

Charles Ingersoll: *The Aristocrat as Copperhead*

THE INGERSOLL FAMILY is one of America's oldest. The first Ingersoll came to America in 1629, just nine years after the *Mayflower*. The first Philadelphia Ingersoll was Jared Ingersoll, who came to the city in 1771 as presiding judge of the King's vice-admiralty court. Previously, he had been the King's colonial agent and stamp master in Connecticut. During the Revolution, Jared remained loyal to the Crown. He stayed in Philadelphia for the first two years of the war, but in 1777, when he and other Tories were forced to leave, he returned to Connecticut, where he lived quietly until his death in 1781.¹

Jared's son, Jared, Jr., was the first prominent Philadelphia Ingersoll. He came to Philadelphia with his father in 1771, studied law, and was admitted to the bar in 1778. Unlike his father, Jared, Jr., wholeheartedly supported the Revolution. Subsequently, he was a member of the Constitutional Convention in 1787, a member of the city council, city solicitor, attorney general of Pennsylvania, and United States District Attorney. Politically, he was an ardent Federalist, but politics and affairs of state were never his prime interest; his real interest was the law, and most of his time and energy was devoted to his legal practice.²

Jared, Jr.'s son, Charles Jared Ingersoll, was probably the most interesting of the Philadelphia Ingersolls. Like his father, grandfather, and most of the succeeding generations of Ingersolls, Charles Jared was a lawyer. He began a practice in Philadelphia in 1802, but devoted much of his time to politics.

In 1808 he broke with his Federalist background and espoused a Jeffersonian political philosophy. This action made him extremely

¹ L. H. Gipson, "Jared Ingersoll," in Allen Johnson and Dumas Malone, eds., *Dictionary of American Biography* (New York, 1928-1944), V, 467-468, hereinafter cited as *DAB*.

² Witt Bowden, "Jared Ingersoll, Jr.," *ibid.*, 468-469.

unpopular among the members of the staunchly Federalist Philadelphia society. In 1812 he ran for Congress as a Republican and was elected, but was defeated in his bid for re-election in 1814. The next year he was appointed United States District Attorney for Philadelphia, a post he held until 1829. By the early 1830's, when he had amassed an independent income from his law practice, he began to devote even more time to political affairs.

Charles Jared was an active participant in the battle over the renewal of the charter of the second Bank of the United States. At first he supported the charter's renewal, but then reversed his position and joined the Democratic Party. Since the Bank was a Philadelphia institution and popular with most Philadelphians, Charles Jared again felt the wrath of Philadelphia society, but he remained a partisan Democrat for the rest of his life. In 1837 he was elected to Congress, and continued to be re-elected until his retirement in 1849. From then until his death in 1862, he devoted almost all of his time to writing, his most notable work being a four-volume history of the War of 1812.³

Charles Jared had nine children of whom the eldest was Charles who was born in 1805, graduated from the University of Pennsylvania law school in 1822 and went on to become a successful practicing attorney.⁴ He married Susan Catherine Brown of Tennessee, whose father, James Brown, was a United States Senator from that state between 1812 and 1824.⁵ This marital connection, as well as other factors, may well have had its influence in making Charles one of Philadelphia's leading Copperheads during the Civil War.

Pre-Civil War Philadelphia's attitude toward the South was one of compromise and conciliation. The Democrats had been dominant in

³ Witt Bowden, "Charles Jared Ingersoll," *ibid.*, 465-467.

⁴ Charles Jared's other children were: Alexander (1807-1889), who spent almost all his life in an insane asylum; Harry (1809-1886); John (1811-1855), who moved to Mississippi and had a son who served with the Confederate army; Benjamin (1813-1859); Elizabeth (1815-1872), the wife of the Philadelphia diarist Sidney George Fisher; Edward (1817-1893); Ann (1822-1856), the wife of Dr. John Forsyth Meigs and mother of lawyer and historian William Meigs; and Samuel (1824-1827). L. D. Avery, *A Genealogy of the Ingersoll Family in America* (New York, 1926), 221-222.

⁵ *Ibid.*; Philadelphia *Ledger*, Sept. 11, 1882 (all newspapers hereinafter cited, unless otherwise indicated, were published in Philadelphia). For more data on the Ingersoll family, see Frank W. Leach, "Genealogies of Old Philadelphia Families," *North American*, Apr. 5, 1908; and R. Sturgis Ingersoll, *A Sketch of the Ingersoll Family of Philadelphia* (1966).

the city since the 1830's, and they yielded to the demands of southern politicians whenever they could. Philadelphia Democrats opposed popular sovereignty in Kansas, endorsed a slave code for the territories as early as 1857, and supported the Lecompton Constitution. At the Democratic National Convention in 1860 a large portion of the Philadelphia delegation voted with the South; and, in the presidential election of that year, the Democratic State Central Committee authorized a slate of electors to vote for John C. Breckinridge.⁶

There were significant commercial and social ties linking Philadelphia to the South. The South was Philadelphia's best customer, purchasing a large percentage of the goods manufactured in the city. There were also close social connections between Philadelphia's upper class and the planter aristocracy. Sons of wealthy southerners were educated in Philadelphia, many southern émigrés took part in the social life of the city, and there were many intermarriages, an example being Charles Ingersoll's to a Tennessee belle.⁷

Like most Philadelphia Democrats, his father, Charles Jared Ingersoll, had been conciliatory to the South. While a member of Congress he sided with the South on many issues. He supported the protective tariff, but was always willing to compromise in order to satisfy the South. As chairman of the House foreign affairs committee, he was influential in the annexation of Texas. In the debates over the slavery question, he always tried to steer a middle course, opposing the antislavery men but not completely supporting the slaveholders. He believed that it was the duty of the middle states, of which he was a representative, to compromise the differences that existed between the slaveholding South and "the slave-hating northeast."⁸

Charles Ingersoll shared his father's political views. As early as 1841 he was defending slavery against attacks by abolitionists.⁹ By 1850 his views on the slavery issue were quite clear: it was the abolitionists who were to blame for the sectional strife, and it was they who presented the greatest threat to the Union. The South, he ad-

⁶ William Dusing, *Civil War Issues in Philadelphia 1856-1865* (Philadelphia, 1965), 186-187.

⁷ Frank H. Taylor, *Philadelphia in the Civil War* (Philadelphia, 1913), 9-12.

⁸ Bowden, "Charles Jared Ingersoll," *DAB*, V, 467.

⁹ Diary of Sidney George Fisher, Feb. 8, 1841, Historical Society of Pennsylvania (HSP).

mitted, may have been too extreme in its position, but it was forced to take that position by the abolitionists. Charles distinguished between the fanaticism of the abolitionists and the extremism of the slaveholders. He argued that there was a great deal of difference between a man who defends his rights and property with extreme passion and a man who seeks to destroy the rights and property of another.¹⁰

In November, 1850, a "Great Union Meeting" was held in Philadelphia to discuss the sectional crisis. The general tenor of the gathering was conservative and conciliatory. Resolutions were passed "sustaining the supremacy of the laws," which included the fugitive slave law, and respecting the rights "of our sister states." Charles Ingersoll was one of the organizers of this meeting and a member of the committee that drew up the resolutions.¹¹

In December, 1859, in the wake of John Brown's raid on Harper's Ferry, another mass meeting was held. Although it had been intended as a nonpartisan gathering, most of the speeches were made by Democrats, and the resolutions committee was controlled by them. Resolutions were passed denouncing abolitionists, but none condemning southern disunionists. Anti-abolitionism was the theme of most of the speakers. Charles Ingersoll was one who spoke to this effect, denouncing abolitionists, claiming they were subverting the institutions of the South. He went so far as to propose that abolitionists be prohibited from making public speeches, for their speeches and rallies were illegal as they advocated treason and disunion.¹²

Shortly after this gathering, George W. Curtis, a New York abolitionist, came to Philadelphia to give a lecture despite threats of physical violence. Outside the hall where Curtis spoke the Democrats held a rally, and it took 500 policemen to prevent them from disrupting the lecture. Charles Ingersoll was one of the organizers of the rally, one of the leaders openly advocating mob rule.¹³

In 1860 the Philadelphia Democracy was split into two competing factions. The first group, which included most of the city's more re-

¹⁰ Charles Ingersoll to James Buchanan, Nov. 12, 1850, Buchanan Papers, HSP.

¹¹ *Proceedings of the Great Union Meeting held in the Large Salon of the Chinese Museum, Philadelphia on November 21, 1850* (Philadelphia, 1850).

¹² *North American*, Dec. 8, 1859. *The North American* mistakenly attributed Charles' speech to his father. Fisher Diary, Dec. 8, 1859.

¹³ Dusenberre, 90; Fisher Diary, June 1, 1863.

spected citizens, had strong pro-southern tendencies and supported John C. Breckinridge. The other faction, led by Lewis Cassidy, a Democratic ward leader and politician, received the bulk of its support from the city's workingmen and immigrants. It supported Stephen A. Douglas. The two factions differed over the territorial slavery question. The Breckinridge group wanted to accept the southern position of congressional protection for slavery in the territories while the Douglas men supported the principle of popular sovereignty.¹⁴

In November, 1860, Charles Ingersoll declared himself a Breckinridge Democrat. He denounced as unconstitutional any action that would exclude slavery from the territories because such action would violate the basis of the Constitution—"the equality of the states." According to Ingersoll, "the Democratic North must yield every inch of the ground" to the South because the territories had been acquired through joint war waged by both North and South. Thus, the South could not legally be denied the right to bring its property into those lands.¹⁵ To deny the South the right to bring its slaves into the territories, he stressed, would be to relegate it to a position of inequality. It is quite obvious that he believed it was the North that was in the wrong, not the South.¹⁶

The election of Abraham Lincoln triggered the secession crisis, although most Philadelphians took a moderate position. The city's commercial ties with the South caused the business community to urge caution, but a more important factor was the strength of its Democratic Party which had the support of the city's Breckinridge men, Constitutional Unionists, and Douglas faction. The Breckinridge group supported the Democracy because of its conciliatory approach to the problem. The Constitutional Unionists and moderate Democrats believed that only the Democratic Party could come to some compromise with the South. All three groups shared an anti-Negro prejudice which prevented them from supporting the Republicans.¹⁷

¹⁴ Dusinger, 96-97.

¹⁵ Charles Ingersoll, "The Equality of the States," in Charles Ingersoll, *Civil War Speeches 1860-1865*, 306-307, Library Company of Philadelphia.

¹⁶ *Ibid.*, 307-308, 311.

¹⁷ Dusinger, 120-121; A. K. McClure, *Old Time Notes of Pennsylvania* (Philadelphia, 1905), II, 467.

In spite of this apparent cohesiveness, the Democrats were plagued with serious intraparty dissension. The Breckinridge men opposed the use of force against the seceded states while the Douglas faction advocated a more forceful policy. Douglas' followers were willing to grant some concessions on the slavery question, but would support the use of force to uphold the authority of the Federal Government.¹⁸

There were also marked socioeconomic differences between the members of these two factions. Most of the members of the Breckinridge group possessed social prominence and wealth. The Douglas faction was made up mostly of ward politicians like Lewis Cassidy, lower-class workingmen, and immigrants. With some notable exceptions, few from this group were socially prominent.¹⁹

In January, 1861, a mass meeting was held in support of the Federal Government's defense of Fort Sumter. Members of all political parties were invited, but the Breckinridge group refused to attend. The Douglas faction, however, were present, and Lewis Cassidy was elected chairman of the meeting. Resolutions were passed supporting the use of force to defend federal property.²⁰

A few days later, the Breckinridge men held a rally of their own. The resolutions they passed displayed strong pro-southern sentiments. One, for example, stated that if the entire South should secede from the Union, Pennsylvania should call for a state convention "to determine with whom her lot should be cast, whether with the north and east, whose fanaticism has precipitated the misery upon us, or with our brethren of the South, whose wrongs we feel as our own; or whether Pennsylvania should stand by herself, as a distinct community."²¹

Charles Ingersoll spoke at this gathering, denouncing the Republicans and their policies, castigating them for their refusal to compromise with the South. If the Republicans continued with their present policies, he warned, the Union was gone. Opposed to secession, yet he condoned it on the basis that the provocations of the North had forced the South into this position. The South, he went on, should be conciliated into returning to the Union, not coerced. The only

¹⁸ Dusenberre, 102-103.

¹⁹ One such exception was former mayor Richard Vaux.

²⁰ Dusenberre, 106-107.

²¹ *Inquirer*, Jan. 17, 1861.

possible way of preserving the Union was through "forbearance and mutual concession."²²

When the war began most Philadelphians, regardless of their political party, wholeheartedly supported the Lincoln administration. Even the Democrats appeared to have cast aside their partisan activities. But, despite this facade of nonpartisanship, there was still a group who opposed the war. They were, in general, the same men who had made up the Breckinridge faction in 1860. Though they opposed the war and had no faith in Lincoln or the Republicans, they did not dare to express their views in public. Unionist mobs had already destroyed business establishments owned by persons suspected of pro-southern sympathies. Some Breckinridge Democrats had received threatening letters and had had their homes attacked by angry mobs.²³

Although dissent was not expressed in public, it was often displayed in private conversations. Both Charles Ingersoll and his father had been strongly opposed to the war since the day it began. Sidney George Fisher had a conversation with the two Ingersolls shortly after the fall of Fort Sumter. He described their views in his diary: "[Charles] is greatly excited and his opinions are most extravagant and absurd. If he were to utter in the street one half what he said to me, he would lose his life. His father is still more violent. I feel by no means easy about them."²⁴

Immediately after the war began, Charles Jared Ingersoll devised a scheme which he hoped would end it. He planned to call a meeting of the five living former presidents,²⁵ whom he wished to draw up for Lincoln and the Confederate government a set of resolutions demanding an armistice of one year and the calling of a national convention to solve the nation's problems. He sent his son Charles to New York to arrange the details of the meeting, but it never mate-

²² *Ibid.*

²³ Dusinger, 134; Henry M. Phillips to Buchanan, Apr. 30, 1861, William B. Reed to Buchanan, J. B. Baker to Buchanan, Apr. 29, 1861, Buchanan Papers.

²⁴ Fisher Diary, Apr. 18, 1861.

²⁵ The five were Martin Van Buren, John Tyler, Millard Fillmore, Franklin Pierce, and James Buchanan. The Lincoln administration probably would not have paid too much attention to this gathering, for all of these former presidents were Democrats, except for Tyler who was a southern Whig.

rialized. Both Martin Van Buren and James Buchanan were reluctant, both skeptical of the meeting's usefulness.²⁶

It was not until March, 1862, that a Philadelphia Democrat dared to publish a pamphlet criticizing the Lincoln administration on fundamental war issues. The title of the pamphlet was *Letter to a Friend in a Slave State*; the author was Charles Ingersoll.²⁷ His stated intention was to express the views of those citizens of Pennsylvania "who regard conciliation as our only available resort, and look upon the extreme course of the Government as ruin."

To Charles Ingersoll the war had presented the nation with a serious dilemma. A victorious South, he warned, meant disunion; but with every northern victory the abolitionists within the Republican Party increased their control of the government; acceptance of their policies would also mean disunion. As long as the abolitionists retained their power, he warned, it would be impossible to restore the Union. The only way to end the war was for Lincoln to abandon his policy of "unconditional submission" and adopt a policy of conciliation. The blame for the continuance of the war, he charged, "is with the North, not the South." The only way to end the war, he argued, was for the people of the North to vote the Republicans out of power. If a Democratic Congress was elected, the measures of the government would change, and there would be "an earnest and sincere effort to bring about a settlement." A policy of "conciliation and compromise" would be initiated, and the Union would be restored.²⁸

Ingersoll's charge that the real war aim of the Republicans was emancipation proved to be the Philadelphia Democracy's most potent political issue. Most Philadelphians supported the administration because they believed its war aim was solely the preservation of the Union. Under no circumstances would many of them have sup-

²⁶ The letters inviting the former presidents to attend the meeting were signed by the clerk of the United States Circuit Court at Philadelphia, Benjamin Patton, but it was common knowledge that Charles Jared Ingersoll had organized the gathering. See William B. Reed to Buchanan, Apr. 29, 1861, Buchanan Papers; and William D. Kelley to Salmon P. Chase, in "Diary and Correspondence of Salmon P. Chase," *American Historical Association Annual Report* 1902, II, 497.

²⁷ Ingersoll had originally meant for the pamphlet to be published anonymously. The title page is signed "A Citizen of Pennsylvania," but on the verso he added a note saying that he was the author.

²⁸ *Ibid.*, 2, 17-19, 30-31, 53, 59-60.

ported the war had they known the goal was emancipation, for emancipation was extremely unpopular in Philadelphia, even among the staunchest supporters of the war.

Philadelphia had a reputation for being the most violently anti-Negro city in the North. That is the way Frederick Douglass described its treatment of the Negro in 1862: "There is not perhaps anywhere to be found a city in which prejudice against color is more rampant than Philadelphia."²⁹ Racism and discrimination had always been prevalent in Philadelphia. Negroes were victims of economic exploitation, political discrimination, and social segregation. Anti-Negro violence flared more often in Philadelphia than in any other northern city. In large part, this bias against the Negro was the result of economic competition between the Negroes and the city's laborers; but there was also strong anti-Negro prejudice among the city's upper class, which considered the Negro racially inferior.³⁰

The emancipation issue changed the entire complexion of the war for many Philadelphians. They were no longer fighting to preserve the Union but to free the slaves. Lincoln did not issue his preliminary emancipation proclamation until September, 1862, but by July Philadelphia newspapers were preparing the public for the decree.³¹ By mid-summer of 1862 the facade of political unity that had existed in the city since the Sumter attack had all but disappeared. Partisan strife was rampant.

On August 23, 1862, the Philadelphia Democrats held their first mass gathering of the war. Resolutions were passed condemning the dissolution of the Union and declaring their determination to support the administration and the war "in order that the Constitution may be preserved and the Union restored." However, the administration's policy of arbitrary arrests was decried as a flagrant violation of the Constitution and emancipation and abolitionists were likewise condemned. But aside from the usual expressions of intolerance for the Negro and the abolitionists, the general mood of the gathering was surprisingly moderate. There was only one speaker who dared to de-

²⁹ Quoted in James McPherson, *The Negro's Civil War* (New York, 1965), 255.

³⁰ Leon F. Litwack, *North of Slavery* (Chicago, 1961), 84-86, 100-101, 150-151, 168-169, 191-193.

³¹ Dusinger, 138.

nounce the Lincoln administration and the conduct of the war. That speaker was Charles Ingersoll.³²

Ingersoll told the gathering that the Republicans must be driven from power in the fall elections, for only the Democratic Party could save the Union. He then went on to denounce the administration for its corruption and profiteering. The reports of congressional committees of investigation, he charged, had convinced him that there had never before been in any other part of the world a government more corrupt than Lincoln's.³³

His speech went "far beyond the general feeling of the assembly." Most of the Democrats considered his attack too severe and distasteful. Evidently, some of the federal officials in the city shared this opinion since two days later he was arrested by Provost Marshal William Kerns on the strength of an affidavit by a reporter who had attended the meeting. Ingersoll was charged with making such disloyal remarks as "the despotism of the old world can furnish no parallel to the corruptions of the administration of Abraham Lincoln."³⁴

On August 27 Ingersoll, who had been released on bail, was transferred to the custody of United States Marshal William Millward, for it was he, not the provost marshal, who had the authority to make arrests on disloyalty charges. An August 8 order of the War Department had authorized United States Marshals to arrest any person who, by act, speech, or writing, tended to discourage enlistments, "give aid and comfort to the enemy," or commit any other kind of disloyal acts.³⁵

This order had further stipulated that the arresting officer was to send an immediate report of arrests to Major L. C. Turner, the judge-advocate of the army, but before Millward could send his report to Washington, Ingersoll petitioned Judge John Cadwalader of the United States District Court for a writ of habeas corpus. Judge Cadwalader held an immediate hearing, which neither Millward nor his

³² *Inquirer*, Aug. 25, 1862.

³³ *Ibid.*

³⁴ Fisher Diary, Aug. 25, 1862; *Ledger*, Aug. 26, 1862.

³⁵ *Ledger*, Aug. 28, 1862; *Inquirer*, Aug. 28, 1862; United States War Department, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1892), Series III, Volume II, 331. Hereinafter cited as *O.R.*

prisoner, who was being held in the marshal's office, attended. Ingersoll had as his counsel three of the city's leading lawyers, George W. Biddle, former mayor Peter McCall, and former United States District Attorney George M. Wharton.³⁶

Cadwalader ordered that Millward be served with the writ immediately, but the marshal had left his office. The writ was then served on his deputy, William Schuyler, who appeared in court, but without Ingersoll. Schuyler refused to produce the prisoner, requesting that the marshal have time to receive instructions from Washington. The district attorney, John Coffey, who was representing Millward at the hearing, argued that the marshal did not have to answer the writ at all, for it had been suspended by the War Department. Judge Cadwalader refused to recognize the suspension of the writ, but agreed to postpone the hearing until the next morning.³⁷

Ingersoll's counsel was strongly opposed to the postponement. They charged that the delay would be used by the marshal to take him to Washington, where he would be out of the jurisdiction of the court. To support this allegation, they produced affidavits signed by men who swore that they had seen Ingersoll in the marshal's office and had heard Millward say that he was to be taken to Washington that evening. Despite this evidence, Judge Cadwalader held to the postponement, but before adjourning he warned Schuyler that the prisoner was not to be taken to Washington or any other place out of the court's jurisdiction.³⁸

Marshal Millward had no alternative but to obey whatever orders he would receive from Washington, even if it meant disregarding the writ. It appears that he was totally unfamiliar with the correct procedure. When the writ was served on his deputy, Millward wired the State Department for instructions, even though arbitrary arrests had been transferred to the jurisdiction of the War Department early in 1862.³⁹ The August 8 order had clearly stated that the arresting

³⁶ Petition for a writ of habeas corpus signed by Charles Ingersoll, Aug. 27, 1862, Records of the United States District Court for the Eastern District of Pennsylvania, Record Group 21, National Archives (hereinafter cited as NA). All National Archive materials cited are photocopies of the originals.

³⁷ *Inquirer*, Aug. 28, 1862.

³⁸ *Ibid.*; affidavits of Edward Ingersoll and John W. Thomas, Aug. 27, 1862, Record Group 21, NA.

³⁹ Executive Order # 1, Feb. 1, 1862, *O.R.*, Series II, Volume II, 22.

officer must make an immediate report to the judge advocate; but when Millward himself was served with a writ ordering him to produce Ingersoll in court he wired Secretary of War Edwin M. Stanton for instructions, not Judge Advocate Turner. Stanton referred the message to Turner, who then wired Millward asking for a report of the charges against the prisoner, which is what should have been sent in the first place. After receiving Millward's report, Turner at first instructed him to take Charles to Washington and confine him in the Old Capitol Prison, but shortly after ordered him to drop the charges.⁴⁰

The Democrats considered his release a political victory. Rather than having to face the embarrassment of the arrest's being declared illegal, they asserted, the government had decided to drop the case.⁴¹ It is obvious that the charges against him were ridiculous. Only by a broad interpretation could he have been guilty of giving "aid and comfort to the enemy." He denounced emancipation, castigated the administration for its corruption, and ridiculed the army for its "insignificant" military accomplishments, but none of these remarks, although they may have displayed poor taste and rank partisanship, could have been considered treasonable. In fact, the remark for which he had been arrested, the one in which he condemned the corruption of the administration, was the least disloyal of all.

Most of the Republicans in Philadelphia agreed that Ingersoll's arrest was "unwise and impolitic." The city's Republican newspapers, although they had publicly supported the arrest, were relieved when he was released.⁴² However, the damage had been done for his arrest became a strong political issue, even receiving national attention.⁴³ The Democrats denounced the action as a "monstrous

⁴⁰ Millward to Seward, Aug. 27, 1862, Millward to Stanton, Turner to Millward, Millward to Turner, Turner to Millward, Aug. 28, 1862, Records of the Adjutant General's Office, Record Group 94, NA; Turner to Millward, Aug. 30, 1862, *ibid.*; decision of Judge Cadwalader, Sept. 1, 1862, Record Group 21, NA.

⁴¹ Fisher Diary, Sept. 1, 1862.

⁴² Fisher Diary, Aug. 25, 1862; *Bulletin*, Sept. 1, 1862. The *Bulletin* said that Charles' release "will be received with satisfaction by the public." The government could afford to let him go because it had on its hands "larger and more dangerous game."

⁴³ The reason why Charles' arrest received as much attention as it did was because many journalists confused Charles with his father, Charles Jared, who had died in May, 1862. See, Frank Moore, *The Rebellion Record* (New York, 1862-1867), V, 69, "Diary of Events," Sept. 1, 1862. Moore reported that "Charles Jared Ingersoll was discharged by order of Secretary

fabuse o power," one that was yet another example of the despotic state to which the Lincoln administration was leading the nation.⁴⁴

The election of 1862 proved to be quite successful for the Democrats. They won all of the state offices at stake, elected a majority of the congressmen, and gained control of the lower house of the state legislature. In Philadelphia, however, they did not do as well. Mayor Alexander Henry, a Republican, was re-elected, and only one Democrat, Samuel J. Randall, was sent to Congress.⁴⁵

Inspired by their successes in the state, and hoping to take advantage of the discontent aroused by Lincoln's Emancipation Proclamation of January, 1863, the Democrats made a concerted effort to overlook their intra-party differences and form a unified opposition. One of their first actions was the establishment of a party newspaper. The Democratic papers that had existed in Philadelphia before the war disappeared when Lincoln came to power and their patronage by the Federal Government was lost. Since 1861, however, Adam J. Glossbrenner of York, an experienced journalist who had also been private secretary to President Buchanan, had been trying to start a Democratic newspaper in Philadelphia. His main obstacle was securing the unified support of a badly divided party. In November, 1862, Glossbrenner at last succeeded in obtaining both the necessary capital and party unity and the journal he created, the *Age*, began publication in March, 1863. This paper was specifically intended to be an organ for party propaganda. It ardently defended civil liberties and went to great lengths to denounce abolitionists, emancipation, and the Negro. In its columns could be found a defense of slavery as a positive good, affirmations of the racial inferiority of the Negro, references to Negro soldiers as barbarians, exaggerations of Negro

Stanton." The *Bulletin* called attention to an article in the New York *Post* which reported the arrest of "Charles Jared Ingersoll." The *Post* was wrong, said the *Bulletin*; it was Charles Ingersoll who had been arrested, and he "was never a prominent politician, never was elected to Congress or any other office and never will be, if he lives to the age of one hundred." *Bulletin*, Aug. 26, 1862.

⁴⁴ Stanton L. Davis, "Pennsylvania Politics 1861-1863" (unpublished Ph.D. dissertation, Western Reserve University, 1935), 245-249.

⁴⁵ *Ibid.*, 260-265; Nicholas B. Wainwright, "The Loyal Opposition in Civil War Philadelphia," *Pennsylvania Magazine of History and Biography*, LXXXVIII (1964), 297-298.

brutalities and crimes, the dangers of miscegenation and amalgamation, and the political, economic and social dangers of emancipation.⁴⁶

Another action taken to strengthen the party organization was the creation of the Central Democratic Club. The club's stated purpose was the "dissemination and defense of the pure principles of Democracy." In effect, though, the club was a meeting place for Democrats and a convenient platform from which to denounce the Republicans and the Lincoln administration.

The preamble to the club's constitution stated the principles to which the Philadelphia Democracy was committed: strict construction, states' rights, defense of civil liberties, anti-emancipation, and white supremacy. In the state of Pennsylvania, the preamble read, "all power is inherent in the WHITE PEOPLE," and the "free institutions" of the United States were created for the white race only. Any attempt to change this intention, "or change the relative status of the superior white, and the inferior black races, . . . are subversive of the original design."⁴⁷

Some of the leading spokesmen for the Democratic Party were officers of the club and its members were drawn almost entirely from the Philadelphia aristocracy. They were only part-time politicians, gentlemen who considered politics more an avocation than a profession. None of the city's ordinary workingmen or members of the lower classes were asked to join. The president of this organization was Charles Ingersoll.⁴⁸

Although never elected to public office, Ingersoll was one of his party's leaders.⁴⁹ An avid partisan, he spoke at most of the mass meetings held by the Democrats. Although he did not want a Confederate victory, he believed that if the Union army suffered enough defeats the Republicans would be voted out of power and the Demo-

⁴⁶ Glossbrenner to Buchanan, June 23, 1861, Nov. 11, 1862, Mar. 30, 1863, Buchanan Papers; Elwyn B. Robinson, "The Public Press of Philadelphia during the Civil War" (unpublished Ph.D. dissertation, Western Reserve University, 1936), 174-186; Ray H. Abrams, "The Copperhead Newspapers and the Negro," *Journal of Negro History*, XX (1935), 131-152.

⁴⁷ *Constitution and By-laws of the Central Democratic Club, Organized January, 1863* (Philadelphia, 1863), 5-8.

⁴⁸ *Press*, Jan. 9, 1863.

⁴⁹ Charles tried for a seat in Congress in 1860, but was unable to receive the party's nomination. Fisher Diary, Jan. 17, 1860. Charles' brother Harry was nominated and did run for Congress in 1860, but he lost to W. Morris Davis. *Ledger*, Oct. 13, 1860.

crats would take over and this would bring the war to a close. By the end of 1862 his feelings had reached the point where he was openly applauding Confederate victories, expressing great delight on hearing of the Union defeat at Fredericksburg in December, 1862.⁵⁰

Since the governor's seat was at stake, the election of 1863 was an important one. For this office the Democrats nominated Justice George W. Woodward of the Pennsylvania Supreme Court, a pro-southern Democrat, but the party platform was unionist in its tone, affirming loyalty to the Union, pledging that it would use the entire power of the government to maintain the Union, and refusing to accept any peace terms based on the permanent dismemberment of the Union.⁵¹

Charles Ingersoll continued as one of his party's leading spokesmen in 1863, even though his views did not coincide with those of the platform. He was particularly bitter about Lincoln's policy of arbitrary arrests and his declaring of martial law in uninvaded areas. In December, 1862, he had published a pamphlet on the subject,⁵² attacking the suspension of the writ of habeas corpus as unconstitutional, arguing that it was not one of the president's "war powers." Most of the legalists of the day tended to agree with Charles' position that the suspending power belonged exclusively to Congress.⁵³

The declaring of martial law in uninvaded areas, he maintained, was also unconstitutional. The executive branch of the government, Ingersoll claimed, could not by itself assume the "war powers"; Congress must authorize the president to use such powers. But, he went on, even Congress could not give the president the power to declare martial law; for there was no provision in the Constitution giving Congress the power to declare martial law.⁵⁴

⁵⁰ Fisher Diary, Dec. 17, 1862.

⁵¹ Dusenberre, 166, 171-172; Davis, "Pennsylvania Politics," 297-299; *Age*, June 18, 1863.

⁵² *An Undelivered Speech on Executive Arrests* (Philadelphia, 1862). The reason for the title is that this pamphlet had originally been intended as an argument to be pleaded before Judge Cadwalader in defense of a prisoner arrested by the Federal Government, but before Charles could plead the case the prisoner was released.

⁵³ *Ibid.*, 5; James G. Randall, *Constitutional Problems under Lincoln* (revised edition, Chicago, 1951), 130-131, 136. Randall said: "Judging by the views of Congressmen, the flood of pamphlets, the learned words of Taney, and the pronouncements of lower courts, the weight of opinion would seem to incline to the view that Congress has the exclusive suspending power."

⁵⁴ Ingersoll, *Undelivered Speech*, 55-57, 64-69.

Once again he was arguing on solid legal ground. Lincoln's policy of declaring martial law in uninvaded areas was unconstitutional and without precedent. Martial law had never been used in the United States if it was at all possible to rely on civilian officials, and American legalists did not look upon it favorably.⁵⁵

Ingersoll also discussed how to resist the Lincoln administration's abuses of civil liberties, since judicial remedies had proved futile. At first he took an extremely radical and absurd position. He advised the individual states to force the Federal Government to release a prisoner by seizing the President of the United States, or some other federal official, and holding him as a hostage until the prisoner was released. This, he said, would be a "practical example" of states' rights.⁵⁶

The rest of his speeches during 1863 were far more moderate and sensible. On June 1, a mass meeting was held to protest the arrest and exile of Clement L. Vallandigham, the Ohio Copperhead. Resolutions were passed condemning the act as unnecessary and illegal and denouncing the administration's abuses of civil liberties, but all of the resolutions stressed that the remedy for such actions was at the ballot box, not in forceful resistance. Charles Ingersoll agreed, declaring that "no one should go one step beyond the resolutions. . . . Those resolutions recommend law and order." This was his position throughout the 1863 campaign. The only remedy that he counseled was the victory of the Democratic Party in the fall election. "The cause of the Democratic party today," he said, "is the cause of constitutional liberty."⁵⁷

Ingersoll had a scheme for ending the war that would circumvent the Lincoln administration. His plan was to call a convention of the states, which would deal with the problems that were dividing the nation. It was only at such a convention, he argued, that the strength of the people could be exercised. The most alarming aspect of the war, he went on, "is the difficulty of bringing the voice of the people to bear." He sincerely believed that the majority of the people in both

⁵⁵ Randall, 144-147.

⁵⁶ *Press*, Mar. 16, 1863.

⁵⁷ *Age*, June 2, 1863. The last quote is from the *Age*, June 3, 1863. Other speeches in which he counseled the ballot-box remedy are in the *Age*, June 8, Sept. 10, 18, 1863.

the North and South wanted peace, and at a convention their wish could be fulfilled.⁵⁸

Calling such a convention, Ingersoll admitted, would be difficult, for each state would have to call for it individually and most were controlled by Republicans. As with the civil liberties issue, he at first recommended a radical means of meeting this problem. Since the Pennsylvania Assembly was Democratic, he suggested that it refuse to appropriate any money needed for war supplies until a bill was passed calling for a convention. Later, his views mellowed and he no longer suggested obstructing the war effort. All he stressed was that the Democrats were committed to the calling of a convention, and that the people should vote Democratic if they wanted the war ended.⁵⁹

During the election campaign of 1863 the Democrats tried to discredit the administration by challenging the constitutionality of its war measures. In September they attempted to have the National Conscription Act struck down as unconstitutional. The act had been passed in March to improve upon the inefficient draft law of 1862 which had required that all drafting be done through the machinery of state governments and state militias. The 1863 law, eliminating state agencies altogether, called for universal liability for military service, and used only agencies of the Federal Government for its administration.⁶⁰

As a test case, several draftees asked for an injunction restraining the provost marshals from enforcing the Conscription Act. To argue for the plaintiffs, the Democrats provided four prominent "Philadelphia Lawyers": George M. Wharton, Peter McCall, George W. Biddle, and Charles Ingersoll. The case was taken to the Pennsylvania Supreme Court, where the Democrats were certain of success because four of the five judges who made up the court were Democrats, two of them heading the party's ticket in the fall elections: Woodward, who was running for governor; and Chief Justice Walter H. Lowrie, who was seeking re-election. The case was argued before the court on September 24, but a decision was not handed down until after the election, when the court by a 3-2 vote declared the Con-

⁵⁸ *Ibid.*, Apr. 23, 1863. This speech is also in *Civil War Speeches*.

⁵⁹ *Press*, Jan. 9, 1863; *Age*, Apr. 23, 1863.

⁶⁰ Randall, 247-248.

scription Act unconstitutional. However, in December Lowrie, who had been defeated in his bid for re-election, was replaced by a Republican. The case was then reheard and the decision was reversed, again by a 3-2 vote.⁶¹ Thwarted by the re-election of Governor Curtin and most of the other Republican candidates, Democrats turned their attention to the presidential election of 1864.

The nomination of a Democratic presidential candidate brought to the surface a bitter quarrel that had been going on between the War Democrats and the Peace Democrats. General George B. McClellan, a War Democrat, was nominated by the Democratic National Convention in late August, but the Peace Democrats had some successes at the convention. A Peace Democrat, George H. Pendleton, was nominated as McClellan's running mate, and the Peace Democrats, successful in gaining control of the platform committee, were able to write a "peace plank" into the platform, declaring the war a failure and demanding an immediate and unconditional armistice. McClellan, however, in his letter accepting the nomination maintained that before any armistice could be agreed upon the South would have to recognize the Union. Infuriated, the Peace Democrats were ultimately left with no recourse other than to give him at least nominal support.⁶²

There has as yet been no work written which fully discusses the Philadelphia Democracy in 1864.⁶³ Was it controlled by the War Democrats or the Peace Democrats? Did it support the nomination of McClellan? The Democratic State Convention, held in March, supported McClellan,⁶⁴ but did the Philadelphia Democracy? In 1863 the party was controlled by the Peace Democrats,⁶⁵ but what about 1864?

⁶¹ *Age*, Sept. 24, Nov. 12, 1863; Wainwright, 307-308. The arguments used by Charles to show the unconstitutionality of the draft were the same as the ones used by most of the opponents of the Conscription Act. He took a rigid states' rights, strict construction position and tried to prove that there was a great difference between a militia and an army, arguing that the conscription power belonged solely to the states. His argument is printed in *Civil War Speeches*. For an excellent summary of all of the arguments used for and against the draft, see Randall, 270-274.

⁶² William F. Zornow, *Lincoln and the Party Divided* (Norman, Okla., 1954), 129-138.

⁶³ Both Wainwright and Dusinger give very little attention to the year 1864.

⁶⁴ Erwin S. Bradley, *The Triumph of Militant Republicanism* (Philadelphia, 1964), 200-201.

⁶⁵ Wainwright, 302.

In July, 1864, the Philadelphia Peace Democrats made an effort to nominate former president Millard Fillmore or Franklin Pierce in place of McClellan. They printed and distributed circulars in neighboring states urging that either Fillmore or Pierce be nominated,⁶⁶ but it does not appear that this peace faction had much strength in the party. Even the *Age*, which had usually expressed the views of the Peace Democrats, refused to take a position on the presidential nomination. When the state convention met in March, the *Age* would not discuss its views on the nomination, preferring to place complete faith in the judgment of the party. In July, when the Fillmore and Pierce drive was strong among the Peace Democrats, the *Age* still refused to take a stand.⁶⁷ This behavior of the newspaper would seem to indicate that the Peace Democrats no longer had power in the city's Democratic Party.

The strongest reason for assuming that they no longer had control was the demise of the Central Democratic Club. The club had discontinued its meetings after the election of 1863, but there was a definite intention of resuming them for the 1864 campaign.⁶⁸ Charles Ingersoll's term of office as president was due to expire in June and a new election was to be held. Although George Northrop was elected president on July 12, after that meeting the Central Democratic Club disappeared from public view. It no longer held its weekly gatherings and was no longer used as a political platform by party spokesmen.⁶⁹

To fill the void thus created, a new organization was formed known as the Keystone Club.⁷⁰ This club had a much broader social base than its predecessor. The *Age* said that it was the largest and most popular Democratic organization in Philadelphia. Indeed, the number of members attending its meetings was so great that it was neces-

⁶⁶ *Bulletin*, July 26, 1864; Zornow, 126; A. Parker to General George B. McClellan, July 24, 1864, McClellan Papers, Library of Congress (photocopy).

⁶⁷ *Age*, Mar. 24, July 13, 1864.

⁶⁸ Robert J. Hemphill to Samuel J. Randall, Feb. 25, 1864, Randall Papers, University of Pennsylvania.

⁶⁹ *Age*, June 6, 8, July 13, 1864.

⁷⁰ *Ibid.*, July 12, 1864. The Keystone Club had actually existed well before 1864 as a Democratic organization; it was just being revived and reorganized. In 1856 the members of the Keystone Club had stormed the Democratic National Convention in support of Buchanan. *Bulletin*, June 4, 1856.

sary to hold them in a theater. The Central Democratic Club had had a much more limited number of members and had held only one meeting a week; the Keystone Club held a mass meeting every night.⁷¹

Why was the popularly based Keystone Club established and the Central Democratic Club disbanded? Perhaps the War Democrats had gained control of the party. Or, more likely, astute, professional politicians realized that the party needed a new image. Aristocrats like Charles Ingersoll never considered politics as a profession, and they could afford to stand by a conviction even if it hurt the party. Professional politicians could not do this; they needed political victories in order to gain patronage and office. Politics was their livelihood. By 1864 it was painfully clear to the professionals that the Democratic Party's identification with the dissenting aristocrats of the Central Democratic Club was hurting the party's chances for election victories.⁷² The Democracy had come to be associated with Copperheadism, treason, and disloyalty. It was no coincidence that both the June 7 and July 12 final meetings of the Central Democratic Club were held at the same time and place as the meetings of the Democratic City Executive Committee. The City Committee must have been influential in whatever was decided by the club. It was also no coincidence that the evening before the club held its elections on July 12, which marked its exit from Philadelphia politics, the Keystone Club was organized.⁷³

The new club's selection of a president was not an aristocratic Peace Democrat but Colonel William McCandless who had served with the Union army. There were no doubts about his loyalty. He had fought in the battles of Fredericksburg and Gettysburg, and had been wounded twice.⁷⁴

During the 1864 campaign, Ingersoll continued active, making speeches which were almost the same as the ones he had delivered in

⁷¹ *Age*, August 2, 31, 1864; *Bulletin*, Sept. 8, 1864.

⁷² In 1863, Lewis Cassidy, who has been described as one of the Democracy's "shrewdest leaders," strongly urged the Democrats to accept Governor Curtin's offer of a fusion ticket in support of a War Democrat. Cassidy considered it political suicide for the Democrats to nominate a "peace man." Davis, "Pennsylvania Politics," 287.

⁷³ *Age*, June 8, July 12, 1864. Charles Ingersoll delivered a speech at the dedication of the Keystone Club's meeting hall. *Ibid.*, Sept. 2, 1864.

⁷⁴ *Ibid.*, Aug. 19, 1864. For information on McCandless' war record, see Samuel P. Bates, *History of Pennsylvania Volunteers, 1861-1865* (Harrisburg, 1869), I, 575-590.

1863. He urged conciliation and compromise, suggested the calling of a convention of the states, denounced emancipation, and castigated the Lincoln administration for its abuse of civil liberties. The theme which dominated all of his utterances was that only the Democratic Party could save the Union: "It is the duty of the Democratic party to step in and rescue an almost ruined country."⁷⁵

The official position of the Philadelphia Democratic Party in 1864 on the questions of a negotiated peace and a "peace at any price" is not perfectly clear, but Charles Ingersoll's position is. He favored a negotiated peace that would have guaranteed the existence of slavery. In August, 1864, he attended a secret meeting of Peace Democrats in New York.⁷⁶ Convinced that the South did not want a permanent division of the Union, he urged Lincoln to negotiate peace terms. He devoted an entire speech to a denunciation of Lincoln for his refusal to negotiate with the southern emissaries at Niagara.⁷⁷

Ingersoll was unwilling, however, to accept a "peace at any price," for he was firmly opposed to the permanent division of the Union. Yet he was willing to yield to the South's demand of "recognized independence." This concession was much more than most Democrats would have thought of granting.⁷⁸ He believed that the demand for "recognized independence" was only a "point of honor" to the South, and had no substantive meaning. The North, he argued, had yielded to this point many times before: "each time we have sent a flag of truce to the South, or exchanged prisoners with them, or treated them as belligerents, or dealt with them in any of the ways recognizing their independent existence, to which we have resorted so often since the war began."⁷⁹

Lincoln's re-election thoroughly disgusted him. His frustration is clearly seen in a pamphlet he published in late 1864.⁸⁰ This work was

⁷⁵ *Age*, Sept. 3, 15, 1864.

⁷⁶ *Bulletin*, Aug. 11, 1864.

⁷⁷ "To Whom it may Concern," in *Civil War Speeches*, 378-389. For details on the Niagara Peace Conference, which was really a Confederate trick, see James G. Randall and Richard N. Current, *Last Full Measure, Lincoln the President* (New York, 1945-1955), IV, 158-165.

⁷⁸ Buchanan considered the recognition of the Confederacy to be an impossibility. Buchanan to Mrs. L. Boyd, Feb. 17, 1862, in John B. Moore, ed., *The Works of James Buchanan* (Philadelphia, 1908-1911), XI, 255.

⁷⁹ "To Whom it may Concern," 378-379, 387.

⁸⁰ [Charles Ingersoll], *A Brief View of the Constitutional Powers, Showing that the Union Consisted of the Independent States United* (Philadelphia, 1864).

his most radical tract of the war; he did not dare to put his name to it. The pamphlet justified secession as constitutional on the premise that each state was actually an independent sovereignty. The problem now, he maintained, was that the independence of the states was no longer being recognized by the Federal Government. A new constitutional principle held sway—"absolution of the Executive of the Federal Government." If the people accepted this principle, he warned, "then the Federal Executive is absolute, and wields all power, and the Constitution of government is gone, for there will remain only a people and their masters, whose will is their only law." He insisted that the Constitution had not given the Federal Government the power to coerce the seceded states to rejoin the Union.⁸¹

Ingersoll made no other public addresses nor did he write any more during the rest of the war, but Philadelphians had not forgotten his virulent opposition to it. On April 27, 1865, he paid physically for his war-time dissent, being viciously beaten by a mob. The incident arose out of a speech made by his brother Edward in New York on April 13. Edward had declared his sympathy for the Confederacy, justified secession as an acceptable "American doctrine," and denounced the Union war debt as unconstitutional, saying the people should not help to repay it.⁸²

The day after Edward delivered his speech Lincoln was assassinated. This tragic event aroused both the patriotism and the anger of the nation. Any form of dissent was enough to incite irate mobs into action. Edward became so harassed by angry citizens, threatening letters, and inflammatory newspaper editorials that he carried a pistol in order to protect himself.⁸³ On April 27 a mob met him at a Philadelphia railroad station and demanded that he apologize for the remarks he had made in his speech. Edward refused, telling the crowd to "go to Hell." Attacked by an army officer, Edward drew his pistol. The police then arrested him for carrying a concealed weapon.⁸⁴

⁸¹ *Ibid.*, 8-9, 65-68.

⁸² John A. Marshall, *American Bastille* (Philadelphia, 1869), 134-135; *Bulletin*, Apr. 26, 1865.

⁸³ Marshall, 134-135. The *Bulletin* reprinted Edward's speech in full, and then in an editorial denounced it as an act of treason. The editorial compared Edward's remarks to those of John Wilkes Booth, saying that both men should be classed together. *Bulletin*, Apr. 26, 1865.

⁸⁴ Fisher Diary, Apr. 27, 1865; *Bulletin*, Apr. 28, 1865; Marshall, 135.

Extra police had to be called to protect the police station where Edward was held. Despite the presence of the threatening mob, Charles Ingersoll came to the stationhouse to visit his brother. Recognized, he was pulled from his carriage and severely beaten. The police, most of whom sympathized with the mob, interfered only to save his life. Although he looked horrible, his face bruised and his clothes in tatters, Ingersoll was not seriously injured. Before long Edward was released on bail and left the city until tempers cooled off.⁸⁵

Charles Ingersoll lived until 1882 but never again took an active part in politics. He devoted his remaining years to literary studies, becoming "an excellent linguist and a scholar of distinguished abilities."⁸⁶ Prosperous because of his successful legal practice, he was enriched by a large inheritance from his Uncle Joseph R. Ingersoll.⁸⁷ In 1869 he wrote a comedy that was performed on stage and was well received by the critics.⁸⁸ Most of the immediate post-war years he spent traveling abroad, doing research for a book expounding his political beliefs, which was published in 1875.⁸⁹ His political significance lies in his ardent position as a Copperhead.

There are two basic schools of Copperhead historiography. The "traditionalist" school, in large part, adheres to the views expressed by Republicans during the war. It sees Copperheads as unenlightened, reactionary, and disloyal. The "revisionists" reject the idea of conspiracy, treason, or treasonable intent on the part of most Copperheads. They agree that Copperheads might have been guilty of rank partisanship, but so were the Republicans. They might have condemned Lincoln and his war measures in order to gain votes, but partisanship is something quite different from treason.

Charles Ingersoll opposed the war and was willing to recognize the independence of the Confederacy, but was still devoted to the concept of "Union"; he did not want a permanent division. To accuse

⁸⁵ Fisher Diary, Apr. 27, 28, 1865; *Bulletin*, Apr. 28, 1865; Marshall, 136-137.

⁸⁶ *Bulletin*, Sept. 11, 1882.

⁸⁷ *The Rich Men of Philadelphia: Income Tax of the Residents of Philadelphia and Bucks County for the year ending April 30, 1866* (Philadelphia, 1866).

⁸⁸ Fisher Diary, Apr. 3, 1869. The play was also published in pamphlet form, *Women Rule* (Philadelphia, 1868).

⁸⁹ *Fears for Democracy Regarded from the American Point of View* (Philadelphia, 1875). In this work, Ingersoll referred to democracy in the broad sense, not merely the Democratic Party.

him of disloyalty and treason is wrong. There is no evidence that he had any contacts with agents of the Confederacy, or that he gave "aid and comfort to the enemy." His dissent never went beyond the spoken or written word. He neither belonged to any secret Copperhead organization nor ever took part in any conspiracy against the government.

Ingersoll and his fellow Copperheads were never a real threat to the government or the war effort. During the invasion scare of 1863, the Philadelphia Copperheads were not considered dangerous. In June, 1863, General Napoleon J. T. Dana was assigned to organize the defense of Philadelphia. Although he found the city almost defenseless, he refused to declare martial law. Even Mayor Henry discounted the Copperhead threat as there were no organizations of avowed enemies of the government operating in the city.⁹⁰

There is no doubt that racism played a significant role in Ingersoll's views. He conceded that slavery was morally wrong, yet knew of no better way of dealing with the Negro. He did not think that emancipation would succeed because it would not solve the problem of the Negro. The Negro, he asserted, was racially inferior and a threat to the future of democracy, incapable of being educated. Ingersoll maintained the Negro could never reach the intellectual level of the white man.⁹¹

Despite these opinions, it is questionable how strong a causative factor racism was with Ingersoll. Racism was not limited to Copperheads; many supporters of the administration and of the war were racists. Most of the Democratic Party, even the War Democrats, were committed to the doctrine of white supremacy.⁹² Racism was prevalent throughout the North and was not unique to the Copperheads.

Partisanship was an important element in Ingersoll's opposition to the war. He was a passionate Democrat, and in nineteenth-century America partisanship was a powerful force. Ingersoll himself ad-

⁹⁰ Special Orders #16, Dana to Maj. John S. Schultze, Secretary Stanton to Dana, Dana to Stanton, June 27, 1863, *O.R.*, Series I, Volume XXVII, part 3, 343, 365-367; Henry to Col. C. J. Ruff, May 18, 1863, Henry Papers, HSP. For an account of the invasion scare, see William L. Calderhead, "Philadelphia in Crisis: June-July, 1863," *Pennsylvania History*, XXVIII (1961), 142-155.

⁹¹ Ingersoll, *Fears for Democracy*, 156-157.

⁹² Lawanda and John Cox, *Politics, Principle, and Prejudice, 1865-1866* (New York, 1963), 195-212 and *passim*.

mitted that "party degenerates to bigotry, and in the United States we have the intolerance in politics that in other countries they have in religion."⁹³ He loathed the Republican Party. Even after the war was long over he maintained an extreme hatred for the Republicans. He strongly opposed the Democrats' fusion with the Liberal Republicans in 1872; just the thought of co-operating with Republicans sickened him. To Samuel J. Randall he wrote: "For Heaven's sake don't let us have any compromises on Republican or semi-Republican candidates for our presidential ticket."⁹⁴

This fear of the Republicans had colored Ingersoll's Civil War opinions. He believed that they were a danger to his political, economic, and social status, realizing all too well that the ascendancy of the Republicans would accelerate a movement that was already starting to take place by 1860—the challenge to the political and social leadership of Ingersoll's class.⁹⁵

This assault on the position of the aristocracy can clearly be seen in the legal profession. The Philadelphia bar was a powerful organization and had traditionally been dominated by the city's aristocracy; but between 1800 and 1860 there had been a steady and determined movement to whittle away at the power, autonomy, and aristocratic homogeneity of the legal profession. Inroads were made on the lawyers' influence in society by extending the power of arbitration courts and by making the judiciary and certain other legal functionaries elective offices. There had also been during these years an infiltration of the Philadelphia bar by a substantial number of lawyers from the middle and lower classes: "Visibly altered by the infiltration from below and by the attacks of egalitarian-minded reformers, the profession had lost some of its old discipline, self-awareness, and homogeneity that had distinguished it previously as a bulwark of constitutional stability."⁹⁶

⁹³ Ingersoll, *Fears for Democracy*, 95.

⁹⁴ Ingersoll to Randall, Dec. 5, 1871, Randall Papers.

⁹⁵ E. Digby Baltzell, *An American Business Aristocracy*, originally published under the title *Philadelphia Gentlemen* (New York, 1962), 20–21. Baltzell defines aristocracy, or upper class, as a group of families with inherited wealth and social status. He defines the "elite" as the leading individuals in a particular business or profession who do not have the inherited social position that the aristocracy has. Also, the aristocracy refers to a group of families; the "elite" consists of individuals.

⁹⁶ Gary B. Nash, "Philadelphia Bench and Bar, 1800–1860," *Comparative Studies in Society and History*, VII (1965), 213, 220.

Ingersoll was disturbed by the changes that were taking place in society, changes which the dominance of the Republicans and the continuance of the war would only increase. He believed that the Democratic Party was committed to stability while the Republicans advocated radical changes in society. The Republicans, he charged, were led by abolitionists who "have not about them an iota of conservatism; they are essentially a revolutionary party, and the Democrats are the conservatives of the United States."⁹⁷

During the war a social revolution indeed did take place in Philadelphia society. At its beginning most of the city's aristocrats shared Charles Ingersoll's anti-war views. A contemporary has noted that the ideas expressed by Ingersoll in his pamphlet *Letter to a Friend in a Slave State* represented the general opinions of most Philadelphians "of cultivation and good standing." These Copperheads had a great deal of "social influence"; they controlled the traditional authority in social circles, deciding who was and was not a member of "society."⁹⁸ But this inner circle was threatened by the rise of a new "industrial elite," referred to as "shoddyites." The war had brought sudden wealth to many who had little education and culture. They used their new-found money for extravagant displays of diamonds, jewelry, and other baubles to imitate and surpass the social distinctions of the older, more cultured families of the city.⁹⁹ The attempts of the new "elite" to increase their social position and become part of Philadelphia "society" were greatly resented by people such as Ingersoll.¹⁰⁰

He despised them for he feared that they were bringing about a "status revolution." He was afraid that this new class would use its wealth and power to achieve social and economic dominance over the more cultured and educated. "This is now the period," he warned, "when city wealth, money got in trade, and manufacturing, and commerce, the Plutocratic element, manifests its peculiar spirit. . . . They desire an absolute government, but really they aspire to be the dominant class."¹⁰¹

⁹⁷ *Age*, June 12, 1863. Also reprinted in *Civil War Speeches*.

⁹⁸ George P. Lathrop, *The History of the Union League of Philadelphia* (Philadelphia, 1884), 16, 21.

⁹⁹ McClure, *Old Time Notes*, II, 244-254.

¹⁰⁰ Baltzell, 131.

¹⁰¹ Ingersoll, *Brief View of Constitutional Powers*, 27-31.

There definitely was a "status revolution" in politics, and it was these changes in political leadership which seemed to have had the most effect on Charles Ingersoll. But it was not the new "industrial elite" who brought about these changes; this revolution was the work of another group, a group whom Charles associated with the rising "elite" and detested just as much—the professional party politicians. Political leadership and responsibility was taken away from the patrician aristocracy. Leaders like Charles Ingersoll were replaced by professional party politicians like Lewis Cassidy.

This "status revolution" in politics, however, was not the result of the war; it had been in process well before 1861. As it was with the economic conditions, so it was with the political changes; the war only helped to speed up a movement that was already taking place. Although they were still leaders of the Philadelphia Democracy in 1860, Charles Ingersoll and the others of his class were beginning to be forced out of control by the more popularly based politicians. This division in the party between aristocrat and politician can be seen in the schism between the Douglas and Breckinridge factions in 1860 and in the two party organizations of 1864, the Central Democratic Club and the Keystone Club. The formation of the Keystone Club marked the triumph of the professional party politicians. By the end of the war, Charles Ingersoll's influence in the party was all but gone. The theme of his post-war work, *Fears for Democracy*, was that the people were no longer important to the government. When the people lose their voice in government, he warned, the government is taken over by the patronage-minded, office-seeking politicians, and then democracy is in danger.¹⁰²

Perhaps the best way to understand Ingersoll as a Copperhead is as a "Philadelphia Lawyer,"¹⁰³ a phrase defined by Webster's dictionary as a "shrewd lawyer versed in the intricacies of legal phraseology and adept at exploiting legal technicalities." His written works and speeches clearly show this characteristic. Ingersoll never considered the more abstract legal and moral questions of the war, as

¹⁰² *Fears for Democracy*, 3-5.

¹⁰³ The Philadelphia bar, on the death of Charles Ingersoll, passed a resolution praising him for having the characteristics of a "Philadelphia Lawyer": "His reading was of the most extensive character, and his memory was always true and exact" [emphasis added]. *Inquirer*, Sept. 18, 1882.

did Sidney George Fisher. His arguments against Lincoln's war measures were based on legal precedents and narrow logic; he never considered the fact that the Federal Government had to use its "war powers" in order to maintain its existence. Never did he see any issue of the war beyond the level of political partisanship and legal precedent. "By some defect in his nature," remarked Fisher, Ingersoll was "unable to see the moral aspect of the war or to feel enthusiasm for its great purposes and motives."¹⁰⁴

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¹⁰⁴ Fisher Diary, Nov. 19, 1861.