he joined Sumner and Stevens in their dissent and came into close cooperation with the congressional majority, while holding tenaciously his place in the cabinet. The anomaly was thus presented of a virtual obstructor of the Chief Executive, and not an adviser and subordinate, such as our Constitution alone

recognizes in such relation. This course detached Stanton from his colleagues in the cabinet and alienated him more and more from the President whom he nominally served. In earlier episodes of politics our great War Secretary had shown the same disregard of the proprieties of life and of those honorable feelings which lead a man to resign his post and withdraw where self-respect forbids a faithful service. The justification put forward for conduct so singular has been an overwhelming sense of duty to the people, to country; and of the measure of that justification, whether in 1861 or 1867, posterity must judge. Retaining office at the present time to thwart and overrule his commander-in-chief was Stanton's recognized task from the radicals, and he shrank neither from the odium nor the treachery of such a course.

Congress had originated and proposed the Fourteenth Amendment, and States lately rebellious had most unwisely held back from acceding to it; and now came the reconstruction act of March 2, 1867, under which military generals were to assume command by geographical departments. A cabinet council was held in June to consider this act, and all except Stanton acceded to the idea that the President could still exert his constitutional discretion. Stanton, however, maintained, boldly and bluntly, that Congress meant here to establish military governments at the South to suit its own views as against the President, and that it had the power to do so.<sup>1</sup> There was at this time much ill-feeling in Louisiana, with riotous commotion at New Orleans; and General Sheridan, in command there, was accused of political favoritism. The situation called for a military change and new military orders. Stanton's course was exasperating; so, after vainly asking his resignation, the President displaced him and appointed General Grant in his place.

This displacement, which took effect in the recess of Congress, was not in strict law a removal, but rather a suspension from office, so that General Grant succeeded as Secretary of War *ad interim*. For Congress had, March 2, passed, over the President's veto, a "tenure of office" act which, took from

<sup>1</sup> These "cabinet proceedings" are among the Johnson papers. But they were published contemporaneously in the press, as the Annual Cyclopædia shows.

the President all right to remove incumbents absolutely without the consent of the Senate. This legislation, which, as to cabinet advisers at least, may justly be deemed unconstitutional, was expressly meant to place a muzzle upon this administration, and make Congress, or rather the Senate, supreme. When the Houses met in December, the President sent to the Senate his reasons for Stanton's suspension, as the statute directed; but he had intended, in case the Senate voted adversely, to oppose in the courts upon fundamental grounds the return of that obnoxious Secretary.<sup>1</sup>

The victorious North, through the present turmoil between President and Congress, relied upon its general in chief, as another Washington, to control the situation, and to pacify and reunite the country; and Grant's great reticence, added to his transcendent military renown, won him popular confidence. But his *ad interim* tenure here involved him in a dilemma. The Senate in its present unyielding mood disapproved, as might have been expected, the suspension of its own co-operator in the cabinet; whereupon, January 13, 1868, Stanton at once reappeared at the War Department to resume his official status. General Grant yielded up the keys immediately, and then notified the President that he had done so. While Stanton fortified his repossession of headquarters, there to remain, day and night, an angry correspondence ensued between the President and General Grant, over the General's precipitate retirement from his post, as though to outwit the Chief Executive in forcing Stanton into court to test his reinstatement. Andrew Johnson claimed — and in this his whole cabinet corroborated his statement — that Grant had clearly understood such a purpose on the President's part, and had given his consent, so far at least as to allow another *ad interim* appointment to be seasonably made, should he himself prefer to stand aside.

This correspondence, which is preserved in the Library of Congress, shows the amended drafts of letters which came from the President himself. The correspondence itself came out at once in the press and was republished in the Annual

<sup>1</sup> Meanwhile the President had compelled his Secretary *ad interim* to detail General Hancock to the military command of Louisiana and send Sheridan elsewhere. Grant had protested earnestly on his friend's behalf, but yielded obedience.

Cyclopædia; but a perusal of manuscripts may interest those of our day who are curious to gather how far the executive—a self-taught man of humble antecedents, as all admit—relied upon the composition of others. My friend and fellow Corresponding Member, Professor Dunning, has shown from comparison of drafts that President Johnson's first message to Congress was substantially the work of the historian Bancroft.<sup>1</sup> But Bancroft left America, early in 1867, to be minister to Prussia; and yet President Johnson's messages and state papers continued to show strength and dignity through a four years' term replete with controversy. In the present correspondence with General Grant we see him pressing his adversary closely and with forceful ability. It is only in those maundering speeches which cost him and his supporters so heavily at the polls in 1866, that the President seems really vulgar and ridiculous. Probably, while he called upon others to aid him in his public compositions, he had trained himself into a strong and effective penman for political discussion. His career, we should remember, had been long and eminent prior to that momentous year which saw him associate and then successor of Abraham Lincoln. He was a Senator of the United States before the Civil War; both as civil and as military governor he had held positions foremost in his native State of Tennessee. His public career, advancing from grade to grade, was long and remarkable before casually exalted him to be head of the nation. But of Johnson it may perhaps be said, as one has said of General Hooker, that there were in him two distinct persons. The one proud, dignified, statesmanlike in action or utterance, displayed the man of public experience in mature life, while he kept fully his self-control; the other, and the more intimate, disclosed him as boastful and loquacious over his remarkable rise in life, as a self-made man, vulgar still, worshipful of his maker. But self-controlled or not, Johnson was vehement of purpose, wilful to the point of obstinacy when opposed, and while passionately devoted to the Union itself, like others in Tennessee whom the greater Andrew had inspired, he was yet a South-

<sup>1</sup> 2 Proceedings, vol. xix. p. 395. See American Historical Review, vol. xi. p. 951, with its references, favoring the idea that Mr. Bancroft, instead of composing the President's message for him, worked into literary shape materials which Johnson himself supplied.



ern man in instincts and associations, and felt, beyond all possible experiment to elevate the negro, compassion for his prostrate white brethren, so many of whom, once disdainful of him in patrician pride, now sought him submissively for peace and pardon. Johnson in public life was an honest man; and when he became President he refused the Northern gift of a coach and equipage, lest he should be placed under obligations officially to the givers. He continued upright in politics and patriotic; not all the blandishments brought to bear upon him could persuade him to Tylerize or to bestow his patronage so as to strengthen the opposition party of 1864, which could now freely reorganize. Union men, such as Lincoln himself might have selected, composed his cabinet and filled the other national offices to the end of his term; "copper-heads" made no headway with him.

The impeachment and trial of President Johnson are matters of history. The President's new effort, in February, 1868, to displace Stanton, by bringing Adjutant-General Thomas into charge of the War Department *ad interim*, was promptly followed by an impeachment, which the House based mainly upon his assumed violation of the tenure of office act; judicial ruling upon the constitutionality of that act, however, having been forefended. Among the Johnson papers may be seen the draft of the President's answer as filed in the trial pleadings before the Senate. Upon the momentous question whether, pending an impeachment trial, a President can be rightfully suspended from office by act of Congress, and a president *pro tem.* of the Senate put in his place, the President, in November, 1867, consulted his cabinet. What answers, if any, were made, I do not discover; but Congress wisely chose to undertake no such revolutionary experiment, as some of the radicals had advised; and certainly any attempt thus to sequester the presidential office, especially where the people had no successor of their own choice at hand, must have been perilous. It would have meant that a vindictive congressional faction may at any time, by merely instituting an impeachment and keeping the trial postponed, hold the Chief Magistracy of the nation in their own hands.

After the House had passed its resolution, we see the President following the written advice given him by Senator Reverdy Johnson, to employ counsel of imperturbable temper,

conciliating tongue, and able minds. He himself remained outwardly calm, awaiting the result. He did not, as some partisans counselled him, respond to a Senate with unrepresented States by denying its jurisdiction, issuing a proclamation to the people, and then resigning, as though to forestall a decision which must have disqualified him from holding any office thenceforth. And had he taken such a course, might not Congress have put itself on record as refusing to accept his resignation and proceeding by its own methods? Yet, so strongly had the dominating wing of the Senate held its party together that, notwithstanding a few exceptional Republicans were known to have stood out from their colleagues wholly on the present issue, a two-thirds vote against the President seemed assured and would actually have been given, had not one unknown member of that body, from Kansas, recorded a negative unexpectedly against his party when the poll was taken. That Senator, Ross by name, driven into political retirement on the first opportunity, as though with the brand of Cain upon his forehead, died not many months ago in utter poverty and obscurity; and yet posterity should be grateful to him for what he prevented.

The test vote at the trial came upon the count which arraigned Andrew Johnson for abusing Congress in his speeches to the people. This failing, a vote was later taken, and with the same result, upon his alleged disregard of the civil tenure act in attempting to oust Stanton from his cabinet by the Thomas *ad interim* appointment. Following this new failure in the senatorial court, Stanton now resigned of his own accord, and General Schofield became his unopposed successor in the War Department for the rest of this administration. At the Republican convention held May, 1868, in Chicago, General Grant was nominated President; and such was the universal trust reposed in him in that crisis that the people would have chosen him, against all other candidates, whether indorsed by one national party or another, or without a party indorsement at all. For the real platform of this campaign, which pleased both North and South, was expressed in Grant's own letter of acceptance, "Let us have peace." And, following his election, our military President pressed Congress, first of all, to repeal the civil tenure act; and it did so presently, as though to concede upon reflection that the statute con-

straints against which Grant's predecessor had struggled and had, in consequence, so nearly been expelled from office, were indeed unconstitutional.

I have shown in a former paper<sup>1</sup> how the reactionary foes of Republicanism had tried to get Seward expelled from the cabinet, in company with Stanton, and how persistently President Johnson disregarded that advice. Whatever his own party foes might have said against our astute Secretary of State, disloyalty to his chief or an ignoble clinging to office was not among the faults to be imputed to him. When, under Abraham Lincoln, a senatorial committee waited upon the President to have Seward sacrificed, the Secretary tendered at once his resignation and enabled his chief fully to control the situation. And this Johnson collection brings newly to light a letter written in Seward's own hand, August 23, 1867, which tendered his resignation once more to Lincoln's successor, in terms of cordial expression. Needless to say, that resignation was not accepted; and promptly at midday, May 16, 1868, after impeachment had failed in the Senate, we see the Secretary of State despatching a note to the White House which congratulated the President on the day's result. Seward exalted this administration and himself by three notable achievements of diplomacy: (1) in bringing French intervention to a close in Mexico and compelling Louis Napoleon to withdraw his troops, while keeping public intercourse with France unruffled; (2) in acquiring Alaska from Russia by friendly cession; (3) in procuring that Johnson-Clarendon treaty with Great Britain which, though rejected in the Senate, made the entering wedge of indemnity, as later arranged under President Grant, for the Alabama spoliations. Political mischief-makers during Johnson's term turned their later assaults rather upon McCulloch, the Secretary of the Treasury, charging him with a cunning duplicity towards the President in his use of the patronage. Such charges McCulloch denounced as false; and he, too, strengthened an administration by no means popular, through his zealous devotion to business. Attorney-General Stanbery, who bore his own rejection by a resentful Senate, wrote the President in July, 1868, doubtless with wisdom and

<sup>1</sup> Outlook, February 3, 1906.

truthfully: "the present cabinet has served you faithfully, and no advantage is apparent for a change."

Johnson's administration came to a tranquil close; and well did he claim, upon retiring, that, like the Hebrew prophet, he had robbed and defrauded no one. His wilful and inflexible temper, his adherence to plans impossible of execution, did harm to himself and his supporters, as well as to those Southern fellow-citizens whom he had meant to succor. Posterity admits that the country could never have given willingly to an accidental successor the same free hand in reconstruction that it meant to allow to Abraham Lincoln; and so, too, that under all circumstances Congress must have had the last word in such a policy. But Johnson meant right, and, to a considerable extent, was right in the course he pursued.

Though too honorable to court a nomination from opposition Democrats, Andrew Johnson would doubtless have liked a vindication of some kind from the people. But it was utterly impossible that he or any other candidate could in 1868 have defeated General Grant, who stood strongest with the people because he had no record at all except a consummate military one. This fact the national Democracy, in 1868, seemed to apprehend. Pendleton was the favorite of the reactionaries, but their convention lurched over to ex-Governor Seymour, not hoping seriously to choose him President, but seeking to make sure of the great Northern State of New York with its local patronage. President Johnson left the White House, in March, 1869, and returned to his native State. When, a few months later, at the State election, Tennessee threw off radicalism and went conservative, this whole country was startled by the likelihood that her legislature would send Andrew Johnson back to Washington to sit at once among the Senators who had voted for impeachment, and renew, if he liked, his issue of veracity with the whilom *ad interim* Secretary of War, now installed at the White House. Strong pressure was brought upon Tennessee to avert such a situation; and by "an infamous combination," as his personal friends styled it, Johnson was defeated in the legislature by a majority of two and a neutral went to Washington in his stead. But the ex-President regained steadily his hold upon the State he had served so long and intimately. His opportunity returned, and Tennessee's legislature, in January, 1875,



chose him to the United States Senate, — the only instance hitherto in our annals in which an ex-President has gained such a call from retirement. But the honor came too late; Johnson's sands of life were nearly run out; and though sworn in, at Washington, to take his seat for a brief extra session, he died during the recess of that summer, July 30, 1875, shortly after returning home.

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