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“With No Time To Wrangle and Quarrel Amongst Themselves”
The Pennsylvania Democracy During the Civil War

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ABSTRACT

This thesis examines the Democratic Party in Pennsylvania during the Civil War as a test case for assessing the group's ideals and influence on politics. Scholarship on the Democratic Party during war years typically has focused on the people known as the Copperheads, or Peace Democrats. Prior studies have considered this wing of the party to be a loyal opposition by people with justifiable constitutional concerns, whose influence was often exaggerated by Republicans for political reasons. More recent work on the anti-war movement argues that the Peace Democrats were influential and that the anti-war movement was driven by opposition to local issues. This thesis expands on these ideas. Unlike earlier studies, it finds that the Democracy was more than a monolithic party that opposed the war, but a party deeply polarized by different opinions on war and peace from 1860 through 1864. The Pennsylvania Democracy was composed of both War and Peace Democrats, each inspired by larger political ideology on civil liberties, the extent of federal power, and local issues. This thesis finds a party that generated enough support and influence within state politics to send threatening signals to the federal government by 1864. Ultimately, however, the party could not unite itself on a national level, at least partly because it could not overcome its internal divisions and differences over policies.

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Introduction

“Copperhead” is the scandalous epithet so often used to describe the Democracy during the Civil War, implying that anti-administration complaints equated with anti-war attitudes. Most scholarship on the Democratic Party during the war years focuses solely on the emergence of peace-seeking Democrats in 1863 and 1864. But the Peace Democrats were only part of a larger, more complex picture that has largely been overlooked by scholars. The Democracy possessed two equally powerful factions that developed during the presidential election of 1860, and persisted through the presidential election of 1864, heavily influencing its outcome.

The Democrats’ behavior during the Civil War has caused scholars to portray party members as either loyal opponents or dangerous people who posed an enormous threat to the nation. There have been a few attempts to examine the War Democrats, however, most studies of the party feature the Copperheads who for quite some time existed in the literature as a traitorous movement. Frank Klement in 1960 resurrected their reputation by arguing that they were not all southern sympathizers but conservatives who reacted against the changes they saw happening in American life because of the war. Although motivated by racism, Copperheads reacted more strongly against black people for economic reasons—fears of economic competition and the impact of slavery on territorial development. Klement also argued that the Copperhead threat was exaggerated by Republicans attempting to demonize its opposition in order to win elections.¹ Despite this reclamation project, more recent works tend to return to the position that Democrats acted liked to traitors, formed a real threat to the war effort, or had little attachment to

¹ Frank Klement. *Lincoln's Critics: The Copperheads of the North*. 1999.

ideological principles as they continued to fight little wars within neighborhoods against forces and social developments that preceded the conflict.²

This study navigates between these polarities and sees a more complicated picture of the Democratic Party. First of all, this thesis shifts the emphasis from Klement's Midwest to the East as it features a case study of the party in Pennsylvania. The work includes analysis of the entire party rather than focusing only on the wing that advocated peace at any price. By doing so, this thesis leans in the direction of Klement's conclusions by finding that Democrats had much genuine concern with the way the Lincoln Administration's policies possibly were changing the country. They held constitutional scruples against government powers concerning a central currency, taxes, conscription, and apparent violations of civil liberties. It is true that emancipation invoked a racist backlash; however, the sensitivity to emancipation occurred in a much broader context of government assaults on property and people. However, the peace wing of the party contained the potential to cause more damage to the prosecution of the war than Klement has allowed. In this regard, Weber presents a more persuasive case, and she does so by rooting the area of struggle within local issues and conflicts. But this thesis sees a movement more divided and more consumed by local issues than Weber allows. Robert Sandow addresses Pennsylvanians' response to local issues, but only in terms of a narrow region. This thesis reflects his ideas about local responses and looks at their impact on the Democratic Party as a whole. It finds that the party worked best when it could unit around state and local political issues, such as the gubernatorial election in 1863. It lacked, however, the ability to hold itself together on national issues. There was seemingly little influence in Pennsylvania from

² Jennifer L. Weber, *Copperheads: The Rise and Fall of Lincoln's Opponents in The North*, 2006; Robert M. Sandow, *Deserter Country: Civil War Opposition in the Pennsylvania Appalachians*, 2009; and Frank Klement, *Copperheads of the North*, 1999.

Democrats in other states. Pennsylvania had its own prominent Democrats who led the charge, without apparent consultation with other states. Even within the state, the divisions between peace and War Democrats proved too strong to overcome when national politics became the focus. Because of the internal struggles between War and Peace factions, the Democrats ultimately contributed to their demise in national affairs, which could not be discerned at the time until the elections played out.

Different opinions on state rights, the institution of slavery, and the necessity of war split the party in 1860, resulting in two separate presidential candidates. With its votes split between nominees, the Democracy held little contest to Abraham Lincoln and a united Republican party. The divisions did not disappear after the election, however, even though there were moments when events drove both of these wings of the party to seemingly come together. Disputes over the constitutionality of the new Administration's policies, conservative values, and the influence of abolition caused political unrest on the home front. Despite facing forceful suppression, unwarranted arrests, and accusations of treason, the Democrats spoke out against the Republicans' radical policies. Outrage over the Confiscation Act, the Legal Tender Act, the Emancipation Proclamation, and the Conscription Act galvanized the Pennsylvania Democracy during 1862 and 1863. Frustrations with these radical policies caused conservatives to rally together within state and the party found it had a chance of defeating the Republicans during the 1863 gubernatorial election. The unity was short lived. Despite having a considerable number of shared values, there were irreconcilable differences between the War Democrats and the Peace Democrats. War Democrats were not willing to consider peace without full restoration of the Union. And while they were willing to support the war effort, they were not willing to support President Lincoln's leadership or his policies on emancipation and civil liberties. The Peace

Democrats, frustrated by what they considered an unwinnable war, wanted a president that would seek immediate compromise. The result was a confusing, and at times contradictory, Peace Democrat party platform and War Democrat candidate for the 1864 election. The Democracy would not be able to overcome the well-organized Republican party, but their struggles show the challenges faced by Pennsylvanians who wanted to protect their civil liberties, preserve state rights, and restore their nation to the “Union as it is, as it was.”

Part I

“The Disunionists Must Be Defeated”

There have been voices that get lost over time, overlooked in popular memory, left unattended in historical study. In 1860, the United States loomed on the brink of Civil War. Violence had erupted as Americans struggled to determine the future of slavery in the Western Territories. The tensions over territorial policies proved too powerful for young America's two party political systems, the Republicans and the Democrats. The Republican Party, united behind Abraham Lincoln, has often overshadowed its Northern opponents in historical inquiry. Yet even in the Union stronghold of Pennsylvania, the Democrats received a considerable amount of popular support. On the surface, it would be easy to paint the Democrats as one monolithic group, unable match the popular support of Lincoln's Republican party. Yet a closer look shows the Democrats were a popular party in Pennsylvania that featured divided beliefs about war, slavery, and civil liberties both before and after the fateful attacks on Fort Sumter.

The Democratic Party first split into two competing factions, supporting two different candidates, during the presidential election of 1860. One group of Democrats supported the conservative Stephen A. Douglas, while others favored the Southern-sympathizing John C. Breckinridge. Douglas Democrats were conservatives, fearful of abolition, skeptical of progressive Republican thinking, and hesitant to rush into war. They did not, however, get behind efforts to mandate against banning slavery through actions conducted in Washington. Breckinridge democrats were similarly conservative, but their sympathies lay strongly with the South, stoutly defending expanded rights of slave owners and any legislative attempts that sought to prevent war at all costs. Despite making several attempts to unify, these two factions remained in place after the election and throughout the war. The election of 1860 widened the breach between two diverging Democratic opinions. Nowhere was this truer than in Pennsylvania,

whose diverse, outspoken citizens had a long, tumultuous history of conflicting opinions on the necessity of war and the future of slavery.

Previous historiography of the Democratic factions and anti-war sentiments during the Civil War usually focus on 1863 and beyond, culminating with the 1864 election. Historians Frank Klement, Arnold Shankman, and more recently Jennifer Weber have written considerably about these years. Especially for the earliest period of the war, it has been common for historians to ignore the criticism of the Republicans by the Democrats or to discount it as a minor factor in public policy. All of this attention falls on the Peace Democrats and not the War Democrats or even the Democratic Party overall. Most work on the Democrats focuses on the Copperheads of 1863, suggesting that most Democrats advocated an immediate armistice with the rebels, even if that meant recognizing a separate Confederacy. Often overlooked in previous historiography are the War Democrats. War Democrats were citizens who accepted the use of military force to restore the Union but desired conservative legislation and policy in the meantime. A closer at the party look shows that both War and Peace Democrats existed as early as 1860, well before war began, and continued to manifest themselves. In 1860, some Democrats supported the call to arms and some believed compromise was the only solution. This was the case in 1862 and 1863, even when the party briefly appeared united. The division was present again in 1864, and the election of that year shows that the party contained diverging opinions. The “Copperheads” made up only one portion of Democratic citizens. Nowhere was this more true than in Pennsylvania, whose diverse, outspoken citizens had a long, tumultuous history of conflicting opinions on the necessity of war and the future of slavery. There was significant partisan activity in the Keystone state, enough to pose a threat to both the state and federal Republican Administrations.

To understand this divided party, it is necessary to first consider the common beliefs of the Democratic Party. Traditionally conservative, the Democrats held strong beliefs against government interference in slavery and civil liberties. Over the course of the sectional crisis two different attitudes on how to handle the violence and expansion of slavery into the west emerged, which served as the principal matter of contention in the 1860 presidential election. When the nation did go to war, the factions remained within the party, almost immediately revealing discord over whether to support the war effort or to strive for immediate peace at any price.³ All Democratic factions shared powerful, binding characteristics – racist beliefs that led to a fear of abolitionists and disinterest in emancipation, small government, and a desire to see civil liberties guarded at all costs. In these ways, the Democratic party of the mid-nineteenth century more closely resembled the Republican party of the present.

The Democrats were not the only people skeptical about the efficacy of an abolition movement. Many Republicans and almost all Democrats had little interest in ending slavery within the existing states. Although Pennsylvania was by no means a “slave state,” the longtime conservative stronghold certainly did not feature friendly policies toward free blacks. The 1838 Pennsylvania Constitution ruled any African Americans ineligible for citizenship, and between 1840 and 1860 several petitions had been presented to the state government seeking to strip black residents of what few civil rights they did have.⁴ One 1860 petition was typical of the argument that free blacks were a burden to society, and justified their return to slavery “owing to their great indolence and dissipation they have filled our prisons thus increasing our taxes to an

³ James A. McPherson, *Battle Cry of Freedom*, 551.

⁴ Shankman, Arnold M. *The Pennsylvania Antiwar Movement, 1861-1865*, 24.

enormous extent.”⁵ In Philadelphia, anti-black riots were not uncommon. In 1838, 1842, 1848, and 1849, protests erupted to end the immigration of free blacks into the city.⁶

Why the hostility? Many Pennsylvanians believed blacks to be innately inferior. The pseudo-science of the nineteenth century sought to justify this belief by defining alleged biological differences as manifest in races. These beliefs were widely accepted, leaving some to feel that slavery was even a social benefit that provided blacks with food and shelter, which they otherwise might not have had, and prevented idleness. Some Christian citizens went as far as to say that Jesus and the Bible offered no objections to slavery. One Philadelphia church maintained that free blacks were “more cut off and oppressed than slaves” as at least slaves were Christianized and “given guidance” by their masters.⁷ These ideas were so common that historian Jennifer Weber went as far as to say that most Democrats “universally supported slavery, believing it to be the best situation for a degraded race.”⁸

Other factors fed their opposition to slavery’s extinction. Citizens throughout the state saw Pennsylvania’s powerful manufacturing industry as dependent on Southern raw materials and the strength of the Southern economy. Slavery was the powerful institution behind the low cost of these materials, which provided Pennsylvanian laborers with industrial jobs. Not only did wealthy businessmen believe that abolition threatened the welfare of their industry, but working class laborers feared that abolition would create a new population of freed blacks who would undercut them in pay, taking away jobs in both the city and mining regions. These citizens saw abolitionists as trying to cause sectional strife into order to fulfill their anti-slavery agenda. The

⁵ *Bedford Inquirer*, December 14, 1860.

⁶ Shankman, *The Pennsylvania Antiwar Movement, 1861-1865*, 24.

⁷ *Muncy Luminary*, December 25, 1860.

⁸ Jennifer Weber, *Copperheads: The Rise and Fall of Lincoln's Opponents in The North*, 31.

frustration of Attorney General Jeremiah Black with the growing abolitionist movement was similar to that of many in the state. In a December edition of the *Franklin Venango Spectator* he accused abolitionist leaders of causing “mischief like monkeys for the mere sake of mischief.”⁹ As war neared, the accusations became more common and critical. A letter to the *Dubuque Herald* was reprinted in the *Clearfield Democratic Banner* warned “Nothing will satisfy the fanatics of the North but a provocation to civil war...[the abolitionists’] darling objective is to see the abolition of slavery and the ruin and subjugation of the South to the political thralldom of Northern Fanaticism.”¹⁰

The worst fears about abolitionists’ “fanatical” behavior was confirmed when John Brown led his violent raid on the Harpers Ferry arsenal in October 1859. By December of the same year, an Anti-Abolition rally erupted at Jayne Hall in Philadelphia. Former ambassador and politician William Bradford Reed helped write resolutions to prevent further abolitionist influence and disunity to appease the South. The protestors called for the enforcement of the Fugitive Slave Law within Pennsylvania and an end to the federal interference of domestic institutions within the states.¹¹ James Fulton of Kittanning wrote to Virginia Governor Henry Wise to assure him that all Pennsylvanians supported these aims and were willing to do anything to end the “sectional strife” caused by abolitionists. Wise responded that the Southern states would only be appeased when Northern citizens stopped trying to “nullify the laws of the Union.”¹²

⁹ *Franklin Venango Spectator*, quoted in Shankman, *The Pennsylvania Antiwar Movement*, 26.

¹⁰ “Our Federal Bastiles,” *Clearfield Democratic Banner*, April 17, 1861.

¹¹ Jean H. Baker, *Affairs of Party: The Political Culture of Northern Democrats in the Mid-Nineteenth Century* (New York: Fordham University Press), 1998, 177-79.

¹² Fulton to Wise, December 15, 1859; Wise to Fulton, December 20, 1857, Fulton Manuscript Collection, Pennsylvania Historical and Museum Commission, Harrisburg [hereafter PHMC].

The Democrats feared an increase in the role of federal government and a loss of civil liberties as much as the abolition of slavery. Mid-war, the party's focus on smaller government and legal justice would provide the Democrats with momentum, especially after the suspension of habeas corpus and the implementation of the draft in later years. But the Democratic position on civil liberties was formed well before 1863. The Democratic Party clung tightly to strict-constructionist interpretations of the constitution, believing that a small federal government and local republican elections should be the backbone of the nation. The Democrats felt that the Republicans jeopardized the welfare of the nation and the possible future of one of the few republics in the world. Philadelphia attorney John Campbell highlighted these fears in his pamphlet "The Political Parties of Philadelphia,"

Is not [America's] existence a daily rebuke to the autocrats, kings, emperors, and petty tyrants? Where or when in this world's history were there ever thirty millions of people, possessing so many of the physical comforts of life as ours, or enjoying so much individual liberty? Yet this happy state of things must be put an end to, in order to gratify the morbid and insane ambition of traitors, North and South.¹³

These conservative viewpoints were rooted in Jeffersonian and Jacksonian ideology. Crafted in the late eighteenth century by Thomas Jefferson then brought back into popular support in the early nineteenth with the presidency of Andrew Jackson, this conservative dogma held that the powers of the president and the federal judiciary should be carefully defined and limited. Federal government should be small and limited in its ability to raise and distribute funds. Instead, authority was to reside primarily in the state and local governments. The 1798 Kentucky

¹³ John Campbell, "The Political Parties of Philadelphia; The Nominees That Ought to be Elected In 1861." Philadelphia, 1861, Pennsylvania State Archives Digital Collection. <http://www.accesspdr.org/u/?sstlp-cw,512> accessed Nov. 2010.

Resolves and Virginia Resolves espoused these principles. Written by Thomas Jefferson and James Madison respectively, the resolves argued that states could invalidate a federal law if they felt it was unconstitutional. If the constitutionality of the law could not be resolved, secession from the federal government was a viable last resort. These limited federal government ideas were revived during the presidency of Andrew Jackson, who dismantled the National Bank and fought for the expanded role of state and local governments. While many Democrats did not consider secession legal or necessary, they certainly had at least a small amount of sympathy for the plight of the Southern states, whose state rights over slavery were being encroached upon. The conservatives felt that each state held the right to choose its own domestic institutions. Slavery was a matter to be solved by state and local governments, not federal powers. Adhering to the Constitution, they certainly felt, provided a better alternative than the battlefield.¹⁴

Such traditional ideals about America greatly shaped how Democrats believed the new western territories should be settled. State and local governments, they believed, were the best mediums for governing. They were physically close. Local elections allowed a region to be directly controlled by the community. As once remote regions became settled, it was these new citizens that built the government, took office, and determined domestic institutions. To the Democrats, it was only natural that all significant legislation remained in their hands. As historian Jennifer Weber noted, the Democrats relied heavily on a strict interpretation of the constitution in an attempt to “[defend] their civil liberties against what they regarded as a steady incursion by the tyrant Abraham Lincoln and his republican minions.”¹⁵

Where the Democrats could not agree however, was on the extent to which slavery and civil liberties should be legislated. Differing opinions came to a head during the 1860

¹⁴ *Tribune Almanac and Political Register*, 1860-1864, *New York Tribune*, 32-34.

¹⁵ Weber, *Copperheads*, 20.

presidential election. As the country argued over whether slavery should be allowed in the new territories, Lincoln and the Republicans had a firm answer – no. According to the party platform, the “normal condition” of a state was “freedom,” and although they were not seeking abolition in slave states, the Republicans had little interest in seeing the institution expand westward. Until the 1860 election, the Democratic Party had largely supported the concept of popular sovereignty, in which the citizens of a new territory would vote on whether they wished to allow or disallow slavery.¹⁶ By 1860, however, it was clear that such elections were more complicated than originally thought. When should these elections be held? Should a slaveholding society be allowed to settle and should elections be held at some other time? Or should the elections take place while the region was still a territory? This would preemptively end slavery before the state was brought into formal existence.

Matters came to a head in June 1860 when the Democratic Party met in Baltimore to attempt forming a unified party platform and choose a nominee for president. Compromise could not be reached. The “Southern” wing of the party believed it was “the duty of the Federal Government, in all its departments, to protect, when necessary, the rights of persons and property in the Territories, and wherever else its Constitutional authority extends.”¹⁷ The party sought Federal protections to secure the rights of slaveholders until a new territory became a state and a proper election could be held to decide otherwise. Believing the Constitution fully protected slavery, the party platform claimed, “the enactments of State Legislatures to defeat the faithful

¹⁶ Johnson, Donald B, *National Party Platforms, vol. 1, 1840-1956*, 38-40.

¹⁷ T. Lloyd Benson, ed. “The Democratic (Breckinridge) National Platform,” *Tribune Almanac*, 1861, 31-32, <http://eweb.furman.edu/~benson/docs/bdemplat.html>

execution of the Fugitive Slave Law are hostile in character, subversive of the Constitution, and revolutionary in their effect.”¹⁸

This more conservative, southern sympathizing wing rallied behind John C. Breckinridge and his running mate Joseph Lane. Despite being the minority candidate, Breckinridge did have a considerable following in Pennsylvania. He was the most popular among the wealthy businessmen of Philadelphia, who often held both financial and familial ties to the South’s southern plantation system. Many manufacturing laborers also supported Breckinridge, fearful that weakening the slave system would jeopardize their industry and jobs. The “Northern” wing did not believe that such extreme policies would be necessary, and that an election at the discretion of the citizens would be sufficient to decide the matter. Far more popular in the North, this faction nominated Senator Stephen A. Douglas as its presidential candidate, along with Heschel V. Johnson as vice presidential candidate.

The party’s leaders in the Keystone State believed they could not defeat Abraham Lincoln if its votes were divided between Douglas and Breckinridge. Pennsylvanians were aware that party unification would be the only way a Democratic administration would enter into office in the fall. However, citizens still refused to leave their favored Democratic candidate in support of another. In early March, the *Ebensburg Democrat and Sentinel* pleaded to citizens that it was “no time for the Democracy to wrangle and quarrel among themselves about mere abstractions, the Disunionists must be defeated next fall.”¹⁹

Realizing the need to unite the party for the national election, the Democratic State Committee gathered for a meeting on July 2, 1860 to compromise on a candidate. A majority of representatives supported Breckinridge, but the Douglas supporters were absolutely unwilling to

¹⁸ Johnson, *National Party Platforms*, vol. 1: 34-35.

¹⁹ *Ebensburg Democrat and Sentinel*, March 2, 1860,

rally behind the pro-slavery Kentuckian, even if it meant Democratic defeat. In attempt to resolve the situation, a “fusion” ticket was created under the suggestion of campaign manager William Walsh.²⁰ Under the fusion ticket, Pennsylvania’s Democratic votes would count towards whichever Democratic nominee captured a majority. Each candidate would run for office without the party losing overall votes. Unfortunately, Pennsylvania citizens, especially those in support of Douglas, were not receptive to the idea of a compromised fusion ticket. The former mayor of Philadelphia and Democratic elector Richard Vaux publicly opposed the compromise, telling Walsh that the Committee’s fusion ticket was “illegal” and a form of political corruption. If he could not vote only for Douglas, then he wished to resign his vote.²¹

By November, dissension within the party only grew. The fusion ticket policy was rewritten again in October. At the same time, a small contingent of Democrats led by newspaper editor John Forney created a separate Douglas-only ticket. For the Democrats, the split represented another weakness in running against the Republicans. Fears about losing a conservative voice nationally due to inner party turmoil were very real. In September of 1860 the *Erie Observer* pleaded “Let Us Have Union” to western Democrats. As Douglas and Breckinridge faced a rise in third party candidates such as the short lived Constitutional-Union party, the chances of a Democratic nominee narrowed.²² The western paper attempted to rally together Democrats by eliciting fear of a Republican victory, but even scare tactics had little success in uniting factions.

In the midst of the struggle for Democratic victory, Pennsylvania citizens made a considerable effort to avert war before it began, regardless of possible election results. In

²⁰ Arnold M. Shankman. *The Pennsylvania Antiwar Movement, 1861-1865*. 29.

²¹ *Pittsburgh Post*, July 31, 1860.

²² *Erie Observer*, September 7, 1860.

December 1860, rallies and protests calling for the cessation of war and a compromise with the South were held throughout the state. At a rally in Philadelphia held on December 13^h, Mayor Alexander Henry called for public support and ideas to avert disunion.²³ The speeches, given by a variety of Democratic leaders, expressed strong support for repealing the personal liberty law and enforcing the fugitive slave act in an attempt to appease the South. In the following few days, pro- Peace Democrats around the state held party rallies and meetings to avert war. A Union rally was held in Reading and many of the proposed resolutions were heavily influenced by conservative Democratic ideas. One of the resolutions demanded an end to “all interference by men of the North with the domestic and social relations of the South.”²⁴ That same day, a similar rally was held in Easton, and in the following week Germantown and Williamsport also held protests of considerable size. Yet the rallies were not enough to overturn Republican support or unite a split Democracy.

Finally the election came, and despite controversial fusion tickets and attempts at unity, the competing Democratic voices resulted in a Republican victory. The election results in the *Tribune Almanac* indicate that significant support existed for the Democratic Party in the state; party factionalism split votes enough to prevent victory in Pennsylvania. Lincoln won the majority of the votes. The Democratic candidate, who under the fusion ticket became Stephen Douglas, only captured forty-four percent of the popular vote. Douglas had fared well in Eastern and Central Pennsylvania, but many of the Breckinridge Democrats of southern Pennsylvania refused to vote on the fusion ticket. Despite a large amount of Democratic activity in Philadelphia, a majority of the city voted for the Republican.

²³ Philadelphia *Inquirer*, November 23, 1860.

²⁴ Easton *Sentinel*, December 17, 1860.

The voting totals showed the geographical distribution of Democratic support throughout the state.²⁵ Almost all central Pennsylvania counties voted in favor of the Democratic nominee, many of their votes originally cast to the Southern-leaning Breckinridge. A few counties bordering Ohio were heavily influenced by western peace sentiment. The central and western counties could not compensate for the overwhelming Republican support in the East. Lincoln prevailed among the eastern counties. In over fourteen counties, however, Lincoln won by a margin of about ten percent.²⁶

The opening of war still revealed divided minds within the party about how to prosecute the war. Most historiography on the Democratic Party argues that all citizens of the North, Republican and Democrat alike, made a united effort to support the war effort. But Democrats favored varying approaches on how to handle the conflict. Suddenly what was once a matter of political resolution once became a debate of loyalty or treason. The Democratic Party was split not only in how to handle secession, but also in what it meant to be a loyal citizen. Some party members began to separate themselves from pro-peace members. Some joined the Union party, which supported the war with conservative views. Others remained Democrat party members in support of the war effort. In his study of the anti-administration but pro-war democrats, historian Christopher Dell noted that “there was always disunity in the free states, on a grand scale: there was disunity in fact, to provide the leaders of the Peace faction with a strong sense of self-confidence from the beginning of the war.”²⁷

²⁵ Greeley, *The Tribune Almanac And Political Register*, Hathi Trust Digital Library.
<http://catalog.hathitrust.org/Record/000682188/Home>, 50-51.

²⁶ Greeley, *Tribune Almanac and Political Register*, 1860-1863. 50-51.

²⁷ Christopher Dell, *Lincoln and the War Democrats: The Grand Erosion of Conservative Tradition*, 16.

“Breckinridge Democrats” were now frustrated by a war they considered unnecessary if not unconstitutional. They advocated “peace at any price.” Previously willing to accept a slave code, they were now willing to accept any compromise that would bring war to an end. Yet other members of their party did not share such beliefs. These War Democrats disliked the policies and leadership of the Lincoln administration, but they did not fully oppose war. Rather, they supported the effort to “end the rebellion” believing that no other means would cause the South to rejoin the Union. During the summer of 1861, the War Democrats outnumbered the Peace Democrats nearly three to one.²⁸

Typical of the War Democrat voice was Colonel Charles John Biddle. Elected in the summer of 1861, the long-time Democrat was typical of the more moderate anti-administration politicians in Pennsylvania. A former Whig and son of wealthy banker Nicholas Biddle, Colonel Charles Biddle was unquestionably a Union supporter – he was elected lieutenant of the 13th Pennsylvania Reserves and did not embrace an immediate peace treaty. Yet, he routinely criticized his fellow congressmen for their abuses towards civil liberties. Directed towards the Republicans, he argued, “A party that can silence opposition and muzzle the press is the worst kind of tyrant.”²⁹

On the home front, a considerable number of citizens were hesitant about going to war and skeptical that taking up arms was the best form of conflict resolution. Census records of the War’s earliest enlistment drives show Pennsylvanians’ tentativeness. Although the initial 1861 volunteers made up just over one third of Pennsylvania’s 344,408 total enlisted men, they still

²⁸ Dell. *Lincoln and the War Democrats*, 366.

²⁹ Charles John Biddle. *Address of the Democratic State Central Committee*, 1863, p. 7.

<http://www.heinonline.org.ezaccess.libraries.psu.edu/HOL/Contents?handle=hein.trials/adea0001&id=1&size=2&index=&collection=trials>. <Accessed Sept. 2010.>

remained a fairly small group in comparison to Pennsylvania's military age population. According to the census, "military-aged" referred to any healthy white male between the age of eighteen and forty-five. Only one in four of the 550,000 men of military age in Pennsylvania volunteered to fight at the onset of war.³⁰ The rest either joined later from various political, social, and familial pressures or through conscription. Others choose to not serve entirely, a surprising forty percent of this population. It is possible that many in the early stages of the conflict believed that the war would be short and that the call to arms had been sufficient. But the mobilization figures for the entire duration—even though impressive for the Union war effort overall—indicates the problematic nature of support for the Lincoln Administration.

The degree of opposition to the Lincoln Administration and the War was more prevalent than what many works on the conflict generally offer. . The early years of anti-war sentiment have largely been masked by social pressure and legal limitations to freedom of speech and press. This does not mean however that anti-war sentiment did not exist. The state's ability to mobilize and support the war in these early years often overshadows the extent of the opposition within the state that existed as well. Most works on the peace movement focus primarily on 1863 and after, when the movement had grown in size and political power. But anti-war sentiment had existed since the start of war.

In many ways fear of government suppression and public violence muffled the voice of the opposition during the early years. Efforts to shut down critical newspapers and arrest citizens show that the anti-administration sentiment was significant enough to be perceived as a threat. One example of repression was seen in Uniontown. The editor of the *Genius of Liberty*, a Democratic newspaper, was threatened with police action and imprisonment if he continued

³⁰ Kennedy, Joseph C., *Population of the United States in 1860: Compiled from the Original Returns of the Eighth Census*, <http://www.census.gov/prod/www/abs/decennial/1860.html>.

printing.³¹ Similarly, a large Democratic rally was held in Easton, Pennsylvania, on August 19, 1861. The event had been widely published in the *Easton Sentinel* and *Easton Argus*. After the audience cheered loudly during several anti-administration speeches, an angry Republican mob stormed through the city and physically destroyed the *Sentinel's* and *Argus's* pressrooms. Individuals with unpopular opinions could easily be arrested on account of treason or for discouraging enlistment and recruitment of troops. In his diary, Sidney George Fisher noted the dangers of voicing an anti-war opinion. It was only “at the risk of any man’s life,” he observed, “that he utters publicly a sentiment in favor of secession or the south.”³²

These threats to freedom of speech and press fueled antagonism against the Republican Administration. Pennsylvania citizens began acting very partisan, and many found the Democracy’s strong opinions on the protection of civil liberties compelling. But evidence of this behavior was minimized by suppression of newspapers and partisan activity. The state had always hosted a considerable number of pro- Democrat newspapers. Some of the most reprinted publications were the *Selinsgrove Times*, *Johnstown Democrat*, *Kittanning Mentor*, *West Chester Jeffersonian*, *Bedford Gazette*, *Greensburg Argus*, and *Bellefonte Democratic Watchmen*. Until April 1861, these papers primarily espoused conservative views, anti-abolitionist laments, and support for compromises that would avert war. Yet once troops were called down to Fort Sumter, many newspapers and publishers were shut down by legal maneuvers and mob violence. The ideas espoused in them had not been abandoned; they were simply suppressed.

The lengths that the local police, Republican supporters, and even the Lincoln administration went to suppress the voice of the opposition indicate how strong a threat

³¹ Shankman, *The Pennsylvania Antiwar Movement, 1861-1865*, 73.

³² Nicholas B. Wainright, ed., *A Philadelphia Perspective :The Diary of Sidney George Fisher covering the years, 1834-1871*, 122.

Pennsylvania's Democrats were. As historian Arnold Shankman noted, "enough arbitrary arrests of the Lincoln administration were made to convince critics of the Lincoln administration to keep their fears to themselves."³³ This was certainly reflected in citizen's accounts. In a private letter, Kittanning citizen James Alexander Fulton was in full agreement with the Democrat peace platform, yet he refused to attend an anti-war meeting for fear "his sentiments would be known" and that he would be subjected to unwarranted arrest.³⁴ In Philadelphia, Pierce Butler, the husband of popular actress Fannie Kemble, expressed the same concern. A defender of both slavery and secession, he wrote in a letter to his wife that, "as his sympathies are, and right as he believes their cause, he as a born and bred Pennsylvania would never take up arms against or own country" or voice against the administration in fear of his wife's safety. Rumors of his southern leanings were enough however to cause an unwarranted search and arrest on August 19, 1861. Local authorities claimed that the order for his arrest and imprisonment at Fort Lafayette came from the War Department. Although no evidence of this was actually found, Butler remained in jail a month and the case was only considered closed when he took an oath of allegiance and promised not to visit the South without government permission.³⁵ The highly publicized case rattled many Philadelphia citizens, who feared unwarranted arrest or seizure of property for expressing their political opinions.

Eventually the Democrats, fighting for long established beliefs, began finding a voice in 1862. Although the suppression of many newspapers and unwarranted arrests continued, the

³³ Shankman, *The Pennsylvania Antiwar Movement, 1861-1865*, 71.

³⁴ Fulton to Wise. *Fulton Manuscript Collection*, Pennsylvania Historical and Museum Commission, Harrisburg [hereafter PHMC].

³⁵ Wister, Fanny K., and Sarah B. Wister, "Sarah Bulter Wister's Civil War Diary," *The Pennsylvania Magazine of History and Biography* 102, no. 3 (1978): 271-327.

<http://www.jstor.org/stable/20091278>.

party continued to speak out against the Administration. And party members continued to have clashing opinions as to whether the war should continue at all. From the beginning of 1862 through the gubernatorial election of 1863, it appeared that the War and Peace Democrats had finally found a consensus. Angered directed towards Lincoln's increasingly radical federal policies helped to temporarily galvanize the party. But the fact that factions had existed in the party since the election of 1860, well before war began, re-emerged when debate entered the national level. "Breckinridge" and "Douglas" became the opposing War and Democrats. Unable to unite on a platform, the party's divisions would make it impossible for the Democracy to achieve victory over a far more cohesive Republican party. Yet the conservatives did have legitimate concerns about the leadership of the war, the constitutionality of new policies, and the threats war posed to civil liberties. In 1862 and 1863 the Democracy would gain enough momentum to pose a serious threat to the Republican incumbents and force the state and country to re-examine the extent of federal power.

Part II

“What is upon us is Revolution”

In 1862, after a year of disappointing battles and political suppression, conservatives began to speak out against the increasingly expansive policies of the Lincoln Administration. Historian Arnold Shankman has observed that Northern opposition to the war had “finally awoke from its slumber” as their fears about the Republican designs once in power seemingly had come true.³⁶ This was more than a re-awakening; this was a voice gaining support against a Federal Government that continued to encroach upon the powers reserved to the states. In April 1861 President Lincoln had already suspended *habeas corpus* with much criticism, then in February of 1862 Congress passed the Legal Tender Act, moving Union away from the long held gold standard, causing concerns among Democrats about governmental powers. Democratic fears of abolition influence were validated in May and June when Lincoln called for gradual emancipation and Congress legislated against slavery in the U.S. territories. In July, after the passing of the Second Confiscation Act, frustrations with the “radical” policies of the Lincoln Administration caused the conservative Union citizens to raise a far louder voice against the Republican leadership.

On the chilly fall day of October 8, 1862, the front page of eastern Pennsylvania’s Lebanon *Advertiser* starkly read “THE LAST ACTS OF CONGRESS” or the last acts as put down according to the editor’s recollection. Democrats were uniformly angered by new policies being put forth by the Lincoln Administration. The War and Peace Democrats briefly united to oppose these new policies, allowing the party to gain momentum through 1862 and 1863. The article reflected the sentiments of conservatives throughout the state. The *Advertiser*’s list was

³⁶ Shankman, *The Pennsylvania Anti-War Movement*, 82.

rife with racist laments and repetitive frustrations detailing each act. In its opinion, there was “act to emancipate niggers...an act to confiscate niggers...an act to anticipate the wives and babies of contrabands...an act to emancipate niggers... an act to make them fight for the union... an act to make freed niggers love work...an act to educate niggers... an act authorizing the President to arm negroes” and to top it all off, an “act to make paper worth more than gold.”³⁷ Democrats may have remained divided on whether the war should continue, but during 1862 they found growing consensus against the current administration and its changes to the America they knew. From the beginning of 1862 until the end of 1863, the two factions of the Democratic Party, those supportive of war and those interested in peace, worked more or less in sync against Lincoln’s expanding policies on the economy, emancipation, and civil liberties.

However, appearances were a bit deceiving because the party members continued to hold different opinions. Racism, fear of conscription, and curtailed civil liberties all influenced Democratic views. Democrats seemed to agree that the Lincoln Administration was overstepping boundaries between state and federal governments while attempting to prosecute the war. But not all agreed whether war was a necessity. Democrats had to ask themselves if preserving the original collection of States was more important than preserving conservatives’ ideals. Or was a nation without slavery, with less state autonomy, and with greenbacks, income taxes, and conscription worth fighting for at all? Was it still their country? Concerns about civil liberties, state rights, and abolition made Democrats appear to be in agreement during 1862 and 1863. But unity on state and local levels masked the divide between War and Peace Democrats that remained in national politics. The feeble unity would collapse by the presidential election of

³⁷ *Lebanon Advertiser*, October 8, 1862, Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=TEVBLzE4NjIvMTAvMDgjQXIwMDEwNw==&Mode=Gif&Locale=english-skin-custom>

1864, and the Democracy would experience inter-party turmoil similar to that of 1860 election. Their opposing solutions, to keep at war or end it for peace, would prevent the party from obtaining the electoral power to return the nation to “the Union, as it is, as it was.”

At start of 1862 one of the Democracy’s greatest criticisms of the Republican Administration had little to do with wins or losses on the battlefield. The northern economy was struggling to support the financial burden of war. Union losses at the battle of First Manassas in July 1861 and Balls Bluff in October started to dampen morale on the home front. Unsure of what the future would hold, citizens began purchasing and saving precious metals at an increasing rate. By the end of 1861, banks in New York had to temporarily suspend payment of specie as backing for bank notes. Philadelphia banks quickly followed suit. A bill proposed by the beginning of 1862 called for the printing of fiat money. This paper currency would be payable on demand by the United States Treasury, but instead would not be backed by gold and silver. The idea of legal tender backed only by faith in the United State Government created enormous controversy.

The Democratic Party largely rallied against the use of these proposed “greenbacks,” calling into question the constitutionality of the government holding such powerful influence and control over the nation’s economy. Further, the success of such paper money relied heavily on the Union’s success in the war. From the fall of 1861 through most of 1862, the Union army began to win a considerable number of battles, enough that it appeared as if the Confederacy might be defeated. Major General George McClellan was pushing towards the Peninsula, but to continue the campaign more soldiers, money, and resources were needed. The cost of mobilizing troops and funding war was high; the result was a money crisis in the Union. Desperate to win the war without collapsing the economy, the Legal Tender Act was passed. The federal

government introduced paper money “green backs” that were no longer backed by gold but rather guaranteed by the U.S. Treasury. Conservatives were opposed to the switch, fearing that moving from a gold system to fiat money was unnecessary and would only result in disaster. In an editorial on government published by the *Presbyterian Banner*, the *Pittsburgh Journal* observed, “It is only in case of the success of the rebellion, that gold laid by will be the better investment... the Government pays its interested promptly in gold; and when the war is over, if successful, the Government stocks will soon become better than gold.”³⁸ For some this was a worthy risk, but for Pennsylvania’s more conservative citizens, it was a dangerous one that jeopardized the economy and expanded the federal government to an unprecedented level.

The Democracy was temporarily united again in February of 1862 when Congress passed the Legal Tender Act, an act uniformly unpopular with both War and Peace Democrats and showing how they shared ideas about the Constitution and the limits of government powers. Both factions believed that the federal government did not and should have the power to issue fiat money. On February 10, the *Pittsburgh Gazette* reported that the new Treasury bill was “one of the most important measures ever adopted in this country. Nothing but the necessities of the country could have justified it,” yet despite those necessities “there was violent opposition and great excitement in the house” as the bill was up for debate.³⁹ Even war Democrats could not accept “war time necessity” as a reason to drastically alter the nation’s economy. The party saw the act as merely another step towards Republican tyranny. To conservatives, the federal government had no business being guarantor of paper money. In a speech to the United States

³⁸ *Presbyterian Banner*, November 29, 1862, p 3, Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UFBCLzE4NjIvMTEvMjkjQXIwMDMwNg==&Mode=Gif&Locale=english-skin-custom>

³⁹ *Pittsburgh Gazette*, February 10, 1862,

Senate on January 13, Democratic Senator John S. Carlile of Pennsylvania expressed this widespread concern about switching to fiat money. “The Treasury is empty. How shall it be replenished, and the country saved from an irredeemable paper issue?” he asked. It should be noted that Democratic fears about paper money being “Irredeemable” were not off base, America still relies on government backed legal tender that created during this war time measure.

War Democrats were doubtful that the Legal Tender Act was justifiable as a wartime necessity. “Can the wants of the Treasury be supplied and at the same time a sound and uniform currency convertible at the will of the holder into silver and gold be secured to the people?” Carlile addressed the concerns of many Pennsylvania Democrats who supported the war but disliked many aspects of the Republican Administration. “This is the want. That this can be done I have no doubt; and it is in order that we shall not, under the plea of pressing necessity, be forced to the adoption of temporary expedients, and temporary measures of doubtful constitutionality.” Doubtful constitutionality would be the theme of Democratic dissatisfaction with President Lincoln. Never before had Federal government taken such an expansive role, and conservatives knew that policies created in a time of war were likely to last well after the troops were called home. The senator offered a plan to “save the people from a depreciated and irredeemable paper issue – one of the greatest calamities, save that of civil war, that can be inflicted upon them.”⁴⁰ Other solutions were proposed. To acquire funds necessary for war, Carlile suggested a tariff on imports in place of the ban that had already been issued. He also suggested direct internal taxation to pay the interest on bonds. His speech was circulated in large Pennsylvania newspapers, including the *Philadelphia Press*, the *Pittsburgh Gazette*, the *West*

⁴⁰ *Presbyterian Banner*, November 29, 1862, Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UFBCLzE4NjIvMTEvMjkjQXIwMDMwNg==&Mode=Gif&Locale=english-skin-custom>

Chester Jeffersonian, and the *Democratic Banner*. His suggestions were endorsed other prominent Pennsylvania politicians such as Sydenham Ancona, Philip Johnson, and Hendrick B. Wright. Yet the loud cries against the transition to fiat money did not prevent the passage of the Legal Tender Act, and the Democratic Party began to gain further support from conservatives wary of an ever-expanding federal government.

Citizens on the home front were particularly vocal about the Legal Tender Act. It is possible that the impact on trade and inevitable impact on the economy made it more acceptable to discuss publicly that criticism at that particular time of the war. Even moderate citizens openly expressed their discontent with the policy, one of the times since the start of the war that there was breaking in the ranks of the Republican leadership. With constant accusations of treason, unwarranted arrests, and cries of preventing enlistment, citizens who voiced opinion on issues concerning mobilization or sympathy for the rebels faced personal risk. Yet criticism of economic policy was considered a fair game both nationally and local authorities. There are few instances of editorials claiming that those opposing the Legal Tender Act were treasonous. Both parties considered John Carlile's propositions for alternatives to the Legal Tender Act. For some Democrats, criticizing Republican monetary policy provided a way to express dissatisfaction with both the Lincoln Administration and the war itself. Democratic newspaper editor John Hodgson used the topic to publish scathing articles about Lincoln in his West Chester *Jeffersonian*. Hoping to cling to the gold standard, he published a childish poem on July 10 that lamented:

“God made man,
And man made money.
God made bees,

And bees made honey.
God made the Union
Nice and slick.
In came old Lincoln
And spoiled it quick!”⁴¹

Holding gold and silver was a signal of low expectations about the nation’s economic future. In times of war, this can also mean a loss of faith in the abilities of the military. Adhering to the gold standard was not just a conservative preference, but also showed that many citizens were beginning to feel that this war to preserve the Union might not be won. The Legal Tender Act was merely the start of the start of the home front’s continued dissatisfaction with administration in 1862. Much to the disdain of conservatives, federal power would continue to expand in an attempt to help the war effort. As similarly invasive policies emerged, the War and Peace Democrats began to find common ground. The frustrations with the passage of the Legal Tender Act set the tone for the rest of 1862.

For many conservative Pennsylvanians, far worse than the emergency from a changing economy was the threat posed by a changing war aim. In 1862, ever so slowly, emancipation moved closer to becoming a reality. In May Lincoln began to call for gradual emancipation of slaves in the Border States. In June, the once hotly debated presence of slavery in U.S. Territories was decided as Congress ruled against the peculiar institution. Then, in the middle of the summer, Congress passed the Confiscation Act, which was a mild ruling in comparison to the later Emancipation Proclamation, but it fed dissatisfaction among the Democrats nonetheless. In fact, it was so polarizing it garnered fifty-three “nays” with no representative of the Democratic

⁴¹ William A. Russ, “Franklin Wierick: A ‘Copperhead’ of Central Pennsylvania” *Pennsylvania History*. Vol. 4., No. 5. (Oct. 1938): 31-42. <http://www.jstor.org/stable/27766319>.

or Union party voting in its favor. Technically, the confiscation act was set up as a measure to punish treason. It allowed for the seizure of a wide range of enemy property including stocks, bonds, and slaves. It angered Democrats that the property was taken without the usual legal proceedings; instead, seizure was conducted without owners being able to mount a defense in court. The Confiscation Act also solved a problem for Union field officers – what were they to do with slaves who were either captured or sought refuge behind Union lines? The Confiscation Act ruled that all slaves who took refuge behind Union lines were officially declared captives of war and were to be set free. When the act was finally passed on July 17, it also demanded that any Confederates who did not surrender within sixty days of the bills passing were to have their slaves set free.

Just as worrisome to the Democrats as the freeing slaves was what should happen to these new freed people. The bill made vague provisions to re-colonize blacks elsewhere, but did not take into account precisely where or the feasibility of such an endeavor. It did not guarantee blacks civil rights, nor did it free any slaves in Union or unoccupied Confederate territory. To appease the more conservative members of Congress, the act guaranteed the return of fugitives from Border States to any owner who could prove their true loyalty towards the Union. This final protection of Union property did little to ease public outcry against the act or lure such states as Virginia and Tennessee back to the Union.

To the Democracy emancipation achieved through confiscation was, in the strongest sense, a violation of private property rights, an overstepping of federal power. Many conservatives felt that although the Confederates were now the enemy, the citizens of the South were once, and would soon be again, countrymen of the United States. Further, many Democrats did not feel that all citizens of the South were Confederates. Certainly, a loyal few remained

amidst the rebels. The Conscription Act unjustly deprived them of personal property and stripped them of their rights to a fair trial. In the Act's third section, it enacted "that it shall be the duty of the President of the United States, as often as in his opinion the necessities of the army ... to order the seizure and appropriation of any and all property. Confiscated and forfeited by the virtue of this act" and situated beyond the reach of civil process "as he shall deem advisable."⁴² Furthermore, the act called for the sale of seized property without judicial proceedings, claiming that the proceeds would be used for a "Rebellion fund" to help reimburse "loyal citizens" after the war.

When the act had been proposed in March, Edgar Cowan, a Senator from Westmoreland County, Pennsylvania, spoke out strongly against the bill. In a speech to the Senate on March 4, he declared that the bill is in "direct conflict with the Constitution of the United States" and violates "most valuable and most fundamental provisions: those which guarantee life liberty and those which define the boundaries between the powers delegated to the several departments of government."⁴³ His speech, which was wildly circulated through many Pennsylvania newspapers and journals, mostly Democratic but some Republican as well, reflected the public outrage over the flagrant abuse of due process.

Violating personal property rights, according to the Democratic opponents, would only damage the war effort and prolong the war. In his speech, Cowan reasoned that about four million white men were engaged in rebellion. "This bill," he argued, "proposes, at a single stroke to strip all this vast number of people of all their property, real, personal, and mixed, of every

⁴² Senate, 37th Congress, "Bills and Resolutions, Bill 78," The Library of Congress.

<http://memory.loc.gov/cgi-bin/ampage?collId=llsb&fileName=037/llsb037.db&recNum=280>.

⁴³ *Philadelphia Press*, April 9, 1862. Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UERQLzE4NjIvMDQvMDkjQXIwMDQwMQ==&Mode=Gif&Locale=english-skin-custom>

kind whatsoever, and reduce them at once to absolute poverty; and that too, at a time when we are at war with them, when they have arms in their hands, with four hundred thousand of them in the field opposing us desperately.” Stripping these four hundred million persons of their rights would “forever make [them] hostile to us and our government, it would be the promulgation of a law such as this.”⁴⁴ Certainly, to the tastes of the conservative voice, curtailing citizens of personal liberties had no place in the Union, and was no way to restore it.

Racism was another cause of opposition to the Confiscation Act. Including slaves as property, the act demanded that any slaves who had come into the position of Union officials and officers be freed. Conservatives were largely disinterested in altering Southern domestic institutions. On July 17, the Second Confiscation and Militia Act was passed. Section 12 of the act declared:

“That the President be, and he is hereby, authorized to receive into the service of the United States, for the purpose of constructing entrenchments, or performing camp service or any other labor, or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe.”⁴⁵

Any black man was now able to join the Union army in a noncombatant role. The new ruling appalled Conservatives, believing black men were not countrymen and had no place in the military. Furthermore, the act promised any “man or boy of African descent” who bore arms

⁴⁴ Ibid.

⁴⁵ U.S., *Statutes at Large, Treaties, and Proclamations of the United States of America*, vol. 12 (Boston, 1863), pp. 597–600. Published online by the Freedmen & Southern Society Project at University of Maryland. <http://www.history.umd.edu/Freedmen/milact.htm>.

against the enemy or entered the service of the Union in any way, was to be “forever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding.”⁴⁶ Freeing slaves by making them soldiers seemed to vindicate Peace Democrat suspicions that war was merely an abolitionist plot, further proving the need for a peace treaty as soon as possible.

Even War Democrats disliked the use of black soldiers, despite the fact that the added manpower would likely help the Union army, even as noncombatants in support roles for the military. For instance, Captain Charles Biddle pleaded to the Senate that a “slave could not be made a soldier.” “Place arms in his hands,” he warned, “and he is rendered an assassin. The employment of blacks against those in hostility to our government would drive the Union men of the South into the arms of our enemy.” Rather it was better that the Union “trusted to soldier’s valor and their leaders skill and not to the aid of armed blacks the latter would lead to a protracted devastating war, and be abhorrent to the sentiment of the white race.”⁴⁷

Outrage over anti-slavery policies, frustration with confiscation laws, and anger over Lincoln’s suspension of *habeas corpus* and the expansion of martial law had caused a “galaxy of pamphlets” to emerge throughout Philadelphia and Eastern Pennsylvania. At least in their initial response to the Confiscation and Militia Acts, the War and Peace Democrats seemed to be on the same page. In March 1862, Charles Ingersoll of Philadelphia published an influential pamphlet entitled “A Letter to a Friend in a Slave State.” The Letter was a treatise on the constitutionality of the war, the state of the nation, and the heavy influence of the abolitionist movement. It criticized the Lincoln Administration’s misguided efforts to restore the Union. The pamphlet

⁴⁶ Ibid.

⁴⁷ “Second Congressional District,” *Philadelphia Press*, October 11, 1862, Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UERQLzE4NjIvMTAvMTEjQXIwMDMyMA==&Mode=Gif&Locale=english-skin-custom>

quickly became incredibly popular and controversial. Its language signaled a growing interest among Democrats for compromise and articulately expressed the laments of many conservative citizens, while raising concerns about the difficulties of winning a war with the South. It even drew some Republican attention: in his diary, Philadelphia Sydney George Fisher described the pamphlet as being a “strange mixture of extravagant ideas and good sense.”⁴⁸

Well in advance of what historians date as the rise of the Copperhead movement in the fall of 1862, we can find in Ingersoll’s comments the outline of ideas that became attributed to the Peace Democrats. Even though Ingersoll did not yet call for an armistice, as he would in later years, there were other components that foreshadowed the Copperhead platform. Peace Democrats typically decried the loss of the country they had known through the destruction of founding principles. They also increasingly characterized the war as unwinnable. He added: “We must not deceive ourselves, we must accept what is upon us as revolution. If we conquer the South, take possession of their vanquished country, it is revolution; to make peace and separate from them, for which there is no power in the Constitution, would be revolution, and that revolution is the name that applies to our existing condition.” His pamphlet addressed two of the main concerns of Pennsylvania Democrats: the increasingly radical policies of the Republican Administration and the addition of emancipation as a war aim. Ingersoll proposed, with a compelling argument rooted in American and European history, that Lincoln’s “war of conquest” might not be winnable. Although they appeared somewhat unified, the response to Ingersoll’s letter shows that the War and Peace Democrats were only temporarily in agreement, the two visibly different factions would reemerge by the end of 1863.

⁴⁸ Wainright, *A Philadelphia perspective*, 141.

Most Democrats agreed with Ingersoll's opinion of abolitionists, believing these radicals were "destroying the Constitution and the Union" and using their anti-slavery agenda to control Lincoln and the Republican Administration "for the sake of power and access to the treasury."⁴⁹ But many Democrats who supported the war, as well as Republicans for that matter, still wanted to preserve the Union, and were willing to go to war to do so. They truly believed, however, that preventing the Southern States from continuing the practice of slavery was unconstitutional. As for the ultimate outcome of the war, Ingersoll speculated;

"To bring back the South as territory, not States, or without their slaves, or crippled in their condition of equality, might comport with the designs of those who drive Mr. Lincoln's machine, but when we recollect in what light they have, from the beginning, regarded the now broken compact with slave-holders, it would be downright simplicity to suppose that any party controlled by them, should desire a restoration of it on terms that are either fair or possible. Is it not intelligible that, rather than it should come back, they would say in their hearts after us the deluge, and let the country go forward on its road of revolution."⁵⁰

Ingersoll's references and comparisons to the French Revolution continue throughout his letter as warning to the possible outcome of postwar chaos caused by Radical change. He proved the

⁴⁹ "The Legal Tender Note Bill," *Pittsburgh Daily Gazette and Advertiser*, February 11, 1862.

Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UEJHLzE4NjIvMDIvMTEjQXIwMDEwMA==&Mode=Gif&Locale=english-skin-custom>

⁵⁰ Ingersoll, Charles, Letter from Charles Ingersoll, March 24, 1862, in *A Letter to a Friend in a Slave State*, Accessed through The American Civil War: Letters and Diaries Database.

<http://alias.libraries.psu.edu/eresources/proxy/login?url=http://www.aspresolver.com/aspresolver.asp?CWLD;S1359>

unpopularity of these changes, such as the Legal Tender Act and Confiscation Act, by citing a March 3 Resolution made in the House of Representatives. A House majority decided that the war “should not be prosecuted for any other purpose than the restoration of the authority of the Constitution and welfare of the whole people of the United States, who are permanently involved in the preservation of our present form of government without modification or change.”⁵¹ Such war measures then, such as the suspension of *habeas corpus*, however limited, the institution of an income tax, the call for limited emancipation of slaves behind Union lines, were intolerable changes for Democrats who felt they were being told “that the Government must be sustained today, and the Constitution righted to-morrow.”⁵²

At the time, Ingersoll’s view gained in popularity by 1863 – the call for compromise. “Why should not the strong conciliate;” Ingersoll begged, “Why should not the head of an army of seven hundred and eighteen thousand men compromise?” “Compromise,” he argued, “is not a policy but a necessity...The Constitution of the United States was, in the strictest sense, a compromise, and unattainable on any other terms.”⁵³ His views were echoed by powerful party leaders throughout the North, such as Clement Vallandigham, former congressman and future gubernatorial candidate from Ohio. Vallandigham would eventually go a step further, asking not just for an attempt at compromise, but also for an immediate peace treaty that would end the war. He was willing to recognize the Confederacy as a separate country if it meant finally laying down arms. Pennsylvania’s more extreme Democratic newspapers, such as the *West Chester Jeffersonian* and the *Selinsgrove Times*, circulated Vallandigham’s peace polemic cautiously.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

As dissatisfaction with the Republican Administration grew in Pennsylvania, more citizens sympathized with Ingersoll's desire for a swift end to the war.

Ingersoll certainly was not alone in this early manifestation of what became the Copperhead platform. Former Pennsylvania Governor William Bigler also called for a compromise to bring peace. In a letter written to the Lancaster Intelligencer on November 1, Bigler proposed that the president call for a convention in which both the North and the South could vote to whether or not to continue the war or find a peaceful solution. "I should like exceedingly to see a popular vote taken in the North, especially in New England," he requested, suspecting many Republicans of dubious war aims, "between the position to receive all of the States back into the Union, on the terms of the Constitution, which makes the States equal and alike sovereign, each with the rights to have domestic institutions as they choose, and a proposition to recognize the independence of the Southern Confederacy."⁵⁴ He speculated that the hypocrisy of many Republican politicians would be revealed, as they wanted neither the Union "as it is, as it was" nor to see the Confederacy function as a separate nation.

The Peace platform was becoming more popular on the home front. The growth was reflected in the state's elected officials. In the 37th Congress, Pennsylvania's ten Democratic Representatives were split in half. Five supported continuing the war, five wanted peace on conditional terms.⁵⁵ The 38th Congress had only three War Democrats from Pennsylvania, the rest were all Peace Democrats. Many elected Democratic congressmen began favoring a peace Democrat platform, especially as more Democratic constituents began to turn against the war.

⁵⁴ *Lancaster Intelligencer*, December 1, 1862, Pennsylvania Civil War Newspapers Database.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=TENMLzE4NjIvMTIvMDIjQXIwMDEwMA==&Mode=Gif&Locale=english-skin-custom>

⁵⁵ Dell, *Lincoln and the War Democrats*, 371

Where the War Democrats once held majority, the Peace Democrats now numbered forty-six to the War Democrats' thirty-five.⁵⁶ The growing popularity of the Peace platform shows that the faction had a significant voice within the party. Local issues and anti-war activity in the East may have larger political repercussions than suggested by historian Frank Klement in his study of the Midwestern Peace Democrats. The peace movement was a significant enough movement in Pennsylvania to appear in the state's Congressional representatives.

Not all Democrats desired the peace propagated by Ingersoll and Bigler. For men like Colonel Charles Biddle and General George McClellan, even the Union party leader John W. Forney, war remained necessary; however, the changing aims were subject for debate. Forney, editor of the *Philadelphia Press*, was so staunchly for the war that he left the Democrat party to join the newly formed Union Party, espousing conservative beliefs yet supporting military action to unify the nation. These "War Democrats" struggled to find a way to rationalize supporting a war that seemed to increasingly conflict with their values about states' rights, civil liberty laws, and the reach of the federal government. Yet they still clung to a national ideal. Despite considerable frustrations with the Administration, they held firm to fighting for national unity. Their reasons for supporting a war whose aims increasingly shifted away from restoring the United States "as it is, as it was" relied largely on philosophical concepts of preserving a functioning republic at all costs. Federal policy, interpretation of the constitution, even individual rights did not define the United States. But the ability to stay unified amid inner turmoil did.

This War faction versus Peace faction represented the same split that had first appeared during the 1860 campaigns and election. Newspapers and pamphlets in 1862 show that citizens largely still identified with the factions they had pledged their allegiance to two years before. The

⁵⁶ Dell, *Lincoln and the War Democrats*, 372-376

Breckinridge Democrats, used most often as an epithet in angry Republican editorials, referred to those who showed some sympathy to the plight of the southern states and were interested in protecting slaveholders' and states' rights. For the Breckinridge Democrats, war should have never happened in the first place, and it certainly should not have been happening now. To them, peace was both a viable and logical option. Their beliefs were targeted as being dangerous and treasonous. The name "Breckinridge" still resonated as being sympathetic to secession. Newspapers articles show that Pennsylvania had not forgotten that the Breckinridge Democrats still existed. An article that ran in the *Philadelphia Press* in July of 1862 described "Justice Hughes of the United States Court of Claims, lately a democratic member of Congress," who made, "a great speech in which he took the strongest ground against the Breckinridge leaders, and in favor of the vigorous prosecution of the war."⁵⁷

In an editorial published by the *Occasional* the editor expresses the popular opinion of the War Democrats, formerly Douglas Democrats. "No Democrat who thinks that this cause is a good one," the paper claimed, "who remembers the last words of Stephen A. Douglas, that in our struggle for preservation, there can be but two parties, patriots and traitors." The "patriots" were those who supported the war, the "traitors" were those who "claiming to be Democrats" had sympathized with such leaders as Breckinridge and Buchanan.⁵⁸

Like the Peace Democrats, the War Democrats abhorred the thought of emancipation, held little interest in revoking, or defending even, the rights of slaveholders, disliked fiat money, and clung tightly to protecting civil liberties. Above all of these, however, the War Democrats hated the thought of a collapsed Union and a broken republic. In 1862, the constitution of the United States of America was only seventy-five years old. The revolutionary war was not a

⁵⁷ *Philadelphia Press*. July 13, 1862. .

⁵⁸ *Philadelphia Press*, June 23, 1862.

distant memory. America struggled to gain respect among the seemingly ancient monarchies of Europe. While the binding tenants of Democratic thought continued to be focused on protection of states rights, individual liberties, minimal federal government, and conservative fiscal policy, they were points to be argued only as long as there was a United States of America. For the War Democrats – a considerable number of conservative citizens that opposed the Lincoln Administration but nevertheless supported the war, the preservation of the Union, both North and South, was tantamount to federal policy on slavery or legal tender or even civil liberties.

The major voices of the War Democrats were Democratic military leaders, such as Charles Biddle, Major General Joseph Hooker, and Major General George B. McClellan. In response to debate on the constitutionality and possible anti-slavery intent of the war, Hooker expressed the War Democrat sentiment that “this Union must be preserved and there is no way of preserving but by the power of our arms – by fighting the conspiracy to death. I saw put down the rebellion and then, if you choose, inquire into the cause of it.”⁵⁹ All Democrats seemingly longed for status pro quo antebellum, but the War Democrats felt that status pro quo antebellum came only with a unified nation. Unify the country first; fix the nation later seemed to be their theme.

In the Congressional Globe in 1862, Biddle, the exemplar of the Pennsylvanian War Democracy, was said to have “voted for taxes and every measure that could give real strength to the Government.”⁶⁰ But despite his support of unifying the nation – including putting his own

⁵⁹ Schoenberg Research Center for Electronic Text and Image, "What Our Democratic Leaders Say," On loan from Library of Philadelphia.

http://sceti.library.upenn.edu/sceti/printedbooksNew/index.cfm?TextID=5793_F_37b&PagePosition=1.

⁶⁰ Senate, 37th Congress, “Debates and Proceedings,” The Library of Congress

<http://memory.loc.gov/ammem/amlaw/lwcglink.html>

life on the line by leading the Pennsylvania Bucktails in battle – Biddle was not afraid to criticize the Republican administration. These self-professed “loyal Democrats” cheered for the Union and the war while questioning its means, motives, and leadership. It is hard to know just how many of these “War Democrats” actually supported taking up arms as much as their speeches and letters suggested. Democratic complaints of dwindling civil liberties were based on a very sad reality. Treason and discouraging enlistments were often convenient accusations and charges used to quiet political dissenters or establish order in an unruly town. Within Pennsylvania, especially central Pennsylvania, behavior that discouraged enlistments was a real problem and it was difficult to distinguish between actual behavior and convenient accusations. In some areas of Pennsylvania, openly voting or supporting the Democracy in any form was to put life and liberty on the line. Franklin Weirick, the editor of the Democratic *Selinsgrove Times*, wrote a scathing editorial about the nature of the President’s war aims. When a group of soldiers interpreted the piece as discouraging men from joining the army, they attempted to lynch the editor until he shouted “three cheers for the Union.”⁶¹ His press was temporarily suspended.

The War Democrat friendly *Patriot and Union* faced similar suppression. Despite regularly encouraging enlistments and advertising for newly formed brigades, the Harrisburg paper’s loyalty came under scrutiny. The editor was arrested in July 1862 under dubious charges of “obstructing enrollment,” which were eventually dropped.⁶² In another instance, a Philadelphia citizen attempted to appeal his charges of “discouraging enlistment.” City authorities told him that they “will find another charge against you.”⁶³ In a speech addressed to Congress entitled “the Sentiments of a Pennsylvanian and a White Man,” Biddle acknowledged

⁶¹ Shankman, *The Pennsylvania Anti-War Movement*, 86

⁶² Sandow, Robert M., *Deserter Country: Civil War Opposition in the Pennsylvania Appalachians*, 67

⁶³ Shankman, *The Pennsylvania Anti-War Movement*, 92

the loyal Democrats' difficulty in voicing their political opinion without facing accusations of treason. "I, of course, concede there are many districts, whole states indeed, where you can not resort to judicial tribunals" due to enemy occupation or influence, "but I cannot conceive that in the district I represent, or in any district in Pennsylvania or New York, or in Massachusetts, there can be any public necessity for depriving citizens of those common guarantees of Liberty, which we have been bred to believe are absolutely essential for preservation."⁶⁴

It is impossible to know how many of these "War Democrats" merely pledged their support out of fear of arrest, lost reputation, or violence. Biddle certainly faced such accusations throughout his political career in congress and while editor of the *Philadelphia Age*. Here was a man who served in the army, heroically led one of Pennsylvania's most admired and remembered regiments, and routinely professed his support of continuing the war, yet he still faced allegations of treason. In his speeches, despite his faithful language, his doubts about the Administration's intentions as the war wore on began to show through. According to the *Philadelphia Press's Sunday Dispatch*, Biddle refused to pledge himself to the "War policy of the Government." In a telegraph reply to the article, Biddle stated, "I will give no partisan pledges; I will try to do my duty in whatever sphere it may please God to place me" and reiterated his claims upon nomination that he would "not place my own preference in opposition to the people's wish."⁶⁵ He seemed to vacillate behind his pro-war stance, especially as Pennsylvanians became increasingly upset about increased federal powers and divided over whether or not to continue the war.

⁶⁴ Senate, 37th Congress. "Debates and Proceedings." The Library of Congress.

<http://memory.loc.gov/ammem/amlaw/lwclink.html>

⁶⁵ Dell, *Lincoln and the War Democrats*, 318

Fed up with failures in the Union Army, outraged by new far reach of the federal government, decried as traitors and arrested as such, the Democrats gained momentum in 1862. Despite a string of Union victories, war continued on, and as it did more and more Pennsylvanians spoke out against Republican policy and war aims. If party factions could unity, the Democracy had the potential to be powerful enough to threaten the Republicans in the upcoming election, but half wanted peace and half were willing to accept war. Although Democrats shared criticisms of the government, they differed on their solutions. The party, unable to agree if war or peace was the best method to restore the Union and end the bloodshed, would never be able to effectively unite itself and win a presidential election by 1864. Despite making some gains on a state level, uniting for the national election proved impossible. All it took was a year for the façade of unity to fade.

Part III

“Unwise, Unconstitutional, and Void”

Starting on the first day of 1863, the Pennsylvania Democracy grew increasingly vocal about dissatisfaction with the war and its leadership. Throughout the year, the party experienced an enormous upswing in momentum. Within Pennsylvania, the Democracy had considerable success in achieving unity for the Gubernatorial election. Rallying behind conservative State Supreme Court Judge George Woodward, citizens on the homefront displayed enough frustration with the Administration to call for a change in leadership. Although the Republican incumbent won, the votes were incredibly close. Democrats looked optimistically to the presidential election of 1864. The voice of the opposition was powerful enough that even President Lincoln considered a Democratic party victory in the 1864 election “exceedingly probable” and admitted to formulating ways to work with Democrats to finish war.⁶⁶

However, the consensus of 1863 unraveled the following year as Democrats found that uniting on a national level proved far more difficult than accomplishing that task in a state election. Most studies leap to the 1864 election in order to understand the Democratic Party. By doing so, they miss a more complicated picture. In the national election for president, most scholarship remains focused only on the Peace Democrats and their influence on the party platform. But the War Democrats had not gone away, and remained a considerable factor in political affairs. They were easily overlooked, because of the way the party united over the power for struggle for the state in the 1863 gubernatorial election. In that year, the Democrats raised considerable opposition to the Lincoln Administration, making it appear that Peace

⁶⁶ *Lincoln and the Civil War in the Diaries and Letters of John Hay*, 238.

Democrats had more sway than they did. And it was easy to rally against the administration when Democrats were only concerned with installing a governor who would not have a say in how the war was prosecuted nationally. At most, the governor might make life difficult for enrollment officers and mobilization within the state, but he could not decide whether or not to send Union troops against the Confederacy. Once the Democracy moved out of the realm of state politics, War and Peace issues became more divisive for the party. The desire to wage war to achieve reunion left War Democrats scrambling for a viable position from which to be heard. They did not want to accept peace at any price, nor did they want to support the President's policies on emancipation and civil liberties. But they did want reunion and were willing to employ military force as the means to achieve it. Peace Democrats were not willing to accept continued military force. Ultimately, a divided Democracy could not overcome a more cohesive Republican Party, a party that had been adroit enough to change state laws to allow soldiers to vote, a policy would rescue the presidential election in Pennsylvania from the opposition.

In 1863, grassroots opposition to the administration prospered on the homefront as conservative politicians spoke out against the newly issued Emancipation Proclamation. During the tumultuous year, the Democracy seemed to be united by its opposition to new Republican policies. On January 1, 1863, President Lincoln issued the Emancipation Proclamation, pronouncing "all persons held as slaves," in the Confederate states that had not yet come under Union occupation, "are, and henceforward shall be free." The party channeled this policy into new energy among its constituency. Conservatives were outraged over the act. It was now evident that the aims of the war had been irrevocably changed. The Democrats seemed united in their opposition to the new policy, rallying together during 1863 for the gubernatorial election.

War and Peace Democrats agreed that the proclamation was unconstitutional and violated powers reserved to the state.

Judge Jeremiah Black called the proclamation “a crime against a country deliberately performed,” designed to undermine the Constitution. Taking a further step than the Confiscation Act, the Emancipation Proclamation freed all persons held as slaves within regions considered to be in rebellion. Conservatives saw this act as a violation of property rights long protected by the Constitution. Worse yet for Conservatives, the proclamation also announced that all persons formerly held as slaves “will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.”⁶⁷ Many Pennsylvania citizens still saw slavery as an “incalculable blessing” and believed the Bible proved that “human bondage was divinely sanctioned if not ordained.”⁶⁸

Within the week after the proclamation was issued, Democratic newspapers and journals launched vitriolic criticism. Their words of opposition were more venomous than ever. Formerly moderate newspapers such as the *Easton Argus*, the *Lewistown Democrat*, and the *Harrisburg Patriot and Union* joined the ranks of the more vehement Bellefonte *Democratic Watchman*, *Selinsgrove Times*, Mauch Chunk *Carbon Democrat*, and Meadville *Crawford Democrat*. Moderate papers such as the *York Gazette* and *Erie Observer* no longer feared printing Peace

⁶⁷ Abraham Lincoln, "The Emancipation Proclamation of 1863" National Archives and Records Administration.

http://www.archives.gov/exhibits/featured_documents/emancipation_proclamation/transcript.html

⁶⁸ Nathaniel Browne, "Loyal Northern Democracy Abhor Secession, Rebellion, and Disunion." State Library of Pennsylvania, August 28, 1863.

<http://www.accesspdr.org/cdm4/document.php?CISOROOT=/sstlp-cw&CISOPTR=1681&CISOSHOW=1679>

Democrat letters to the editor. By February 1863, some were upset enough by the new policy, which they felt was unconstitutional and violated the state's rights to choose its own domestic institutions, to call for an end to the war altogether. Some considered the proclamation an aim unreasonable enough and revolutionary enough to justify peace. One of these was James F. Campbell's popular *Johnstown Democrat*, which claimed that "amalgamation, abolitionism, and Republicanism are simply three states of the same disgusting disease." Politically scathing songs and cartoons printed in Campbell's journal angrily sang "we're going to fight for the darkies now, Glory hallelujah."⁶⁹

Peace and War Democrats seemed to wholeheartedly agree that the proclamation violated the constitution. Charles J. Biddle, a War Democrat, became even more critical of a war had fought in and in many ways supported, calling it a "Black Republican Job" that had sorely misused Union troops. On leave from military duty, Biddle became the Chairman of the Democratic State Committee and a leader in organizing Judge George W. Woodward's campaign for the gubernatorial election. In September 1863, Biddle accused the Republicans in office of being an "abolition party" which had "dictated a policy that set aside the Constitution, and presented in its place emancipation, negro equality, and general confiscation." Both the War and Peace Democrats refuted Republican claims that emancipation was a limited measure employed solely as a means to aid the war effort. They considered the policy by Lincoln as setting a dangerous precedent for executive powers, which could lead to a broader assault on property rights. Emancipation meant confiscating the property of private citizens. The Democrats did not forget the proclamation's predecessor, the Confiscation Acts, which allowed the President to confiscate any and all property he saw fit within the rebellious states, without

⁶⁹ Shankman, *The Anti-War Movement in Pennsylvania*, 110

warrant or trial. According to Democrats, the Emancipation Proclamation had taken these violations a step further, infringing on the states' right to choose their own domestic institution.

Additionally, Lincoln's proclamation had called for the use of black soldiers, which further angered Democrats. Few believed the slaves were competent to serve in the army or revolt against their former masters. Some were concerned that the president's policy would backfire by instilling a renewed sense of purpose among Confederates to continue the conflict. Biddle argued: "American white men do not submit to terms like these, and [Republicans] have afforded secession leaders the very means necessary to stimulate their followers to desperate and protracted resistance."⁷⁰ Opposition against the proclamation was also used for political show. On April 13, 1863, the Pennsylvania House of Representatives attempted to pass resolutions that called the Emancipation proclamation "unwise, unconstitutional, and void" and prohibited the immigration of free blacks into the state.⁷¹ Anti-war sentiment was so strong in the state that House of Representatives called for a convention of the states to end the war. Little came of the resolutions as the state had no authority to override a federal act and the State Senate refused to endorse them. Although the bills were not passed, the fact that they had been supported by the House of Representatives shows how prevalent anti-war sentiment was within the state.⁷²

Frustrations with Lincoln's policies and a war that had no end in sight raised doubts that a continuation of hostilities, instead of compromise, was the most effective method to restore the

⁷⁰ "Address from the Democratic State Central Committee," *Lancaster Intelligencer*, September 29, 1863, Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=TENMLzE4NjMvMDkvMjkjQXIwMDEwMA==&Mode=Gif&Locale=english-skin-custom>

⁷¹ George A. Turner, "Civil War Dissent in Columbia County, PA.," *The Bloomsburg University Carver* 9 (1991): 43-59.

⁷² Shankman, *The Pennsylvania Anti-War Movement*, 113

Union “as it was,” but that does not mean all Democrats jumped on the “peace at any price” bandwagon of Copperheads as observed by historians such as Jennifer Weber. Men like Biddle and McClellan refuted that a peace treaty was the interest of a fanatical few, as suggested by Frank Klement. As Confederate troops pushed during the summer of 1863, Biddle resigned as Chairman of the Central Democratic Committee and returned to the Union army to expel the invaders. Even among those desiring an immediate armistice, divisions remained as to what “peace” meant and under what terms it should be restored. The Peace Democrats were frustrated that war had not yet accomplished this goal. After years of bloodshed and thousands of lives lost, they believed that peace would only be accomplished at the negotiating table. Some Peace Democrats felt the cost of reunion was too great, and were willing to accept a divided nation. Others felt that compromise would result in reunion, as they felt neither North nor South desired to continue fighting. The War Democrats supported the use of force but saw only one war aim – restore the Union. That is, they took up arms against extremists in rebellion, and as soon as the army had squashed the enemy’s resources, the former rebels would admit defeat, return to the government, and submit to the Constitution they had left. Both sides would then compromise in forming a nation each could live in. With their civil liberties in jeopardy, their economy altered, their newfound income taxes, and altering social constructs by freeing slaves and allowing black men to fight, Pennsylvania Democrats considered that if war did not stop soon, there would be no familiar Union to return to when the guns were put down. Biddle cried that it seemed as if the Republicans had forgotten the “cause of the Union”, that the aim of the war was to restore a fractured nation, not to change expand federal power or abolish slavery.

Anti-administration fervor amongst Pennsylvania citizens grew stronger than ever in the late spring of 1863. Conservatives already felt betrayed by the Emancipation Proclamation,

believing the constitution had been irrevocably violated and the war aims had changes. Limited Union victories did not help to improve morale on the homefront, while more men were needed than ever for the war effort. In an attempt to raise more regiments, the comprehensive Conscription Act was passed on March 3, 1863. Congress had previously passed an act that allowed states to institute a draft if necessary, but the March 3 act made conscription a federally enforced process. The act demanded that a draft was to be used in all areas that could not furnish the required number of volunteers. To implement and oversee the draft, a federal Provost Marshall, along with a team of armed enrollment officers, was appointed for each congressional district. Citizens who did not want to serve had the option of furnishing a substitute for themselves or paying a \$300 commutation fee. Pennsylvania's Democratic Congressmen fought hard to reduce the commutation fee, which carried a price tag roughly equivalent to \$7,700 today, but the Senate refused the amendments.⁷³ Punishment for evading the draft was severe, at minimum resisters and those considered "obstructing enrollment" were sentenced to two years in prison plus a five hundred dollar fine, at worst they could be charged with treason.

The arrival of Provost Marshals and enrollment officers caused more unrest on homefront than any legislation yet passed. Anti-war sentiment had been promulgated in pamphlets and speeches in 1861 and 1862, but anger about the draft and problems with enrollment officers erupted into violence. As the Confiscation Bill was up for the debate, Biddle warned the Congress that installing Provost Marshals would promote anarchy and tyranny, and he was partly correct. Pennsylvania politicians mobilized to prevent unrest. In mid March Crawford County Democrats passed resolutions to make the Draft more palatable to their conservative constituents, declaring it "unworthy to accept the office of enrolling marshal" under federal

⁷³ Morgan S. Friedman *The Inflation Calculator*. <http://www.westegg.com/inflation/infl.cgi>

law.⁷⁴ In June, the Easton Argus reported that military conscription was about as popular as an “epidemic of small pox.”⁷⁵ Citizens argued, fought with, and threatened enrollment officers so much that in Clearfield County, 23 out of 28 assigned officers resigned by the end of the year.⁷⁶

Within the State, Democrats finally began to see a grassroots movement develop in opposition to the administration, one united against the problems caused by conscription. Local organizations attempted to protect citizens from the draft by raising funds to help men pay for the commutation fee. Groups protested the new federal policies. Violence emerged as well, especially in the coal mining regions whose residents held little interest in the war and were more concerned with local issues such as labor strife. The presence of federal officers in these rural communities resulted in armed resistance, protests, and riots. Both anti-war organizations and Democratic clubs, whether they considered themselves the same or two separate groups, faced accusations of treason for seeking to undermine the war effort. Often called “conspiracy” groups by Republican papers, citizens were influential enough in resisting federal policies and discouraging enlistments in the army that detectives from both the state and federal government were sent in to uncover treasonous activity and prevent social unrest.

Once again it was easier for all wings of the party to come together over issues affecting local and state communities as resistance to the draft seemed to unite the Democrats. Both War and Peace Democrats agreed that enrollment officers and federal conscription were violating civil liberties and the constitution. A prime example of such resistance was seen in the highly publicized Berks County Conspiracy Case. In March, government detective William Lyon was sent to Reading to investigate reports of “anti-Union activities” and suspicious meetings. By

⁷⁴ Meadville *Crawford Democrat*, March 21, 1863

⁷⁵ Easton *Argus*, June 18, 1863.

⁷⁶ Shankman, *The Pennsylvania Anti-War Movement*, 146

April, a German American named Philip Huber was arrested for allegedly leading a group of conspirators against the United States government by evading the draft and obstructing enrollment. According to newspaper reports, the conspirators were well organized, large in number, aiding deserters, and stocking up arms.⁷⁷ Several Pennsylvania publications covered the scandal, each putting forth different stories depending on their political affiliation. The *Philadelphia Press* treated Huber and his fellow conspirators with skepticism, accusing the citizens of treasonous activity and alleging that the men were members of the Knights of the Golden Circle, a secret political club that was thought to aid the Confederates and seek ways to undermine the war effort.⁷⁸

Not surprisingly, Democratic papers were far more sympathetic, and painted a far different picture. The Reading *Gazette and Democrat* derided the charges as mere “political arrests,” the work of corrupt provost marshals who could arrest and imprison without considerable evidence. The group, the paper reported, merely sought a voice against the radical abolitionists who were influencing legislation and ruining the Union.⁷⁹ The case attracted so much press that the trial was pushed back a month and moved to Philadelphia, since crowds of protesters had been gathering in Reading. The provost marshal feared a riot would erupt. The Lancaster Intelligencer stepped to Huber’s aid as well, accusing the government of “kidnapping” the Berks County man and taking him to Philadelphia where he would receive an unfair trial, far from the jury of his peers.⁸⁰ Pennsylvanians were deeply upset by the case, as it was largely based on local rumor and the suspicions of enrollment officers.

⁷⁷ Reading *Gazette and Democratic*, April 9, 1863

⁷⁸ *Philadelphia Press*, April 10, 1863

⁷⁹ “Political Arrests” Reading *Gazette and Democrat*, April 11, 1863

⁸⁰ *Press*, May 6, 1863

The prejudice against immigrants littered the articles and likely added to the sentiments against the men. Huber and the other men arrested all spoke German. Speaking to each other in their native language reinforced suspicions that they conspired against the government. Right before his Philadelphia trial, Huber addressed the crowd that had gathered outside of the courthouse in German. The *Press*, unable to understand his speech, accused him of using the “vernacular of insurgency.”⁸¹ Accusations of being Knights of the Golden Circle also provided misguided assumptions about the men, linking them with a Mid-Western society known for its secrecy and suspected treason. The Berks citizens claimed were merely responding, through political organizing, to the presence of provost marshals and enrollment officers within their county. Struggling to provide for their families and with very little interest in emancipation, Reading’s large German American communities hoped for war to end. When officers came to enforce the conscription act, problems emerged as language barriers created confusion and men who could not afford the commutation fee avoided the draft.

The citizens of Reading, at least the Democratic ones, were outraged at the arrests and the relocation of the trial. Riots within the city occurred, but newspapers differed in their descriptions of the events. The *Philadelphia Press* claimed that 800 armed men marched on city in attempt free the prisoners, while the *Huntingdon Globe* estimated that a crowd of 1,000 merely gathered in the streets to protest the arrests.⁸² The Democratic Party also took up the Reading men’s case. On April 25, the Berks Democratic Party ran an article in the Reading *Gazette and Democrat* and in the *Philadelphia Press* justifying the constitutionality of secret societies. Huber’s organization, they argued, was no more a secret society than the Union

⁸¹ *Philadelphia Press*, April 11, 1863

⁸² *Philadelphia Press*, April 10, 1863, *Huntingdon Globe*, April 15, 1863

League. a Republican organization dedicated supporting the Administration and supporting the war through local activities grassroots support.⁸³

On June 2, the trial opened in Philadelphia, and citizens gathered to protest Huber's unwarranted arrest. Over the course of the trial, various testimonies were given ranging from Huber aiding the Confederate army to merely organizing political rallies and raising money to purchase banners for the upcoming election. A few of the men had resisted the draft, but there was no evidence to charge Huber and the rest with any crime. Finally, after spending a month imprisoned, Huber and his compatriots were released on bail. But the case had ignited discussion and further accusations about the presence of anti-war or southern sympathizing societies and organized "conspiracies" against conscription and the government.⁸⁴ Republican newspapers reported rumors about Knights of the Golden Circle lodges functioning in Fogelsville, Erie, Pittsburgh, Iron County and Snyder County. Anti-Draft riots broke out in Mauch Chunk, Pittsburgh, Selinsgrove, and Bucks County, along with considerable evidence of draft evasion in central Pennsylvania.⁸⁵

Democratic newspapers decried the dangers that enforcing the draft were bringing to the state. The *Altoona Tribune* published letters to the editor from citizens panicking that conscription would take men away from their families and was causing violence at home. The next month the *Tribune* ran an article about a small battalion of Union soldiers that had arrived in Johnstown to enforce the draft. When local men Francis Fox and his sons John and Joseph were caught attempting to resist the draft, the troops surrounded the house and a gunfight ensued as

⁸³ *Philadelphia Press*, April 25, 1863.

⁸⁴ *Philadelphia Press*, June 3, 1863.

⁸⁵ *Daily Evening Bulletin*, February 6, 1864. *Pittsburgh Daily Gazette and Advertiser*. February 4th, 1864.

"Resisting Enrollment in Bucks County" *Philadelphia Press*, June 15, 1863.

the family tries to escape. The *Tribune* was outraged at the unnecessary violence used by the officials.⁸⁶ The Berks County Conspiracy Case and similar incidences called into question the constitutional validity of the conscription act. State Supreme Judge George Woodward was a potential nominee as Democratic candidate for the state election, and was hesitant to render a verdict before the upcoming elections.

The Pennsylvania gubernatorial election was an enormous opportunity for the party. Dissatisfaction with the Republican was high and political unrest brought on by conscription seemed to be powerful enough to manifest itself in the polls. The Democrats nominated Judge Woodward to run against Republican incumbent Andrew G. Curtin. Woodward was serving as a judge on the Pennsylvania Supreme Court and was considered one of Philadelphia's finest legal minds. Having been admitted to the bar at age twenty-one, he quickly gained respect by serving as a delegate to the 1837 and 1838 Pennsylvania Constitutional Convention. He had unsuccessfully run for State Senate, but was quickly promoted from Fourth Judicial District Judge of Pennsylvania to a seat on the state's Supreme Court by 1851.⁸⁷ Few deny Woodward's intelligence and capabilities as a judge; even his opponents treated him with due respect. In a newspaper article first printed in 1856, Philadelphia lawyer and ardent abolitionist David Paul Brown attested to the conservative Woodward's "moral worth" and claim that he "never fell below expectations" as a judge, while many of his peers "never rose above them."⁸⁸ Another pro-

⁸⁶ *Altoona Tribune*, Wednesday September 2, 1863.

⁸⁷ Palladino, *Another Civil War : Labor, Capital, and the State in the Anthracite Regions of Pennsylvania, 1840-1868*. 2006. 75.

⁸⁸ Reading *Gazette and Democrat*, August 22, 1863.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UkdELzE4NjMvMDgvMjIjQX IwMDEwNg==&Mode=Gif&Locale=english-skin-custom>

war daily credited Woodward as being a “citizen of unimpeachable character, an able jurist, and patriotic gentlemen” even in the heated political climate of 1863.⁸⁹

The election was not held until October 1863, but election preparations and public discourse on possible nominees began seriously in June. The peace platform was increasing in popularity throughout the country. Neighboring Ohio also faced a gubernatorial election, with the controversial Clement L. Vallandigham as the Democratic Candidate. A former U.S. Congressman, Vallandigham’s pro-peace platform had gained the attention of many Pennsylvanians, and whether they decried him as a traitor or praised him as a visionary, his speeches and pamphlets were reprinted in many Pennsylvania journals and dailies. Woodward had nowhere near the charm or leadership of the Midwestern politician, but he leaned far more toward peace than any leading wartime Democratic politician yet seen in the Keystone State. Quiet and reserved, Woodward was not much of a public speaker, and opted to remain as a judge throughout his campaign so he would not have to make public appearances or speeches. Whenever he had addressed the public, he was often said to appear as “self-poised, cold hearted, and calculating.”⁹⁰

Remaining as a judge was a wise decision for both Woodward and the Democracy. Able to hide behind his position, Woodward excused himself from giving his political views even while a candidate for governor. Instead, other notable Pennsylvania politicians and leaders spoke on his behalf. The brunt of criticism for the conservative or even pro-peace views fell to the speakers rather than to the unimpeachable Woodward himself, yet his sympathies nevertheless

⁸⁹ *Reading Gazette and Democrat*, September 19, 1863,

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UkdELzE4NjMvMDkvMTkjQXIwMDEwMA==&Mode=Gif&Locale=english-skin-custom>

⁹⁰ Palladino, *Another Civil War*, 126

became apparent in his personal letters and transcripts of past speeches. In a letter dated June 1, 1863, Woodward wrote to his friend Lewis Coryell that the Union seemed to face a lack of “constitution loving citizens whose hearts were large enough to embrace the whole country and whose heads were clear enough to see that a centralized despotism would be the death of popular liberty.”⁹¹ His platform, based on a speech he had delivered in 1860, asserted that the Union could be preserved by “maintaining state rights” and pleaded for a repeal of the emancipation proclamation, believing that the “Negro race was inferior and incapable of exercising the franchise intelligently.”⁹² With two sons serving in the Union army, Woodward dodged accusations of being unpatriotic or a traitor and increased his appeal to War Democrats.

The Democrats continued the rhetoric of seeking to restore the Union “as it was,” but failed to suggest a method for doing so. The Democracy spent most of 1863 berating the policies of the Republican Administration while defending their loyalty to the Union. On a state level, the party was able to promise a few pleasing solutions to the problems of the Republican Administration, such as guaranteeing Pennsylvania citizens freedom of the press or promises of fair trials for draftees and those accused of treason. The real problems stirring Pennsylvanians however could not be addressed at the state level. A governor had little power over war, peace, the presence of provost marshals, or acts of congress. In September, Honorable Jeremiah S. Black, a prominent lawyer and former secretary under President Buchanan, gave a speech in Lancaster campaigning for Woodward’s election. His speech reflected the Democracy’s identity

⁹¹ Woodward to Lewis Coryell, June 1, 1863, Gettysburg National Military Park.

⁹² Black, Jeremiah. "The Speech of Jeremiah S. Black." Patriot and Union Steam Print, September 17, 1863. Pennsylvania State Library Civil War Collection.
<http://www.accesspdr.org/cdm4/document.php?CISOROOT=/sstlp-cw&CISOPTR=142&CISOSHOW=141>.

problems. Its members knew what they did not like, but either out of fears of being called traitors or disagreement among themselves; they provided no clear solutions on what to do about the war. Black claimed that Woodward “would restore the Union by defending the Constitution, by giving the laws their just supremacy, by guarding the rights of the people, and by driving off those obscene birds of prey that are now forging themselves on the prostrate carcass of the nation.” But the means to these ends were never addressed. Instead, Black reverted to defending his loyalty to the Union by claiming that he was not one of those Democrats “who regard restoration as a forlorn hope...who believe the great gulf of Blood and Fire which now rolls between the North and South has been made by this Administration so wide and deep that it will remain forever impassable.”⁹³

Outraged by the Emancipation Proclamation and Confiscation Acts, Black in the same sentence meekly justified the war effort then attacked it. “When you require the Southern people to obey the Constitution and the laws which were made by their fathers as well as ours, it is but their reasonable duty to submit, and if they do not see it so, it is our duty to make them,” he reasoned, then launched into his criticism, “But it is a widely different thing when you offer them a confiscation act which strips them of land and goods, coupled with a proclamation which lets loose four millions of ignorant negroes, with Abolition preachers among them to incite insurrection and urge indiscriminate slaughter of the white inhabitants.”⁹⁴ Certainly, Black considered himself among the “loyal Democracy,” but by 1863 he saw little reason to agree with the administration’s plan for winning the conflict. His sentiments, typical of the War Democracy, blamed the seemingly extreme policies on the “Abolitionist few opposed to the Union” who wanted only to prolong the war. If continued warfare rather than peace formed the

⁹³ Ibid.

⁹⁴ Black, Jeremiah, "The Speech of Jeremiah S. Black," September 17, 1863.

Administration's primary goal, Black believed that Republicans were being quite successful, arguing the South "will never voluntarily consent to a Union with us upon such terms." His criticism implied that there were such terms that would lure the Confederate states back into the Union, failing to address the fact that compromise had not worked to prevent the war.

Colonel Charles Biddle worked to make Woodward a popular candidate among the War Democrats. He avoided language that would associate Woodward's platform as being pro-peace, assuring the war faction that despite Woodward's known opposition to Conscription, he would not settle for "peace at any price." "The Democracy," Biddle claimed, was "true to the cause of the Union," and though the membership desired a swift end to the war, they "would never consent to peace upon any terms involving a dismemberment of the Union." As Chairman of the Central Democratic Committee, he confirmed that "the Democracy have advocated a constitutional policy, maintaining at the North and always offering the South the original Constitution agreed on by our forefathers."⁹⁵

Then, for a brief moment, the external enemy meant more than the internal one, putting Democrat and Republican temporarily on the same side. As troops pushed into Pennsylvania by the summer of 1863, the War democrats demanded support of the troops to repel the invaders. Many Democrats, even some who had started leaning towards peace, had a change of heart when Pennsylvania soil became jeopardized. Despite the upcoming election and his previous interest in compromise, Colonel Charles Biddle resigned from politics and sat as Chairman of the Democratic Committee to return to the army. Judge Woodward approved of the decision, writing to the Colonel, "as much as I should regret to lose your services at the head of the Committee, I

⁹⁵ *Lancaster Intelligencer*. September 29, 1863. Pennsylvania Civil War Newspapers.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=TENMLzE4NjMvMDkvMjkjQXIwMDEwMA==&Mode=Gif&Locale=english-skin-custom>

nevertheless desire you to go, and if possible, take with you men enough to expel the invaders from our borders.”⁹⁶

The Democracy’s chance for victory was damaged when Republicans ran a smear campaign against Woodward, accusing him of being disloyal and a southern sympathizer. Since Woodward had few public speeches to draw on, his opponents misconstrued portions of pre-war speeches to make him seem disloyal. One of the most damaging slights to Woodward’s character came from Beaver County Judge Thomas Cunningham. At a rally in Washington, Pennsylvania, Cunningham recalled a conversation he claimed he had with Woodward in 1862. While discussing the war, Woodward had confessed to him that the “best solution for the Nation’s difficulties would be for the Union army to withdraw its troops south of the Mason-Dixon Line and offer terms of compromise or peace to the rebels.”⁹⁷ The speech was reprinted in pamphlets and in several papers, and seemed to confirm to Pennsylvanians Woodward’s peace leaning sympathies, especially after the Judge made it known in court that he believe conscription to be unconstitutional.

The crisis was a boost for incumbent Andrew Curtin on the other hand. His campaign stressed the need for an experienced leader to raise troops and keep Pennsylvania from danger. Worried about the increasing popularity of the Democratic party, the Unionists made sure as many Republican voters as possible would be in the state to vote. Government officials requested Union men to be sent home on furlough from the army during election week, and government workers in Washington were requested special leave to be able to vote at home. So many

⁹⁶ *Philadelphia Press*, September 23, 1863, Pennsylvania Civil War Newspapers Database.

<http://digitalnewspapers.libraries.psu.edu/Repository/ml.asp?Ref=UERQLzE4NjMvMDkvMjMjQXIwMDIwMQ==&Mode=Gif&Locale=english-skin-custom>.

⁹⁷ *Philadelphia Public Ledger*, October 10, 1863.

workers were sent back to their home that a steamboat was chartered from Washington to Philadelphia to accomplish the task. Dubious methods were used as well to ensure as many Unionist votes as possible. In at least three counties, Snyder, Crawford, and Washington, there were reports of soldiers standing at the polls, threatening anyone who thought of voting Democrat. Some Democrats even complained that employers threatened to fire their workers if they did not vote “for the Union.”

The votes were tallied on October 13 and Andrew Curtin was re-elected as State Governor. Despite claims of threats and rigging, the Democrats, though suffering a disappointing loss, still garnered a considerable amount of support. Curtin had won the election with 269,496 votes. Woodward, though nearly 16,000 votes short, received 254,171. Out of nearly 500,000 votes, a margin of 16,000.⁹⁸ The party may not have won, but the closeness of the election shows that they had become a threat to the Republican incumbent.

Shortly after the election, the Democrats experienced a small victory. On November 9, the State Supreme Court finally made a ruling on the unpopular Conscription Act. Chief Justice Walter Lowrie, a known conservative, ruled in the case of *Kneedler v. Lane* that Congress had no power to draft state militia. The court also decided that during the interim between being drafted and joining the army, a man could not be denied the writ of habeas corpus or subjected to the rules of war. The latter was a most meaningful victory to conservatives, who feared unfair trials and unwarranted arrests by provost marshals. An injunction to end the draft within the state was also issued, but although these rulings may have been victories for the Democracy, they only added to the confusion within the state. Federal orders superceded the State Court’s decision, and the chaos caused by the enforcement of the Conscription Act lasted well into 1864. The

⁹⁸ Greeley, Horace, *The Tribune Almanac And Political Register*, 1860-1864.

Democracy would have to turn their hopes to the presidential election if they wanted to see reversals of federal policies.⁹⁹

The momentum the Democracy had gained during 1863 was only slightly dampened by the loss of the gubernatorial election. The party quickly set its sights on the upcoming Presidential Election. Woodward had fared considerably well in Pennsylvania despite being a controversial, peace leaning candidate. Election results had proven that a significant number of Pennsylvanians were frustrated with the current Administration, were disinterested in abolition, and desired a return to conservative values. By 1864, the party seemingly had gained more ground in the state. Newspapers constantly printed more casualties, the numbers climbing horrifically high in the spring of 1864 as the Army of the Potomac pushed toward Richmond. Editorials pleaded for an end to the slaughter. The Jefferson County Union announced that “so many had been killed in Lincoln’s war that if the dead were placed next to each other, they would encircle the state.” Worse yet, more citizens on the homefront questioned Lincoln’s war goals, especially the commitment to emancipation. Some claimed that war would not end until the “craving of abolition had been satisfied.” Other accused the Administration as being under the thumb of “puritanical fanatics” who sought only to wreak “terrible revenge upon a brave and hospitable people.”¹⁰⁰

In July, conservative Pennsylvanians became even more suspect of Lincoln’s abolitionist motives. A chance for peace had presented itself in Canada, where three representatives from the Confederacy had offered to meet in Canada, willing to compromise on a peace treaty. The men--

⁹⁹ J.L. Bernstein, "Conscription and the Constitution: The Amazing Case of Kneedler Vs. Lane." *The American Bar Association Journal* 73, no. 708 (1967): 708-720.

<http://heinonline.org/HOL/LandingPage?collection=journals&handle=hein.journals/abaj53&div=204&id=&page=>

¹⁰⁰ Bellefonte *Democratic Watchman*, June 17, 1864.

Jacob Thompson, Clement Clay, and J. P. Holcombe--had sent word to Washington, D.C., that they were authorized by the Confederate government to execute such a compromise.

Acknowledging their request, John Hay and newspaper editor Horace Greeley traveled to Niagara Falls to meet with the rebel representatives. Hay, serving as Lincoln's messenger, delivered a letter written by the president himself to the men. The now infamous "To Whom it May Concern" letter made it clear that the president was not interested in compromise without abolition. Dated July 18, 1864, the brief open letter offered consideration to "any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with an authority that can control the armies now at war against the United States." Offended that Lincoln demanded such conditions before even discussion, the representatives rescinded their offer to compromise. The peace negotiations had fallen apart.

The next week, the *Philadelphia Age* declared in a scathing editorial, "Mr. Lincoln will have no peace even if the integrity of the Union is tendered as a basis."¹⁰¹ Other newspapers were equally critical. The *Clearfield Democratic Banner* wrote that the letter was "intended to terminate all negotiations," since Lincoln was fully aware that the Confederate representatives would never promise the abandonment of slavery, or "in other words, the right of the states to choose their own domestic institutions" as the *Democratic Banner* had interpreted the stipulation. The Confederate offers of peace negotiations brought false hope to the war-wearied public. Conservatives who felt that the "abolition of slavery is a question for the States in which is found" now felt the war would continue "not to establish the Union, but to subvert one of its

¹⁰¹ Gray Wood, *The Hidden Civil War: the Story of the Copperheads*, 79.

essential principles – the right of a State to choose and enjoy its own domestic institutions.” This, of course, referred to the institution of slavery.¹⁰²

The party wasted no time in attempting to harness this energy for the presidential election. In March 1864, the Democratic State Convention was held in Philadelphia. The state delegates chose a familiar person for their presidential nominee – Philadelphia native and national war hero Major General George B. McClellan. For the most part, both the Peace and War factions were willing to accept the general. Peace democrats felt indebted to McClellan for his support of Woodward during the gubernatorial election, which had helped the judge deflect accusations of being a Copperhead. The War Democrats viewed McClellan’s military leadership as assurance that he would not resort to any compromise that would recognize the Confederacy. He had fought to restore the Union, would continue fighting, and held little interest in abolition. “McClellan will bring into the Democratic chair a will to have peace, “the *Greensburg Argus* assured its readers, “and a disposition to make it possible by withdrawing the abolition conditions now standing in the way of the Union.”¹⁰³ His popularity as a general helped McClellan. “Little Mac” was beloved by soldiers, and with a new law creating provisions for soldier’s to vote in the upcoming election by absentee ballots, wooing the troops was more important than ever.

Throughout the year, it seemed possible that the Democrats had a strong chance of defeating Lincoln. Throughout the spring and summer of 1864, McClellan kept abreast of public sentiment through communication with detective Allan Pinkerton. Pinkerton was head of the Union Intelligence Service and formerly President Lincoln’s bodyguard. He had also formerly identified as a Republican and favored abolition, but, through his friendship with McClellan, had

¹⁰² *Clearfield Democratic Banner*, August 3, 1864. .

¹⁰³ *Greensburg Argus*, September 14, 1864.

become open minded toward the Democracy in 1863. The two men had teamed up before: the detective had served as an agent for the Union general to gather intelligence on the enemy. Now running investigations on treasonous activity in Pittsburgh and working closely with local provost marshals attempting to quash draft riots, Pinkerton reported good news after returning from a trip to Washington. The Democrats “appear to feel very confident of Presidential success;” so confident, in fact, that Republicans were “making strenuous efforts to postpone the convention,” nervous that McClellan would be a serious competitor for the soldiers’ vote.¹⁰⁴ Some moderates switched parties to support McClellan as well. An article titled “More Converts to McClellan Unionism” appeared in both the Patriot and Union and the Lancaster Intelligencer. It reported that “hosts of Democrats who went over to Lincoln are now returning and vigorously supporting McClellan.” D. C. Gillespie, a member of the Republican State Central Committee, was one of these new converts, stating that he religiously believed “the Union can only be saved by the Democratic and Conservative citizens of this country.”¹⁰⁵

Pinkerton also touched on an important dilemma that the Democrat party seemed to ignore. The Emancipation Proclamation was ultimately irreversible. Slavery certainly still did exist in some loyal states and territories, but allowing the rebellious states to opt for such a “domestic institution” after the war ended was merely semantics. Pinkerton felt the institution could not be reinstated once men had been freed. In April he wrote McClellan that the Democratic Party must drop the slavery debate by recognizing that “slavery is dead beyond all hope of resurrection” and that they must make a firm stance for the war. “As for the Peace

¹⁰⁴ Allan Pinkerton to George B. McClellan, April 6, 1864 in McClellan, George B. *The George B. McClellan Papers, 1826 - 1885*. Washington, D.C.: Library of Congress Photoduplication Service, 1973. Microform. Reel 5, hereby referred to as *The George B. McClellan Papers*.

¹⁰⁵ Lancaster *Intelligencer*, October 13, 1864, Reprinted from the *Patriot and Union*, PHMC, Print.

Democracy, they cannot amount to much,” he assured McClellan.¹⁰⁶ Pinkerton, a Republican, encouraged McClellan not to run as the Democratic nominee but to form a new independent party. This party would be a true War Democrat party – its members would not entertain any notions of peace, but they proposed far more conservative policies than the Republican Administration. The goal was to attract both War Democrats and moderate Republicans. Ultimately no third party came to fruition. The War Democracy was unable to distinguish how McClellan’s military leadership and strategy would be different than Lincoln’s.

The Democrats were holding on to a fragile unity that would collapse as they entered national politics. The party’s critics had already foreshadowed the fall, recognizing the Democracy’s incongruity when attempting to pander to both War and Peace Democrats. A single party split between war and peace seemed to be a contradicting situation. In a letter to Biddle in August 1863, Nathaniel B. Browne, the former Philadelphia postmaster, acknowledged that Pennsylvania Democrats had “defended with whole-hearted zeal, the heritage our fathers left us,” but did so under the motto “our country, our whole country, and nothing but our country right or wrong.” “For this,” Browne wryly observed, “they sacrificed their own convictions...warred against their own principles; deeming it better to endure exceptional wrong than to violate, even in spirit, the compact of the Union.”¹⁰⁷ When the Democrats left the realm of state politics, the inter-party conflict between war and peace made it difficult for Democrats to find a united platform to rally behind. Those who supported the war wanted to see McClellan criticize the

¹⁰⁶ Allan Pinkerton to George B. McClellan, April 19th 1864 in *The George B. McClellan Papers*, reel 54.

¹⁰⁷ Nathaniel Browne, "Loyal Northern Democracy Abhor Secession, Rebellion, and Disunion" State Library of Pennsylvania, August 28, 1863.

<http://www.accesspdr.org/cdm4/document.php?CISOROOT=/sstlp-cw&CISOPTR=1681&CISOSHOW=1679>

faults of the Administration while still leading troops into battle, while the pro-peace faction wanted peace on any terms.

When it came to national politics, the Democracy was still as split on the war issue as it had been four years earlier. In 1860, half of the party believed that compromise, not war, would save the Union. The other half was willing to do anything necessary to preserve the nation. Despite shared anger towards the Lincoln administration during 1862 and 1863, Democrats still argued amongst themselves as to whether continuing the war or signing a peace treaty was the best solution. While they may have been in agreement on a candidate this time, formulating a platform appealing to all would prove difficult. On August 29, 1864, the Democrats held a national convention in Chicago to determine the party's direction and write a running platform. All of the delegates certainly knew what they did not like about the current administration. The platform outwardly claimed "the subversion of the civil by military law in States not in insurrection; the arbitrary military arrest, imprisonment, trial, and sentence of American citizens in States where civil law exists in full force; the suppression of freedom of speech and of the press; the denial of the right of asylum; the open and avowed disregard of State rights" was "deliberately calculated to prevent a restoration of the Union" by the Lincoln administration.¹⁰⁸ Worse yet, these crimes were done without regard to established law and the constitution. Their resolutions however provided little explanation as to how these grievances would be addressed if the party gained power during a time of war.

Even more unclear was the party's stance on the most important question of the 1864 election. Was there to be more war or immediate peace? McClellan was undoubtedly a War Democrat, but throughout 1863 the Peace faction had gained a considerable number of followers,

¹⁰⁸ Donald Bruce Johnson, *National Party Platforms*, vol. 1, 1840-1956, 34-35.

including many influential politicians. The popularity of men such as George Woodward in Pennsylvania and Clement Vallandigham of Ohio during the 1863 elections proved that there was a homefront population sympathetic to pursuing peace. The platform cautiously addressed these desires, demanding an immediate convention of the states to negotiate compromise so that “at the earliest practicable moment, peace may be restored on the basis of the Federal Union of the States.” Confusing matters was the selection of McClellan’s running mate, Peace Democrat George Hunt Pendleton. McClellan claimed to be a War Democrat, but his vice president was a well-known critic of the war. Pendleton may have helped McClellan attract some of the peace vote, but he was an enormous deterrent for those who feared negotiations that would recognize the Confederacy.

Peace still seemed to be the theme of the platform, but not at any price. The Chicago platform’s resolutions vaguely concluded, “that the aim and object of the Democratic party is to preserve the Federal Union and the rights of the States unimpaired.”¹⁰⁹ The Democracy’s position was weak: it did not appease War Democrats who wanted assurance that four years of battle would not have been in vain and it pleased the Peace Democrats with promises of an armistice, but only barely. Three of the Union’s most outspoken Peace leaders-- Clement Vallandigham, Alexander Long, and Samuel Medary—all renounced the platform. Others challenged McClellan’s loyalty to conservative values, pointing to previous political arrests McClellan had made in Maryland in 1862, claiming he had “deliberately broke up the legislature of a sovereign state” and was just as much an “assassin of states rights” as President Lincoln.¹¹⁰ War Democrats were wary of the mixed messages as well, a Milford Township veteran and War

¹⁰⁹ Johnson, *National Party Platforms*, 35.

¹¹⁰ *Philadelphia Daily Evening Bulletin*, September 5, 1864.

Democrat wrote McClellan “we cannot endorse the Chicago Platform – come fourth [sic] on a platform Baised [sic] on your own previous career [sic] and we will Elect you.”¹¹¹

A day before McClellan formally accepted his nomination as presidential candidate; he received a letter from a member of the Democratic Central Committee, writing under the name of Casper. The author, noting the weakness of the party platform, advised the general to write a letter containing his “own honest views and let that score a platform, a few honest try words such as shall bring home to the American people that they are to have the Union restored, peace forever in the country among their own people and without any sacrifice of nation honor.” The party platform, he insinuated, would do little to carry McClellan in the election. “Conservatives,” the letter claimed “will not support the Chicago platform because they understand it as a surrender of national honor to rebels in arms.” McClellan needed to write his acceptance letter with care, his nameless advisor warned, “your election depends on yourself.”¹¹²

The following day, the general-turned-politician released his formal acceptance letter, adding only more confusion to a party in midst of an identity crisis. The letter took a firm War Democrat position, separating McClellan from a position of “peace at any price.” Peace could only be had if there was Union, recognizing the “existence of more than one Government over the region which once owned our flag is incompatible with the peace, the power and the happiness of the people.” The letter approved of war, but only for reconstituting the Union and not for extending freedom to the enslaved. McClellan blamed its continuation on the radical agendas of the Administration, and asserted “the preservation of our Union was the sole avowed object for which the war was commenced. It should have been conducted for that object only.”

¹¹¹ Daniel Carrol to George B. McClellan, undated, 1864. in *The George B. McClellan Papers*, reel 53.

¹¹² Unknown (Possibly Casper Allistair) to George B. McClellan, Philadelphia, September 7, 1864 in *The George B. McClellan Papers*, reel 54.

Peace without surrender or sacrificing honor could be had, he claimed. “The Union was originally formed by the exercise of a spirit of conciliation and compromise,” his letter observed, using the nation’s history to justify a peace treaty, “to restore and preserve it, the same spirit must prevail in our councils and in the hearts of the people.”¹¹³ This of course, assumed that as long as the rebellious states were offered sovereignty over their domestic institutions, including slavery, they would rejoin the Union. No alternatives were given if this assumption was proven false.

McClellan’s letter also addressed an important campaign topic that was left unmentioned in the party platform. War had wreaked havoc on the Union’s economy, and rising food prices, increased income taxes, and the controversial transition to fiat money were still on the minds of conservatives. Even in the financial sector, McClellan continued to advocate a reconstitution of the Union as it was. He demanded that the critical “condition of our finances, the depreciation of the paper money, and the burdens thereby imposed on labor and capital, show the necessity of a return to a sound financial system.”¹¹⁴ But just as he gave plan for winning the war, he gave no explanation as to how the Democrats could bring a return to a “sound financial” system without collapsing the economy further and endangering the ability to prosecute the war.

As disjointed as the Democracy’s Presidential campaign was, it still presented a serious threat to the Republican incumbents within the state. Pennsylvania’s vote was held in October, and it featured the usual fraud and irregularities expected in a nineteenth-century election. Yet

¹¹³ *The New York Times*, September 1864, <http://www.nytimes.com/1864/09/09/news/presidency-gen-mcclellan-s-letter-acceptance-letter-committee-reply-gen.html?pagewanted=2>.

¹¹⁴ *The New York Times*, September 1864, <http://www.nytimes.com/1864/09/09/news/presidency-gen-mcclellan-s-letter-acceptance-letter-committee-reply-gen.html?pagewanted=2>.

¹¹⁴ Johnson, *National Party Platforms*, 35.

despite foul play from both parties, the homefront vote was incredibly close. Without the soldier votes yet tallied, Lincoln had won the homefront by only 391 votes. It was the controversial soldier ballots that ultimately cemented a Republican victory in Pennsylvania. The newly installed system was full of irregularities. The state sent representatives to regiments and hospitals to conduct polling with little oversight. The representatives could only bring a limited number of ballots, and many soldiers reported not receiving ballots at all or experiencing a shortage of poll books. Human error often resulted in miscounted votes and failure to deliver or distribute ballots. Democrats did their best to get ballots to Pennsylvania regiments that were likely to support McClellan, but they held no contest to loyalty of soldiers to the incumbent President. Some Democratic soldiers felt pressure by their commanders to vote Republican, fearing arrest or reprisals of some kind. Other soldiers disliked the peace theme Democratic Platform, fearing that if the Democrats one, their sacrifices would have been in vain. The recent capture of Atlanta by the Union army under William T. Sherman had boosted morale as well, recapturing the troops' support of the Administration. Ultimately, Lincoln received two thirds of the soldiers' votes, boosting him to 20,000 votes in the states' total votes. The 20,000 votes proved to be Lincoln's winning margin. McClellan totaled 276,316 votes in Pennsylvania, just barely losing to the Republicans' 296,382.¹¹⁵

The Democratic Party was still not unified enough to capture the popular vote in November. The running platform was criticized as being "confused and verbose: wanting both the manly directness of the soldier and the earnest conviction of a patriot."¹¹⁶ With a platform not sound enough for the party to stand upon, the Democracy remained too divided to unify on a national scale. Union military victories during the months leading up to election had persuaded

¹¹⁵ Greeley, *Tribune Almanac for 1865*. New York Tribune, 54.

¹¹⁶ Sears, Stephen, *The Civil War Papers of George B. McClellan*, 595.

many moderates to re-elect Lincoln. Nevertheless, McClellan still won in a majority of Pennsylvania's counties. On the state level, the party was able to put national politics aside and rally together in opposition to the Republican Administration. The temporary unity that found some success within Pennsylvania did not hold up within the state during the national presidential election. A president needed to offer a platform on how to prosecute the war, and McClellan was unable to distinguish how, either through military force or compromise, he would end the war. Even though many of President Lincoln's policies had been unpopular, he offered a more straightforward solution – war would continue until the enemy surrendered. The War and Peace Democrats, unable to compromise on a coherent platform, were unable to defeat the more cohesive Republican Party at the polls.

The internal conflict within the Pennsylvania Democracy from the Presidential Election of 1860 until the Presidential Election of 1864 shows that the party might operate with greater unity when matters concerned the state or local politics; however, national issues presented a challenge for action. The angry words of the War and Peace Democrats reminded the nation that the words of the constitution, the importance of civil liberties, and the limitations of federal government were not to be forgotten even during national crisis. Starting before the first shots were fired and continuing until the last, opposition to the Administration was not simply a sudden response to lost battles or unpopular policies in 1863, but was rather a longstanding pattern in party history. They could agree on conservative values for the nation, clinging to strict constructionist views of the constitution, staunchly defending state rights, and fearing expansive federal power that threatened both civil liberties and the nation's economy. The ideologies of Pennsylvania's War and Peace Democrats go far deeper than being mere Copperheads or pro-slavery sympathizers. Faced with a changing nation, they struggled to define themselves and the

Union. Their struggle serves as a reminder that no war is without critics, and it is their criticisms that force a nation to examine its own identity in an era of crisis and change.

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