The Loyal Opposition
in Civil War Philadelphia

BEHIND the military fronts of the great "War Between the States" were the political fronts. Rival sets of politicians were as active in skirmishes and campaigns as were the embattled soldiers, and they struggled over issues that were as basic to the course of the war as any victory in the field. While the men in blue fought the men in gray, the two political parties of the North contended for the places of power which controlled wartime policy and the destiny of a nation.*

Irreconcilable political differences between Republicans and Democrats led to the oversimplification of issues. Democrats were classified as Copperheads and secessionists, as the peace party. They retorted with the worst insult at their command; they substituted the term "abolitionist" for Republican. In oratory, in pamphlets, and in the press, politicians hurled abuse and ridicule at one another.

Both parties were essentially loyal to the concept of the Union, but differed in their interpretation of the Constitution. They were divided on Southern rights, which the Democrats wanted to protect, but which the Republicans were charged with planning to impair by abolishing property rights in slaves. Thus, the issues of slavery, states' rights, and the Constitution were closely connected. Clustering around the constitutional issue were conflicts in interpretation of the legality of measures adopted for the prosecution of the war. This led to a curious situation. Most Democratic politicians wanted to support the war, but they could not bring themselves to a whole-hearted acceptance of the means by which it was waged—its financing, its suppression of treason, its conscription of men for the army.

* This paper was delivered as a Boyd Lee Spahr Lecture at Dickinson College on Mar. 8, 1963.
The unanimity which both parties showed at the outset soon faded. Democrats mistrusted the administration, were alarmed at its assumption of extraordinary powers because of military necessity, were apprehensive that Lincoln would become an abolitionist. In Philadelphia, as elsewhere, they were aware of a growing sentiment that slavery had caused the war, that the war was being waged over slavery. With dismay, they sensed a rising popular belief that slavery must be destroyed, that it always had been and always would be a source of strife, that emancipation was the nearest way to victory.

Such a theory appalled Philadelphia Democrats, who had long been disgusted by abolitionist arguments. Hardly a Democrat in Philadelphia looked on slavery as anything but a curse, yet few were willing to attack it. The war, maintained most Democrats, was being fought to restore the Union and had nothing to do with slavery. Should slavery be abolished, the Union never could be restored because the South would never submit to the confiscation of its property. Abolitionists were actually disunionists, secessionists if you will; everything they did served to prevent a reunion.

Rapt attention was paid to such arguments by the rank and file of the city's Democratic following, the large Irish laboring class. These workmen hated abolitionists because they had been told that the freeing of the slaves would mean their migration to Philadelphia and consequent competition for jobs.¹

Normally, political leaders of the working class are liberals. Such was not the case in Philadelphia during the Civil War. Its Democratic leaders were conservatives, a fact they were proud to claim while arguing that the Republicans were revolutionists.² Directing the Democratic party were many members of the city's best-known families, men of note in the community, such as Colonel Charles J. Biddle, George W. Biddle, Charles and Edward Ingersoll, former mayor Peter McCall, William B. Reed, Benjamin and Richard Rush, former mayor Richard Vaux, and George M. Wharton.³ The energies of these talented and forceful individuals were bent on quelling the radicals who were calling for emancipation. Emancipation struck at

¹ Diary of Sidney George Fisher, Oct. 6, 1862, Historical Society of Pennsylvania (HSP).
² Speech of Charles Ingersoll before the Democratic Club of the Twenty-first Ward, The Age, June 12, 1863.
³ Except for Richard Rush, all these men were lawyers.
property rights guaranteed by the Constitution; emancipation by the federal government would violate state sovereignty.

On March 6, 1862, Congressman Charles J. Biddle warned that the slavery question was not as profound as the Negro question, "vast, complex and embarrassing even if slavery were blotted out of existence." Opposed to the confiscation of slaves, this former commander of Pennsylvania's Bucktail Regiment went on to say: "I desire to see a speedy and glorious termination to this war. . . . I am a northern man with northern principles. In this conflict my pride and interests are all enlisted on the northern side, which is my side. It is in the interest of the North that I have ever been opposed alike to northern disunionists and southern disunionists. I would leave to my children the Union that our fathers left to us." His solution to the slavery problem was as follows: "When I see how deeply the Providence of God has rooted the institution of slavery in this land, I see that it can be safely eradicated only by a gradual process, in which neither the civil nor the military power of the Federal government can intervene with profit. General emancipation can be safely reached only through state action, prompted by conviction and the progress of natural causes." For speeches like this, Colonel Biddle was called a Copperhead.4

In Philadelphia, Charles Ingersoll issued a local warning against fanaticism, by which he meant abolitionism. "Is there the man who does not see that the course which has been pursued on the point where the whole South, slaveholding or not, are most sensitive, and on which they are unanimous, is not only disturbing and insulting, but is meant to be. . . . Under such influences, the position of the country is a perfect dilemma; we must have victory, for if the South conquers us the Union never will be restored; yet each military success being an addition to the strength of the Abolitionists, the cry of emancipation, which is disunion, is the louder for it."

It was not the South that stood in the way of Union, Ingersoll reasoned, but the North, which was ruled by uncompromising, unreasoning abolitionists. The Southern states had seceded when a sectional party gained office. Get rid of the Republicans: in place of their slogan "Unconditional Submission" proclaim "Conciliation and

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"Compromise!" This would bring the South back into the Union. "Fellow citizens," said Ingersoll, "the main difficulty is with the North, not the South, with the party who plotted to dissolve the Union long before South Carolina did." Sentiments such as this fastened on the Democratic Party the label of Southern sympathizers.⁵

There were even extremists who believed that Pennsylvania's destiny lay with the Confederacy.⁶ While this lunatic fringe had no standing in the party, many Democrats flirted with peace proposals which they were anxious to submit to a so far victorious enemy. Then, too, there were defeatists like Buchanan's minister to China, William B. Reed, who had earlier suggested that Pennsylvania go with the South. In 1862, Reed published a pamphlet which advocated giving up the Union and arranging terms of recognition and separation. This is how he expressed himself: "I think there has been a struggle with at most a questionable success; and if the choice be between the continuance of the war, with its attendant suffering and demoralization, certain miseries and uncertain results, and a recognition of the Southern Confederacy, I am in favor of recognition. . . ." From other sources arose warnings against abolition by military might. A Quaker wrote: "Be careful then and do not use wicked means even to free the slave!"⁸

Early in the war, the Democratic Party had a powerful grip on Philadelphia. Its membership was large, its leaders impassioned. It controlled City Councils, but Mayor Alexander Henry was in the other camp. A similar situation existed in Harrisburg where the Democrats enjoyed a majority in the lower house, but where the governor was a Republican.

Military defeats, threats of foreign intervention, and financial troubles made possible Democratic victories in 1862, when the party was successful in the state but lost some ground in Philadelphia. The

⁵ Charles Ingersoll, _A Letter to a Friend in a Slave State by a Citizen of Pennsylvania_ (Philadelphia, 1862), 30, 51; speech of Charles Ingersoll before the Fifteenth Ward Democratic Association, _The Age_, Apr. 23, 1863.


⁷ William B. Reed, _A Paper Containing a Statement and Vindication of Certain Political Opinions_ (Philadelphia, 1862), 7, 20–21. Reed suppressed this pamphlet shortly after it was printed.

basic political issue was white supremacy, the Democratic state convention having adopted such policies as: "Resolved, That the party fanaticism or crime, whichever it may be called, that seeks to turn the slaves of Southern States loose to overrun the North and enter into competition with the white laboring masses, thus degrading and insulting their manhood by placing them on an equality with Negroes in their occupation is insulting to our race and merits our most emphatic and unqualified condemnation"; and "Resolved, That this is a government of white men, and was established exclusively for the white race; that the Negro race are not entitled to and ought not to be admitted to political or social equality with the white race." The convention put the blame for the war on Northern reformers: "Abolitionism is the parent of secessionism."\(^9\)

In the autumn of 1862, the Democratic tide was running at the full. Horatio Seymour, who had announced that "this war cannot be brought to a successful conclusion or our country restored to an honorable peace under the Republican leaders," was elected governor of New York. Impressive Democratic victories were also scored in other states.\(^10\)

These triumphs were interpreted by Democratic leaders as proof that the country was tired of war. Flushed with success, they were stung to even greater political efforts by Lincoln's proclamation of emancipation, effective January 1, 1863, and by his suspension of the writ of habeas corpus in military cases. The popularity of the administration had reached a new low in November, 1862, with the removal of General George B. McClellan from his military command.

The time had come to organize Philadelphia Democracy for an all-out political campaign. In 1863, there was to be a gubernatorial election. Should the Pennsylvania governorship be wrested from the Republicans, the re-election of Lincoln would be virtually doomed. Such, at least, was the opinion of the day.

The anniversary of Andrew Jackson's victory at New Orleans was celebrated on January 8, 1863, by the opening of Democratic head-
quarters, the Central Democratic Club, at 524 Walnut Street. Charles Ingersoll was elected president, and among those named vice-presidents were George W. Biddle, John C. Bullitt, and George M. Wharton. The purpose of the club was to defend "the pure principles of Democracy," which embraced such propositions as: "in the State of Pennsylvania all power is inherent in the White People"; and "the Government of the United States has no powers that are not delegated to it by the Constitution; and the powers delegated are such only as are expressly given to it."

In his address at the opening of the club, Charles Ingersoll stated what was evidently the Democratic panacea for the situation which "finds us the Disunited States, our arms dishonored, our prosperity departed, and our treasury empty." All that was needed was for the Democratic Party to take possession of the government, and, when it did, its leader could then say to the South, "gentlemen, name your terms." According to this formula, the South would then return to the Union because the North was really proslavery. Had it not in its recent elections pronounced for the protection of slavery? Did this not mean that it sanctioned "the protection of the gentlemen of the South in their human property?" Advocating a convention of the people of Pennsylvania and elsewhere that would unite on a peace plan with the South for the restoration of the Union, Ingersoll observed: "I look on negro property as being sacred as any other property, and I sympathize with the South in their desire to preserve it."

It is strange that the Northern Democrats believed the South would return to the Union should slavery be protected. The editor of the Richmond Examiner accused them of showing "the frivolity of children." He disposed of the idea: "Honorable peace is always to be desired.... But political union and social amity with the slayers of thousands of our countrymen would be an indecency."

Not long after the establishment of the Central Democratic Club, its members had a new outrage to denounce. On January 28, 1863,

11 Constitution and By-Laws of the Central Democratic Club, Organized January 1863 (Philadelphia, 1863). It is no coincidence that the Union League of Philadelphia was also organized in January, 1863, and in March the National Union Club came into being. These two organizations counteracted the Central Democratic Club. See Articles of Association and Constitution of the National Union Club of the City of Philadelphia (Philadelphia, 1863).
12 Article on the inauguration of Democratic headquarters, The Press, Jan. 9, 1863.
13 As quoted in The Press, Mar. 13, 1863.
Albert D. Boileau, publisher and editor of the city’s only Democratic daily, the Evening Journal, was arrested and sent to Fort McHenry. A flagrant infringement on the freedom of the press had at last occurred in Philadelphia! A provost marshal had taken the law into his own hands when the Journal published an editorial commenting in terms of high praise on Jefferson Davis’ last message, and had contrasted Davis’ character, talents, and policy with Lincoln’s, much to Lincoln’s disparagement.

Just as they were warming to the task of castigating the government, the Democratic leaders were affronted by Boileau’s reappearance in their midst. With such an excellent opportunity to play the role of martyr, Boileau had begged off. He had written a letter of apology stating that the editorial, supposedly the work of William B. Reed, had been inserted in his paper without his knowledge.\(^\text{14}\)

Although Boileau was at liberty and his paper in full operation, the Democratic Club met to protest his arrest and five-day confinement. John C. Bullitt warned its excited members that there was a point at which human endurance snapped. If such an act as Boileau’s arrest had occurred in New York, it would have led to civil war in the North. Here Bullitt was interrupted by someone who reported a rumor that the editor of the New York World had been arrested. “Then,” cried Bullitt, “that act inaugurates a revolution in the North!” This statement aroused the most intense excitement and the applause was terrific. That anarchy had presumably descended upon the land was evidently not a matter of regret.\(^\text{15}\)

Two nights later, at another meeting of the Democratic Club, the Reverend Chauncey C. Burr slashed out at the state of the nation: “Abraham Lincoln is a greater traitor than Jefferson Davis. [Applause] What has Jeff Davis done? He has merely infringed upon our territorial jurisdiction. He has not struck at the Constitution. . . . When the soul of this government is dead, I, for one, care not what becomes of the body.” Burr maintained that if Lincoln’s abolition policy was to continue, Davis would be fighting for the liberties not only of the South, but of the North as well.\(^\text{16}\)

\(^{14}\) Ibid., Feb. 4, 1863; A Few Words for Honest Pennsylvania Democrats [Philadelphia, 1863], 7–8.

\(^{15}\) The Press, Feb. 2, 1863.

\(^{16}\) Ibid., Feb. 4, 1863.
Intensifying their campaign for peace, Democratic leaders insisted that Lincoln had usurped power and was not the true representative of the people. Worse yet, they claimed that "Mr. Lincoln's administration has no support at all that is not venal." His proclamation of emancipation had changed the whole purpose of the war. No longer was it a war for the Union; now it was for the Negro. The proclamation was illegal, so was the conscription act, the legal tender act, the suspension of the writ of habeas corpus. With so much to attack, the Democrats stepped up their campaign. A new Democratic daily, *The Age*, was established in March, 1863, to promote their views. Colonel Charles J. Biddle became chairman of the Democratic State Central Committee.

Democratic spokesmen were unsparing in their assaults on the party in power; a fever of excitement distorted their perspective. Nothing irritated them more than the abolitionist claim that slavery was at fault. Edward Ingersoll quashed that notion: "It is not African slavery that is the root of all evil, it is the hatred of African slavery, it is this mad philosophy of Abolitionism." Of the proclamation of emancipation, he challenged: "In the history of the world, what governmental atrocity has equaled this? . . . Do I exaggerate, fellow citizens, or mislead you when I say before the atrocities of this governmental decree, St. Bartholomew and King Herod pale and dwindle? The nation grows sick and weary of the dreadful war into which the decrees of Abolitionism have plunged us and the northern country begins to sigh for peace."

On June 1, 1863, the Democrats worked up party enthusiasm at a mass meeting at Independence Hall, when they protested the arrest of Congressman Clement L. Vallandigham of Ohio, whose freedom of speech had been so arbitrarily infringed. Many were the indignant speeches on civil liberty. "We live in an intolerant and proscriptive community," complained Peter McCall. "It is no longer the city of Brotherly Love." The meeting passed off quietly despite fears that indignant Union men would break it up. The Philadelphia diarist,

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17 *The Age*, Apr. 23, 1863.
18 *The Age* was first issued Mar. 25, 1863. Its editors and proprietors were A. J. Glossbrener, Francis J. Grund, and William H. Welsh. Boileau's *Evening Journal* went out of business in the fall. The only other Democratic paper in Philadelphia was the *Sunday Mercury*.
20 Ibid., June 2, 1863.
Sidney George Fisher, denounced the meeting and “the abominable clique who persistently denounce the war, abuse the soldiers and the government, attempt to create discord among the people and to divide the people and thus encourage the enemy. These Democrats are known thoroughly to sympathize with the South. . . .” On the subject of freedom of speech, Fisher sardonically recalled that it was one of the city’s leading Democrats who at a public meeting in 1859 openly advocated mob action to prevent George William Curtis from making a speech on slavery.21

Not all Democrats were happy with the party leadership in Philadelphia. One dissident warned that the policy followed was bound to keep the Republicans in office: “No party since the origin of the government that waged indiscriminate opposition to the prosecution of a war in which the country was engaged has ever obtained power.” Opposition to the war was moral treason: “This has a destructive effect on the popularity of any party. . . . To be suspected of being an ally of the enemy is terribly injurious to any individual or party; but to be such an ally in fact, to deprecate the severity of measures pursued for his destruction, to oppose the raising of men and money for the purpose of defeating the enemy, to denounce all war measures, and clamor for a dishonorable peace, constitute such a crime against one’s own country that sooner or later it must overwhelm with confusion and destruction those that are guilty of the offense. . . . The people will distrust the patriotism of those who make war on the Administration while they extend the olive branch to armed enemies of the Republic.”22

Democrats who thought like this writer were called “War Democrats.” They did not control the party machine in Philadelphia where every effort was made to save slavery and end the war. In this connection, Sidney George Fisher recorded a conversation with a leading Democrat who insisted that the legal tender act was unconstitutional because no express power was given in the Constitution for such a purpose. Fisher quoted the authorities to prove that the power was implied, that it was essential to the power of making war since

21 Fisher Diary, June 1, 1863; correspondence on the Curtis lecture is preserved in the Alexander Henry Papers, HSP.
it was impossible to carry on a war without resort to paper money. "But we don't want the government to carry on this war," replied the Democrat. Fisher later mentioned meeting this man on the street just after news had arrived of Burnside's disaster at Fredericksburg: "He expressed such exultation and delight at the defeat of the Union army and his language was so violent and extravagant that I was disgusted."23

The diarist and most Union men believed that "The quarrel must be fought out until no cause for quarrel remains, or peace would be temporary and be indeed not peace but a cessation of active hostilities which would soon be renewed." He deplored the Democratic attitude: "These Democrats can see in this great war only a party contest. Every victory of the government they lament as a defeat of their party; in every success of the rebels they see a party victory and hail it with triumph. In all possible ways they oppose the administration and thus encourage the enemy to persevere. Their treasonable speeches are republished in the South. They are evidence of a divided North. Division is weakness and our weakness is strength for the enemy."24

The bloody New York draft riots in July, 1863, showed how divided the North was. New York City was a Democratic stronghold. Its masses of voters were constantly excited by incendiary harangues on the misconduct and iniquity of the war, the corruption and lack of ability of the administration, the dangers of abolitionism, and the illegality of the conscription act. No wonder they rioted when the authorities tried to put the draft into effect. Philadelphia was spared this disgrace. The day before the Philadelphia draft was to be drawn, Major General George Cadwalader, who had so signally crushed the city's ill-famed nativist riots in 1844, received the following message from Washington: "General, Please report immediately in person to this Department. Yours truly, Edwin M. Stanton, Secretary of War."25 Stanton ordered Cadwalader to Philadelphia as military commander. His presence there, abetted by the vigilant activity of Mayor Alexander Henry, prevented difficulty.

23 Fisher Diary, Aug. 1 and Dec. 17, 1862.
24 Ibid., May 8 and 18, 1863.
25 Stanton to Cadwalader, July 14, 1863, General George Cadwalader Section, Military Papers, Civil War, August, 1861–December, 1863, Cadwalader Collection, HSP.
Local and state issues played little part in the Democratic campaign of 1863, a campaign designed as a lever to prevent Lincoln's re-election in the following year. Three major lines of attack, all of them national in scope, were adopted—the justification of slavery in the South, intensified efforts to arrive at a peace, criticism of governmental measures deemed to be unconstitutional.

Of these three, the slavery issue was the most important. Sidney George Fisher followed with interest the efforts of the Democrats to rally the North to the support of this unfortunate cause. "Slavery," he wrote, "is the chief element of strength to the Northern Democratic Party because by their reckless and unscrupulous support of it, they maintain the alliance of the Southern people. By means of this alliance they have hitherto governed the country. The Democrats therefore will exert their whole strength to save slavery if possible." 26

George M. Wharton explained later how they planned to do this: "Elections in some of the more populous northern states were approaching, and it was thought that if public opinion, expressed through the ballot-box, could be brought to bear upon the Administration so as to indicate a dissent by the majority from their policy a change of measures looking to an adjustment by negotiation of our differences with the South might occur." To stimulate public opinion, Colonel Charles J. Biddle, Peter McCall, and Wharton obtained from Bishop John Henry Hopkins of Vermont permission to republish his 1861 pamphlet entitled the *Bible View of Slavery.* 27

The Philadelphia edition of this work sustaining slavery on religious grounds was soon distributed, and a new printing of it was brought out by the Society for the Diffusion of Political Knowledge in New York, of which the inventor Samuel F. B. Morse was president. Pennsylvania was flooded with this campaign document. In July, 1863, the corresponding secretary of Morse's society wrote to Peter McCall: "New York is able and willing to maintain her liberties and to aid your state in regaining hers from abolition encroachment. . . . Our chief care for the next three months is to do all we can to elect your governor." And the next month, the secretary wrote

26 Fisher Diary, Sept. 10, 1863.
McCall: “I may mention to you that the Bishop’s letter outruns every tract on our list. Thousands of it in a day go west. We regard the election in your state as more important than that in N. York. We are working earnestly for it.”

In short, Bishop Hopkins’ treatise became the major campaign document of the day. It was not, however, in exactly the same form as when first issued in 1861, for the Bishop had deleted his favorable attitude toward secession.

Justice George W. Woodward of the Supreme Court of Pennsylvania was the Democratic candidate for governor. Since Woodward was an Episcopalian, the endorsement of slavery by the Episcopal Bishop of Vermont suggested that the Episcopal Church approved the Democratic platform on slavery. Not unnaturally, the Episcopal clergy of Pennsylvania were deeply disturbed. More than eighty percent of them disagreed with Bishop Hopkins. In their resentment of his intrusion into their diocese and his lending his support to a political party, Bishop Alonzo Potter of Pennsylvania and one hundred and sixty of his clergy published a vehement protest: “This attempt not only to apologize for slavery in the abstract, but to advocate it as it exists in the cotton states, and in states which sell men and women in the open market as their staple product is, in their judgment, unworthy of any servant of Jesus Christ. As an effort to sustain, on Bible principles, the states in rebellion against the government, in the wicked attempt to establish by force of arms a tyranny under the name of a Republic whose ‘cornerstone’ shall be the perpetual bondage of the African, it challenges their indignant reprobation.”

This was strong language. The protest so incensed Justice Woodward that he asked Peter McCall and George M. Wharton to act as his counsel in a suit he determined to bring against Bishop Potter. “I don’t know,” wrote Woodward, “that the cunning old fox who struts as Bishop has been at the League or has preached Abolitionism or anything else indeed. But of falsehood and slander he can be convicted.”

28 C. Mason to McCall, July 6 and Aug. 31, 1863, Peter McCall Correspondence, Cadwalader Collection.
Evidently, McCall and Wharton discouraged the judge from bringing suit.\textsuperscript{31}

Peace continued to be the fondest hope of Philadelphia Democrats in 1863. Alexander Fullerton, Jr., was almost hysterical on the subject. “What a picture for the American citizen! A government dishonored and powerless, a treasury empty or filled with rags, tyranny rampant and ruin certain. From what has been said, one fact is evident, one lesson to be learned. This state of things must cease, America must again be free. Coercion has been the cause of our troubles; it must exist no longer. . . . Our only hope is in peace. It was so in the beginning; how much more after a desolating and bloody war. Peace, peace, \textit{on any terms, at any price}, anything to end this fratricidal war.”\textsuperscript{32}

The restrained, official attitude of the party organization was expressed by Colonel Biddle: “It is not the interest of Pennsylvania that a fanatical faction shall pervert and protract the war for ruinous, perhaps unattainable, ends. What the North needs is the return of the South. . . . This end can never be reached upon the principles of the party now in power. Their principles are radically false and can never lead to a good conclusion. This hope of setting up the Negro in the place of the white man runs counter to the laws of race, the laws of nature.”\textsuperscript{33}

Although Colonel Biddle took to the field three times during the Civil War in defense of his native state, he cannot be classified as a “War Democrat,” an all-out exponent of the war effort like Francis J. Grund. Grund had been the chief editor of the Democratic \textit{Age}, but had left it after differing with his partners on the war issue. “My Democratic friends tell me,” said Grund, “that this is the proper time for negotiation. Negotiation with whom? Negotiation in regard to what? Can the government negotiate with traitors? Can there be a question as to what ought to satisfy the government? The southern

\textsuperscript{31} Woodward to McCall, Oct. 23, 1863, Peter McCall Correspondence, Cadwalader Collection. There is no mention of such a suit in M. A. DeWolfe Howe, \textit{Memoirs of the Life and Services of the Rt. Rev. Alonzo Potter} (Philadelphia, 1871).

\textsuperscript{32} Alexander Fullerton, Jr., \textit{Coercion, A Failure, Necessarily and Actually} (Philadelphia, 1863), 16.

\textsuperscript{33} Address of Charles J. Biddle, \textit{The Age}, Aug. 13, 1863.
people must either lay down their arms and return to the old allegiance, or they must be brought back by force. There is no other ground.” Grund ridiculed the peace party as being demented.34

During the heat of the campaign, the Democrats sought to discredit the administration by challenging the legality of its measures. The constitutionality of the conscription act and of Lincoln’s proclamation suspending the writ of habeas corpus in the case of drafted men were both tested in the District Court of the United States, where Judge John Cadwalader in September, 1863, affirmed the constitutionality of both measures.35 Charles Ingersoll, George M. Wharton, Peter McCall, and George W. Biddle, party leaders all, then took the conscription act to the Supreme Court of Pennsylvania.36 In this court they were virtually certain of success, because of its five judges four were Democrats and, of these, two headed the Democratic ticket—Woodward, who was running for governor, and Chief Justice Walter H. Lowrie, whose term was nearly up and who was running for re-election.

On Constitution Day, September 17, 1863, a mass meeting of Democrats at Independence Square adopted two resolutions which fairly stated their position: “Resolved, That the policy of Negro emancipation, which has been substituted by the Abolitionists for the original object of the war, is alike unconstitutional and impolitic. It oversteps the powers of the Federal government; it stimulates opposition to reunion; it counteracts the efforts of our gallant soldiers, and unites for protracted and desperate resistance the white race in the southern states”; and “Resolved, That the Democracy of Pennsylvania have ever been true to the cause of the Union. . . . that we denounce the least intimation that the Democratic Party entertains now, or ever has entertained, or ever can entertain, the slightest sympathy with the gigantic rebellion, or with traitors in arms against the Government, or would ever consent to peace upon


35 It was believed that Democratic judges who owed their positions to appointment, like Judge Cadwalader, rather than to popular election were less influenced by party policies. Cadwalader, who had been a partisan Democrat and congressman, paid little heed to party clamor after his elevation to the federal bench.

36 The Age, Sept. 24, 1863.
any terms involving a dismemberment of the Union, as utterly unjust...)

Although there were plenty of Southern sympathizers in the party, the essential loyalty of the Democrats is unquestioned. Nevertheless, much of what their leaders said and did ran counter to a hearty prosecution of the war. Their words, sometimes taken out of the context of the time in which they had been said, were subject, at the very least, to misunderstanding. Woodward, for example, was haunted by a speech he had made in December, 1860. Addressing a meeting in Philadelphia designed to soothe the feelings of the South and to solve the problems that threatened to tear the nation apart, he had said: "And thus it happens that the Providence of that Good Being who has watched over us from the beginning, and saved us from external foes, has so ordered our internal relations as to make Negro slavery an incalculable blessing to us... We must arouse ourselves and reassert the rights of the slaveholder, and add such guarantees to our Constitution as will protect his property from the spoliation of religious bigotry and persecution, or else we must give up our Constitution and Union. Events are placing the alternative plainly before us: Constitutional Union and liberty according to American law, or else extinction of slave property, Negro freedom, dissolution of the Union and anarchy and confusion." Sentiments such as this when reprinted in 1863 did little to reassure Union men. No wonder Jay Cooke wrote the Secretary of the Treasury: "It would be horrible if Woodward were to carry Penna., and many think he will."

Despite Republican nervousness, the Democrats were overwhelmed at the polls in October, 1863, when Woodward and Lowrie were both defeated and control of City Councils passed to the Union Party. The final Democratic attempt that fall to undermine the Lincoln administration also ended in failure. In November, the Supreme Court of Pennsylvania ruled the conscription act unconstitutional by a vote of 3 to 2, but in December, Justice Lowrie's

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37 Ibid., Sept. 18, 1863.
38 Democratic Opinions on Slavery: 1776-1863 [Philadelphia, 1863].
39 Cooke to Salmon P. Chase, Sept. 7, 1863, Jay Cooke Papers, HSP.
40 The federal government did not contest the case since it did not recognize the jurisdiction of the Pennsylvania court in ruling on a federal measure.
term expired, a new judge took his place, and in January, 1864, again by a vote of 3 to 2, the Supreme Court reversed itself. Thus, by degrees, as the tide of war began to favor the North, power and political advantage ebbed from the Democratic Party.

For a time after their defeat, Philadelphia Democrats were rather subdued, although in February they forced a decision in the District Court on the constitutionality of legal tender notes. The case went against them in a 2 to 1 decision, there being two Union men and one Democrat on the bench. "It seems now established," wrote Sidney George Fisher, "that the judges construe the Constitution according to their political feelings." 41

It is interesting to trace in Fisher's diary the effect of the war on individuals. The diarist had a first cousin, wealthy Joshua Francis Fisher, whose wife came from one of the most distinguished families of Charleston, South Carolina. Her father, Henry Middleton, had been governor of the state, and her grandfather, Arthur Middleton, had been one of its signers of the Declaration of Independence.

In August, 1861, the diarist recorded: "Met Fisher in the street. He talks in the most absurd manner, professes to be for the Union, but denounces the war and Mr. Lincoln in bitter and violent terms." A year later, the diarist called on his cousins and found that "Mrs. Fisher was excited—her feelings are strong, her reasoning weak. Fisher wavers and has not yet made up his mind on which side he is, but abuses the administration for its antislavery measures, because they 'will irritate the South.' His notion seems to be that in this war the chief duty of the government is to protect slavery & put down Northern abolitionists." And, six months later, "Met Joshua Fisher. He is more violent than ever about the war and I really fear that his mental and bodily health will be seriously affected. He absolutely raves incoherently." 42

Several days before the battle of Gettysburg, the diarist observed of his cousin: "His sympathies are wholly with the rebels, whom he calls 'gentlemen and Christians,' and he heartily wishes them success. He is really glad that they have invaded Pennsylvania and I have no doubt that the Democrats whose opinions accord with his fully agree with him." The decision at Gettysburg did nothing to

41 Fisher Diary, Feb. 23, 1864.
42 Ibid., Aug. 27, 1861; July 13, 1862; Jan. 3, 1863.
mollify Joshua Fisher. Indeed, it made him "more outrageous than ever." The diarist decided to avoid him.43

However, sometime later, Mr. and Mrs. Joshua Fisher came calling. "They would talk about the war, tho Bet and I tried to avoid the subject, and they uttered a great deal of treasonable nonsense, Mrs. F. exulting very much in the successful defence of Charleston and both expressing the hope and belief that the rebels would eventually triumph, showing themselves indeed thorough partizans of the South in all its most extravagant claims, and denouncing with unmeasured bitterness Mr. Lincoln, the government and the Northern people. The first, according to Fisher, is an ignorant blackguard, the second corrupt and tyrannical, the last a mere mob. Liberty is destroyed, he said, all security for property at an end, refined and gentlemanlike life henceforward impossible, and he wished his children were all dead rather than see them live in such a country and under such a government."44

A month after this painful conversation with his cousins, the diarist was subjected to a visit from an ardent Democrat who devastated poor Fisher's day. "He declared that the Southern people were right. That slavery was attacked and they were justified in rebellion. That slavery was a divine institution, but whether right or wrong was protected by the Constitution which was our supreme law behind which no one could go. That no one had a right to speak against slavery. That the South would prevail and the Union be restored in the blood of abolitionists. That ere long the war would be brought into the North and array father against son, brother against brother, but that in the end, after anarchy and violence, the Democrats and the South would prevail and slavery be more firmly established than ever, and much more of such rabid trash. What he said reveals the sentiments of many of his party, for he is by no means alone in his opinions. His notion that there is no higher law than the Constitution and that freedom of speech should be suppressed for the sake of slavery shows what his political nature is made of."45

In the summer of 1864, the Democratic Party mounted its last great political campaign of the Civil War. The principal difference

43 Ibid., June 27, 1863; July 12, 1863.
44 Ibid., Mar. 16, 1864.
between the parties was their views on slavery. Lincoln was willing to entertain terms of peace, providing they allowed for the restoration of the Union and the abolition of slavery; his opponent, George B. McClellan, was willing to continue slavery: “The Union is the one condition of peace—we ask no more.”

A negotiated peace still ranked uppermost in Democratic hearts. George M. Wharton pleaded for it. Let the South keep its slaves. He argued that war was not the proper way to preserve the Union: “If the war fails, compulsory separation from the South follows. Peace can at the worst lead to a voluntary separation. Is that worse than the other?”

“My dear boy, what are the articles of thy belief?” asked someone of a Copperhead. And this was the creed he heard:

I believe in one country, one Constitution, one destiny.

And in George B. McClellan, formerly general in chief of the armies of the United States; Who was born of respectable parents; Suffered under Edwin M. Stanton; Was refused reinforcements, and descended into the swamps of the Chickahominy; He was driven therefrom by fire and by sword, and upon the seventh day of battle ascended Malvern Hill, from whence he withdrew to Harrison’s Landing, where he rested many days; He returned to the Potomac, fought the battle of Antietam, and was removed from his high command and entered into oblivion; From this he shall one day arise and be elevated to the Presidential chair, there to dispense his favors upon all who follow him, and who firmly rest upon the Platform of the party to which he belongs.

I also believe in the unalienable doctrine of State Rights; In the admission of slavery into the territories; In the illegality of the Confiscation Act, of the Conscription, of the Suspension of Habeas Corpus, of Arbitrary Arrests, and of the Proclamation of Emancipation; And I finally believe in a Peace which is beyond everybody’s understanding. . . .

Philadelphia Democracy was still committed to its peace policy, which included a built-in guarantee of slavery. The Age announced that, after four years of failure to restore the Union by war, its platform called for immediate efforts to be made for the cessation of

47 The Age, Oct. 29, 1864.
48 The Copperhead Catechism (New York, 1864).
hostilities “with a view to an ultimate convention of all the states, or other peaceable means, to the end that, at the earliest practicable moment, peace may be restored on the basis of the Federal Union of the states.”⁴⁹ Charles Ingersoll, still insisting that the South did not want separation, urged the North to explore peace possibilities with Southern commissioners.⁵⁰

The alternative policy was explained by The Age in the following manner: “This is the Lincoln platform. The war must go on, no matter at what sacrifice to the white freemen of America. It is not for the Union but for the African. Until the Negro is emancipated and placed upon an equality with the white race, blood must continue to flow. . . . Taxes, ruin, bloodshed, and bankruptcy must all be endured—the people must suffer untold miseries—while the clown and buffoon at the head of the government, with a vulgar jest upon his lips, and the echo of the ribald song he called for at Antietam ringing in his ears, asks the American people to re-elect him to the high position he has so utterly disgraced!”⁵¹

And re-elect him they did. In November, 1864, the Democratic Party in Philadelphia was routed. Its defeat and the victorious course of the Northern armies deepened the gloom of the local Democratic newspaper. Neither its editors nor the politicians could realize that their leadership had hurt rather than promoted their party. The Democratic following had declined because of the suspected disloyalty of some Democratic leaders and the uncertain patriotism of others. Its press was deemed to be sympathetic with the South, and the constant apology it offered for slavery had become offensive.⁵²

On February 17, 1865, The Age expressed the full measure of its bitterness in an editorial entitled “War Democrats.” Such people were denounced as abolitionists in disguise. It was impossible to be a Democrat opposed to the policy of the administration but in favor of carrying on a vigorous war effort. This was the reason why: “Now, as the war, if carried on at all, can only be prosecuted by the

⁴⁹ The Age, Sept. 1, 1864.
⁵¹ Ibid., June 29, 1864.
⁵² The Press, Mar. 15, 1864.
present Administration, and will be prosecuted, of course, upon no policy other than the wicked and barbarous one to which it is pledged, and to which it has adhered in the past, the creed of the ‘War Democrat’ is just this. ‘I am opposed to the emancipation of the Negro, but in favor of shedding the blood of thousands of my own race to effect it. I am in favor of seeing my country beggared in the vigorous prosecution of the war, but I detest the object for which it is being prosecuted. I abhor military arrests, the suppression of newspapers, and the insulting dictation of military despots, but I am in favor of furnishing the Abolitionists with the men and means necessary to the vigorous perpetration of these outrages.’” How much closer could a paper come to treason than to tell a party that comprised half the voters of the North that they could not support the war? The Age complained of the suppression of newspapers, yet it could publish such editorials as this without hindrance.

Evidently, this Philadelphia paper, and presumably many of its readers, did not want to see the North victorious. On March 3, 1865, The Age jeered at the other papers in the city for their belief that the struggle was all but over. What an absurd notion; why, the war could go on for another ten years. The South was far from exhausted. Lee was going to add a million Negroes to his army. Peace was by no means just at hand. Six months hence, people would see how ridiculous the concept of victory over the South was. In fact, the war would never end until Louis Napoleon intervened on behalf of the Confederacy.

Factually and with notable want of enthusiasm, The Age reported the fall of Richmond on April 4, the editors releasing their sense of frustration by painting a horrible characterization of Lincoln. In muted fashion on April 11, The Age recorded Lee’s surrender. The war ended with secession a dead issue, but it would take time for many people to accept the fact.

On April 13, 1865, a Philadelphia Democrat addressed the Anti-Abolition State Rights Society in New York. Advocating the repudiation of the national debt illegally incurred by what he termed an unconstitutional war, this lawyer went on to say: “I yield to no man in sympathy for the people of the South, a gallant people struggling nobly for their liberty against as sordid and vile a tyranny as ever
proposed the degradation of our race—nay, I go further, and with Jefferson, Madison, and Livingston, I fully embrace the doctrine of secession as an American doctrine, without the element of which American institutions cannot permanently live."

The next day Abraham Lincoln was assassinated. What then had The Age to say of him, after having pursued him with vituperation and ridicule ever since its founding? Its editorial read: "No where, such is our proud consciousness, has sorrow for Mr. Lincoln's death been more unaffected and sincere than it is at this moment in the ranks of the great Democratic party, of whose views we try to be an exponent." The homes of leading Democrats were draped in mourning cloths, Joshua Francis Fisher's house included. They had been told by Mayor Henry that unless they did so he would not be responsible for the security of their property in the face of possible mob violence. This expression of their mourning was about as sincere as the editorial in The Age.

"The forbearance of the people has been wonderful," wrote Sidney George Fisher. "The Democrats in their speeches and their press have denounced the war and its motives and purposes, gloried in every rebel victory, mourned over their defeats, vilified the North, abused every officer of the government and above all Mr. Lincoln on whom they have lavished every epithet of scorn and contempt; he was a usurper, a tyrant, a blackguard, a ruffian, a buffoon, a gorilla, a kangaroo, and his administration was worse than an eastern despotism. They have been permitted to do this without check or molestation, thus refuting their own charges. At length Mr. Lincoln has been murdered. . . ."

The bitterness which existed between Republicans and Democrats could no longer affect Lincoln. He needed neither sympathy from enemy nor eulogy from friend. The purpose which epitomized his leadership transcended party lines, for it was the great national essential in which both parties believed—the restoration of the Union. The oratory of rival party chieftains has long since been forgotten,

54 The Age, Apr. 17, 1865; Fisher Diary, Apr. 17, 1865.
55 Ibid., Apr. 15, 1865.
but the faith that Lincoln expressed when he first took up the reins of government is still with us in imperishable words: “The mystic chords of memory, stretching from every battlefield and patriot grave to every loving heart and hearthstone all over this broad land will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.”

Philadelphia

NICHOLAS B. WAINWRIGHT