

INTERVIEW WITH EX-SENATOR J. B. HENDERSON:

Mr. Henderson tells me that the story of his securing the release of George Vaughn has some foundation, but in ^{some} ~~many~~ of its details it is a work of imagination. The peculiar condition of the time and his part in it, he explains.

Mr. Henderson says that from 186² to 1865, the conditions were such in Missouri, that every man was obliged to espouse actively either the Union or the Confederate cause. That no man really was safe out of one army or the other. Property was insecure, and if a ~~man~~ ^{person} attempted to remain neutral he was suspected by both Confederates and Federals, and was liable to be arrested by either side, and his property destroyed. During the progress of the war a large number of Missourians had been arrested by the Federals and were confined in the military prisons, many of them at St. Louis where ~~the M^cDonnell medical~~ ^{the M^cDonnell medical} college had been taken ~~and used~~ ^{about} for the purpose, and some at Alton, Illinois, ~~some~~ ^{about 25 miles} ~~up~~ ^{above St. Louis on} the river. The friends and relations of many of these military prisoners appealed to Senator Henderson to secure their release, or to save them from whatever sentence had been pronounced. The sentences, of course, varied. In ~~flagrant~~ ^{cases where they were suspected of acting as spies,} the death sentence was sometimes ordered but not often inflicted. Others were ~~sentenced~~ ^{condemned} to prison for life or during the war. Few of these ~~sentences~~ ^{death} were ~~executed~~ ^{executed}. There was ~~an~~ ^a ~~understanding~~ ^{understanding} among the military authorities that while a show of severity be kept up it was only under extreme circumstances that a ~~man~~ ^{prisoner} be executed. Towards the close of the winter of 1864-65, Mr. Henderson found that he had a ~~large~~ ^{large} number of ~~these~~ applications for clemency and pardon on hand.

Congress ~~adjourned~~ ^{on that day} adjourned on March 4, 1865 and Mr. Lincoln was inaugurated for a second term. An extra session of the Senate only was called immediately ^{to act on presidential nominations}, but it continued in session only until about the 18th of March. Mr. Henderson was anxious to clear up as many as possible of these ~~imprisoned~~ ^{imprisoned} cases before leaving for home.

He accordingly had his ~~list~~ clerk classify them, according to the evidence in each case, giving the name of the prisoner, the character of his offense, together with a statement of the proofs ^{against him,} or evidence. He caused them to be divided into three classes. Into the first class he put those of whose innocence he had ~~no~~ ^{but little} doubt; into the second class those whose innocence was doubtful, ^{more} but whom he believed it would be safe and proper to release; ^{under the circumstances,} the third class consisted of those who ^{ought} ~~should~~ ^{three} be retained in confinement. As he had very little time before leaving for the West, he took the first and second classes to the President and asked their pardon and release: ^{and the incidents of his interview are related about as follows:}

Mr. Lincoln looked over the list and then said:

"Do you mean to tell me, Henderson, that you wish me to let loose all these people at once?"

Mr. Henderson said, Yes, he believed it could be safely done.

"But," said Mr. Lincoln, "I have no time to examine the evidence. I am constantly reproached for my too abundant charity, and what would be said if I should turn loose so many ^{sinner} at once. ^{And again, what} ~~there~~ would be the influence in Missouri?"

"I believe, Mr. President," said ~~the~~ Henderson, "that the influence would be most beneficial. The war is nearly over. The day ^{generally and} for kindness has come."

"Do you really think so?" ^{said} ~~asked~~ the President.

"Yes, ~~the~~ the rebellion is broken; the rebels will soon be returning to their homes if permitted. ^{to do} What I wish is to prevent in my State a prolonged warfare. ^{Guerrilla} They are already conquered in war. Let us try ^{charity} ~~generosity~~ and kindness. ^{rather than aggression severity} That policy will prove to be a wise reconstruction measure." ^{of mercy}

"I hope you are right," said the President; "but I have no time to examine this evidence. If I sign this list as a whole, will you be responsible for the ^{future} good behavior of the men?"

"Yes" said Mr. Henderson.

"Then I will sign it," said the President. ^{take the risk and} ^{And after inserting,} ~~and he did and~~

~~handed back the document~~ in his own hand writing, the word "pardoned" after the name of each person who had been convicted of offenses by military commission, he signed the general order of release & returned the paper to Mr. Henderson.

"Thank you, Mr. President; but that is not all, I have another list here."

"I hope you are not going to ^{make} ~~ask~~ me ~~to~~ let loose another lot?"

"Yes. I am not quite so sure of the merits of this list, but I believe the men are not dangerous, and it will be good policy to let them go. I think it safer and better to err on the side of mercy."

"Yes," said Mr. Lincoln; "but I am charged with making ^{few} ~~too many~~ mistakes on the side of mercy."

"Mr. President, my argument for this is the same as in the other case. The war is substantially over. The guilt of these men is at least doubtful. And mercy is and must be ^{after all} the policy of peace."

"I guess you are right," said Mr. Lincoln.

"Yes," said Mr. Henderson, "I am sure I am, and I think that you ought to sign it."

"Well, I'll be durned if I don't," said the President, and he signed his name ^{after inquiring the words 'pardoned' over the name of Thompson & others} ~~and the pardon was complete~~ ^{after inquiring whether Davis had been pardoned, and gave it back}

"This was the only time," said Mr. Henderson, "that I ever heard Mr. Lincoln use a word which approached ~~an entire~~ ^{profanity}."

"Now, Henderson," he said, as he handed it back to him, "remember you are responsible ^{to me} for these men. If they do not behave, I shall ^{have to} ~~certainly~~ put you in prison for their sins."

It will be observed that George Vaughn's name is on the second list of those pardoned by Mr. Lincoln on this occasion. But Mr. Henderson does not believe that he was in any such imminent danger of being executed as he seems to have imagined.

Mr. Henderson speaks with some feeling of the story that is here told of his going to Stanton and being harshly treated. ^{Stanton} ~~He~~ ^{He} says that Mr. Stanton never treated him with anything but the greatest kindness and courtesy. He ^{did not} ~~never~~ presented the papers to Mr. Stanton for the sufficient reason that the President alone possessed the pardoning power under the constitution.

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Mr. Henderson says that from 1862 to 1865, the conditions were such in Missouri, that every man was obliged to espouse actively either the Union or the Confederate cause. That no man really was safe out of one army or the other. Property was insecure, and if a person attempted to remain neutral he was suspected by both Confederates and Federals, and was liable to be arrested by either side, and his property destroyed. During the progress of the war a large number of Missourians had been arrested by the Federals and were confined in the military prisons, many of them at St. Louis where the McDowell Medical college had been taken and used for the purpose, and some at Alton, Illinois, about 25 miles above St. Louis on the river. The friends and relations of many of these military prisoners appealed to Senator Henderson to secure their release, or to save them from whatever sentence had been pronounced. These sentences, of course, varied. In flagrant cases where they were convicted of acting as spies, or of prosecuting guerilla warfare, the death sentence was sometimes ordered but not often inflicted. Others were condemned to prison for life or during the war. Few of the death sentences were ever executed. There was a tacit understanding among the military authorities that while a show of severity be kept up it was only under extreme circumstances that a prisoner should be executed. Towards the close of the winter of 1864-65, Mr. Henderson found that he had a large number of these applications for clemency and pardon on hand.

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"Do you really think so?" said the President.

"Yes, the rebellion is broken; the rebels will soon be returning to their homes if permitted to do so. What I especially wish is to prevent in my State a prolonged guerilla warfare. The rebels are already conquered in war. Let us try charity and kindness rather than repression ^{and} severity. The policy of mercy will prove to be a wise reconstruction measure."

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"Then I will take the risk and sign it," said the President. And after inserting, in his own hand-writing, the word "pardoned" after the name of each person who had been convicted of offences by military commission, he signed the general order of release and returned the paper to Mr. Henderson.

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"Yes," said Mr. Henderson, "I am sure I am, and I think that you ought to sign it."

"Well, I'll be durned if I don't," said the President, and he signed his name after inserting the word "pardoned" over the name of Vaughn and others laboring under conviction, and gave it back.

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