

## THE IMPACT OF THE COVODE CONGRESSIONAL INVESTIGATION

EDWARD W. CHESTER

AMERICA often has been called the land of opportunity. Its history is filled with the names of men who rose from humble beginnings to positions of power and influence: Abraham Lincoln, Al Smith, Henry Ford. John Covode was another such man. This illustrious citizen of Westmoreland County rose from an inauspicious start to become a member of the Pennsylvania delegation in the House of Representatives at the time of the Civil War.<sup>1</sup> His light was eclipsed by that of his more famous contemporary, Thaddeus Stevens, and thus he has been somewhat neglected by historians. Covode is remembered today for three things: his investigation of the Buchanan Administration in 1860, his service on the Committee on the Conduct of the War during the Civil War, and his introduction of the impeachment resolution against President Johnson in 1868. This brief essay deals with the first of these highlights of his career—the Congressional investigation of President James Buchanan, commonly known as the Covode investigation.

On Saturday, October 8, 1859, John Covode spoke to a gathering of some 400 to 500 people at Lafayette Hall, in Pittsburgh. Lafayette Hall was an L-shaped building located near the southwest corner of Wood Street and Fourth Avenue. It was the site of the first Republican Convention in 1856; later it was used for minor receptions and public dances. The building finally was torn down in 1895.<sup>2</sup> In this speech, according to an account printed in the *Pittsburgh Post*, Covode attempted to implicate President

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1 See Archibald J. Dodds, "*Honest John*" Covode (M. A. Thesis, University of Pittsburgh, 1933) for a full account of Covode's life.

2 This data on Lafayette Hall was taken from Leland D. Baldwin's work, *Pittsburgh: The Story of a City* (Pittsburgh: University of Pittsburgh Press, 1938), p. 205.

Buchanan in certain printing frauds which he had helped to uncover while serving as a member of a Congressional committee the previous winter.<sup>3</sup>

A letter which James Buchanan wrote to the President of the Pittsburgh Centenary Celebration of 1858 may have incited Covode to make his attack. In this letter President Buchanan charged that the Republicans had employed money in an illegal manner to carry certain districts in Pennsylvania in the Election of 1856.<sup>4</sup> The exchange between Buchanan and Covode quickly began to attract the interest of other parties. A typical reaction was the charge made on December 12, 1859 by Congressman John Hickman of Pennsylvania, a former Douglas Democrat who ran as a Republican in 1860, that President Buchanan had tried to bribe him.<sup>5</sup>

On March 1, 1860 James McQuade, one of Covode's intimate political advisors, wrote to him from Columbus, Ohio: "Devote your time when in Washington to framing all the points against the Administration, not only by parole but have the written or printed proof."<sup>6</sup> Whether this letter moved Covode to take action is not known, but on March 5 Covode arose on the floor of the House of Representatives in Washington and offered a resolution calling for an investigation of the Administration.<sup>7</sup> The resolution which Covode introduced made specific reference to the letter which James Buchanan sent to the President of the Pittsburgh Centenary Celebration, and referred to corruption at the Philadelphia Navy Yard. Nine days later the *Pittsburgh Gazette* was to remark that Democratic politicians and editors were fluttering "like wounded pigeons."<sup>8</sup>

The Covode Committee was composed of five members—Covode, Abram B. Olin of New York, Charles Train of Massachusetts, Warren Winslow of North Carolina, and James Robinson of Illinois.<sup>9</sup> The first three of these were Republicans, the last two, Democrats. Hearings were first held on March 22. On March 29 President James Buchanan sent his first letter of protest against the Covode Committee to the House of Representatives. He charged Covode

<sup>3</sup> *Pittsburgh Post*, October 10, 1860, p. 2.

<sup>4</sup> See Dodds, "Honest John" Covode, pp. 18-24, for additional data.

<sup>5</sup> *Ibid.*

<sup>6</sup> This letter is in the Covode Papers, Historical Society of Western Pennsylvania.

<sup>7</sup> The full text of this document is found in *House Reports*, Vol. V, Doc. No. 648 (Washington: Government Printing Office, 1860), p. 59.

<sup>8</sup> *Pittsburgh Gazette*, March 14, 1860, p. 2.

<sup>9</sup> Further information on these men may be found in the *Biographical Directory of the American Congresses* (Washington: Government Printing Office, 1950).

with conducting a "blanket" investigation, and asserted that there was no need for a special committee to conduct an inquiry.<sup>10</sup>

During the life of the Covode Committee the *Pittsburgh Gazette* defended Covode, while the *Pittsburgh Post* supported the President. In general, newspapers took one-sided stands on the validity of the work of the Covode Committee—it was either a godsend or a fraud. The *Pittsburgh Post* observed on April 13: "In Pennsylvania where John Covode is known, it is regarded as an excellent joke to put him upon a committee of political vice and immorality."<sup>11</sup>

The investigating work of the Covode Committee was centered around the cities of New York, Philadelphia, and Washington, and the Territory of Kansas.<sup>12</sup> In regard to the latter area the Republican members of the Committee attempted to prove that President Buchanan was trying to convert Kansas into a slave state. In the Philadelphia Navy Yard inquiry the Committee was confronted with the fact that Joseph B. Baker, Collector of the Port of Philadelphia, had put his brother George on the payroll of the Custom House. Baker also was charged with hiring temporary employees whenever an election was held and then allowing them to neglect their jobs and to electioneer.

Evidence was produced before the Committee that in Pennsylvania fraudulent naturalization papers had been issued by certain Democrats to immigrants who would vote the Democratic ticket. Warren Winslow made a successful attempt to conduct an investigation into alleged Republican frauds in Pennsylvania, but this inquiry failed to uncover anything. Less colorful were the studies made of the leasing of public printing and executive binding to contractors.

The witnesses called before the Covode Committee ranged from Cabinet members to extremely minor employees of the Philadelphia Custom House. One individual who played a key part in the testimony was another famous or notorious Pennsylvanian, John Forney. Forney was a Philadelphia Democrat who had turned against the Buchanan Administration and then was supporting Stephen A. Douglas. A few years later he became a Lincoln Republican.

10 The full text of President Buchanan's message may be found in his own *Mr. Buchanan's Administration on the Eve of the Rebellion* (New York: D. Appleton and Co., 1866).

11 *Pittsburgh Post*, April 13, 1860, p. 2.

12 For the Journal of the Covode Committee and the complete testimony given before it, see the aforementioned *House Reports*, Vol. V, Doc. No. 648.

There exists a letter written by a high government official, who did not identify himself, to Attorney General Jeremiah Black of Pennsylvania in which it was charged that Forney had become agitated because he had not been given a contract to print certain post office blanks by the Buchanan Administration, and in revenge testified against Buchanan at the Covode Committee hearings.<sup>13</sup>

As editor of the *Philadelphia Press* Forney had a golden opportunity to vent his rage on the Administration. His bitterness is reflected in the cryptic remark about Buchanan which he had printed on March 31: "No man has turned so remorsefully upon those who have served him."<sup>14</sup> He wrote that the measuring-stick that the President used to select public officials was "devotion to general political policy," and that Buchanan had "bitter antagonism to the expression of honest Democratic sentiments."<sup>15</sup>

On June 16, 1860 the Covode Committee obtained permission from Congress to have its majority and minority reports printed.<sup>16</sup> All three Republicans signed the majority report, which was written by Charles Train. Covode had excused himself from writing this document because he did not like to write and because he felt that the investigation involved certain legal points with which Train was more familiar than he. Warren Winslow, who had made numerous attempts to obstruct the work of the Committee, submitted a vigorous minority report. James Robinson, the other Democratic member of the Committee, asserted that he concurred in the majority report in part, but that he could not sign the entire document.<sup>17</sup>

The majority and minority reports take up sixty pages in the official government document which contains the work of the Covode Committee. The majority report charged that the President had deliberately tried to make Kansas a slave state, and that large sums of money had been spent to secure the passage of legislation in Congress to obtain this end. Winslow failed to mention in his minority report the enormous bribes offered, and this may imply guilt by omission although the Administration was not directly tied in with these corrupt offers.

Both sides made attempts to discredit the other on the charge

13 Anonymous to Jeremiah Black, June 4, 1860, Black Papers, Library of Congress.

14 *Philadelphia Press*, March 31, 1860, p. 2.

15 *Philadelphia Press*, April 14, 1860, p. 2.

16 *Congressional Globe*, 1st Session, 36th Congress, p. 3071.

17 *House Reports*, Vol. V, Doc. No. 648, p. 92.

that money had been used to bribe voters in recent elections. Actually the work of the Committee along this line was limited, as Covode's attempt to investigate this subject in New York City was blocked by hostile reactions in and out of Congress, and Winslow's attempt to discover Republican frauds in Pennsylvania was a failure, as has been noted. The majority report emphasized the assessments for political purposes upon the employees of the Custom House and Navy Yard at Philadelphia, and even Winslow in his minority report admitted that there were proven irregularities at the latter, although he maintained that the Administration had conducted an investigation of the Navy Yard irregularities on its own.

On June 25 President Buchanan issued his second letter of protest against the Covode Committee, which was largely a repetition of his first letter. Buchanan said that he would have been willing to remain silent if the Covode Committee had not transcended the authority granted to it by the House of Representatives, "broad and general as it was."<sup>18</sup> He declared that the investigating group had not only infringed on the constitutional rights of the Executive, but also had degraded that office.

As one might expect, the Covode Committee became a campaign issue in the Election of 1860. Paragraph six of the Republican Platform called for a return to economy in order "to arrest the systematic plunder of the public treasury by favored partisans."<sup>19</sup> A pamphlet was published entitled, "The Ruin of the Democratic Party; Reports of the Covode and other Committees," which declared: "Buchanan will retire from the Presidency, like Mr. Polk, a much richer man than he came into it."<sup>20</sup> On the other hand, neither wing of the Democratic Party made any mention of the Covode Committee in its platform or speeches, although certain remarks of Warren Winslow were printed.<sup>21</sup> The Constitutional Unionists were divided in their reaction.

<sup>18</sup> Again see *Mr. Buchanan's Administration on the Eve of the Rebellion* for this document.

<sup>19</sup> See Kirk H. Porter, *National Party Platforms* (New York: The MacMillan Co., 1924) for both the Republican and Democratic platforms for 1860.

<sup>20</sup> Page 15. A copy of this pamphlet may be found in the State Library at Harrisburg.

<sup>21</sup> The Winslow pamphlet is entitled: "Covode Investigation—Debate Arising in the House of Representatives on the Motion of Hon. Warren Winslow (of North Carolina) regarding the Covode Committee—in the House of Representatives of the United States, June 1st and 2nd, 1860." A copy of it also may be found in the State Library at Harrisburg.

During the campaign the Pittsburgh area was the focal point of the controversy over the Covode Committee. It should be remembered that Pittsburgh is located just a few miles outside the limits of Westmoreland County, the birthplace and home of John Covode. The *Pittsburgh Post* reported on August 16 that Covode had been renominated by his party for Congress in the district embracing Westmoreland, Indiana, and Armstrong Counties, but sarcastically commented: "This district must be hard up for material, when John Covode is the only man to be found who can represent the Christian Abolitionists."<sup>22</sup> The *Pittsburgh Gazette* noted on August 24 that Covode had spoken at Reading the previous week, and was scheduled to address gatherings at Lebanon and York in the near future.<sup>23</sup> The paper observed that Covode was doing "good service" in the cause of Abraham Lincoln and Andrew Curtin, the Republican candidate for Governor of Pennsylvania.

The attacks on Covode became more vicious as the campaign progressed. Colonel Cantrell made a speech before a meeting in Armstrong County early in September in which he charged that Covode had cast his vote for a bill in return for which a Republican relative of Covode had been given certain harness contracts by the Government.<sup>24</sup> The *Pittsburgh Post* wrote on September 20 of a recent Covode speech that Covode "must have had on a heavy load of Burley's counterfeit whisky," and if he was not drunk, then he was a great fool, and his morals had not improved since he had become a member of Congress.<sup>25</sup>

On October 5 General Stokes made a speech in Greensburg in which Covode was charged with attacking a pension given by the United States Government to a lady who Stokes asserted was "covered with the black garments of a double sorrow . . . at once a widow and an orphan."<sup>26</sup> A great dispute arose over the question of whether Covode had solicited support for renomination; Covode claimed that he had not, but one Doctor Burleigh, a friend of Covode, and A. J. Elliot, Deputy Sheriff of Armstrong County, claimed that he had.<sup>27</sup> These attacks were to no avail; on October 17 the *Pittsburgh Gazette* announced the re-election of John Covode

<sup>22</sup> *Pittsburgh Post*, August 16, 1860, p. 2.

<sup>23</sup> *Pittsburgh Gazette*, August 24, 1860, p. 2.

<sup>24</sup> *Pittsburgh Post*, September 7, 1860, p. 2.

<sup>25</sup> *Pittsburgh Post*, September 20, 1860, p. 1.

<sup>26</sup> *Pittsburgh Post*, October 5, 1860, p. 2.

<sup>27</sup> *Ibid.*

"by a largely increased majority."<sup>28</sup> Significantly this district was the home of Henry Foster, the Democratic candidate for Governor. In the November elections both Lincoln and Curtin carried Pennsylvania, which may be interpreted as a vindication of Covode.

In the light of the evidence, certain conclusions may be drawn. First, precedent was on the side of the Covode Committee. Second, the lack of references in the letters and writings of prominent Republican leaders indicates that this investigation was not a "plot" concocted by them to discredit Buchanan. Third, many of the charges of the Covode group were substantially true. Fourth, President Buchanan and other leading Democrats felt that the Covode investigation was the result of the revengeful attitude of disappointed seekers of governmental jobs, and thus they opposed the investigation. Fifth, the Democrats would have been more successful if they had concentrated on attacking the testimony given before the Covode Committee instead of unleashing their fury on Covode. Sixth, the Covode Committee's work was not as important a factor as the slavery issue, to say nothing of the tariff, in the Election of 1860.

From the point of view of the development of Congressional investigative power, the most significant aspect of the Covode Committee is the fact that it was practically a blanket investigation of the executive branch of government. In sheer variety the Covode Committee's work surpassed such mammoth investigations as the Pujo Committee and the Nye Committee. But looking back at the Covode Committee nearly a century after its inception, one finds it difficult to accept President Buchanan's comparison between it and the Star Chamber Court, for not a single individual was ever sentenced to jail as a result of the Covode investigation.

The Covode Committee never became so great a national issue as the McCarthy Committee. How, then, is the historian to explain the furor which arose over the former? The probable explanation is that the Covode Committee served as a vent through which was released the pent-up hatred which had been building up in the decades as North and South were pulling further apart. In 1860 there was no claim to impartiality made by those speakers or newspapers who put the Covode Committee's work before the public; they either accepted or rejected it *in toto*. It was an age in which

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<sup>28</sup> Pittsburgh *Gazette*, October 17, 1860, p. 1.

emotion, not reason, generally was used as a guide for action, and it is little wonder that this nation, which was founded on the principle that men rationally are capable of guiding their own affairs, soon became a house divided against itself.