

ILLUSTRATIONS
for
CHAPTER XLVIII

- 1) "The True Issue" - Cartoon from plates published between 1856 and 1872 by Currier & Ives, collected in book form and copy-righted in 1892 by Wright & Swankey.
- 2) Portrait of Fred Douglas - eminent colored orator and statesman for whom Lincoln had great respect.
(Miss Marshall: Brown probably has a good picture in his files; if not, he can easily find one.)
- 3) All efforts to bring about a better understanding between England and the United States through such visits as that made by Henry Ward Beecher in the fall of '63 were greeted with contemptuous derision by a large part of the British press as this cartoon from Punch shows.
- 4) Fac-simile of check written out by Lincoln for a colored soldier who had applied to him for help.
(Miss Marshall: This check is on one of the sheets of one of my magazine articles. There was a picture on one side, the fac-simile on the other.)
- 5) St. Gauden's bas-relief on the memorial erected at the head of Boston Commons to Robert Gould Shaw, the colonel of the 54th Massachusetts, the first regiment of colored troops mustered into the United States service from a free State. Col. Shaw was killed while leading his regiment at Ft. Wagner, S.C., on July 18, 1863.

Dear Miss Marshall: As there are two of the pictures for Chapter XLVIII which Brown will have to look up for you, I am sending the notes for this Chapter a week ahead.

IN THE FOOTSTEPS OF ABRAHAM LINCOLN

CHAPTER XLVIII

After the Emancipation Proclamation

When Abraham Lincoln was re-elected to the presidency in November of 1864 the Emancipation Proclamation had been on trial for twenty-two months. It had proved, as Lincoln had said of another matter, a 'nest in which forty other troublesome questions had been hatched.' One of the first of this brood had been, as we have seen, a tremendous clamor against the war's being shifted from one to save the Union to one to free the slaves - a specious but false plea that had taken hold. It cost the Administration many a supporter, both in and out of the army. It gave the political opposition its chief ammunition, aside from the failure of the Union armies on the battlefields.

Another trouble hatched in this nest was the arming of the Negroes. The Emancipation Proclamation, remember, promised that they should be received into the United States army "to garrison forts, positions, stations, and other places and to man vessels of all sorts." There had been an outcry, North as well as South - they would not fight - white men would not fight by their side - would not fight under them, or over them. The South would be incited to outrages - the Negroes to massacres. Lincoln was not unconscious of the difficulties and dangers in calling colored men into the army, yet one of the first things that he did was to urge their enlistment and training.

If he had not been disposed himself to risk it, he hardly

could have escaped because of the pressure of the Northern anti-slavery element. They had come to see all Negroes in an heroic light. They claimed they would make the best of soldiers, and they offered themselves by hundreds as officers of colored regiments. But with recruiting and the formation of companies came all sorts of new problems. That is, this one troublesome question that had been hatched in the Emancipation Proclamation nest immediately became itself a nest for forty of its own progeny, so prolific is trouble!

"How should they be uniformed?"

"Like the regular army, of course," the Abolitionists cried.

"Never," cried the Copperheads.

"What should they be paid?"

"The same as white soldiers."

"Never," retorted the opposition.

"If they performed deeds of valor, should they be promoted?"

"If they were captured, should the enemy be warned that the United States expected and demanded the same treatment for them that was given white soldiers? And if they did not receive it, should there be retaliation?"

In settling these questions Mr. Lincoln was careful to consult the leading colored men, and by this time there were several of them - active, intelligent and influential enough to make their counsels important. Indeed, from the beginning of the war he had encouraged the colored man to come to him with his troubles. He was always sensible and frank in his talks to their delegations. He

seems never to have attempted to delude them with the idea that freed they were on the same basis as the white man or could be for a long time. He emphasized frankly to them that, great as he felt the injustice to be, nevertheless they must face the fact that they were and would long be at a disadvantage. Their case, he told them, was in their own hands, and they must work out from the situation in which they found themselves. Such was his talk, for example, to a delegation which came to him at his request in August of 1862 that he might present to them his hopes and plans for colonization.

"Your race is suffering, in my judgment," he said to them, "the greatest wrong inflicted on any people. But even when they cease to be slaves, you are yet far removed from being placed on an equality with the white race. You are cut off from many of the advantages which the other race enjoys. The aspiration of men is to enjoy equality with the best when free, but on this particular continent not a single man of your race is made the equal of a single man of ours. Go where you are treated the best, and the ban is still upon you. I do not propose to discuss this, but to present it as a fact with which we have to think and deal. I cannot alter it if I would. It is a fact about which we all think and feel alike, I and you."

These were very different ideas from those that friends of the colored men usually emphasized. Legislation was to do everything for them - they were to be at once made equal. The long climb

they had before them was either minimized or ignored.

It was the arming of the Negro that brought about Lincoln's first meeting with the ablest and most active colored man of the period - Frederick Douglass, now about forty-six years of age. Douglass had been born in slavery, the son of a white father, a colored mother. He had escaped to New England when a young man, had educated himself fairly well and had become active in organizing his race in the North.

He was a remarkable orator, and when William Lloyd Garrison heard him he at once called him into the service of the Anti-Slavery Society as a speaker. Douglass traveled widely after that, even going to England where he received much attention as a "graduate of the peculiar institution, his diploma written on his back." He took great interest naturally in the movement to enlist Negroes as soldiers and did a large part of the recruiting for the 54th Massachusetts, of which Robert G. Shaw became colonel. In this work all the problems I have mentioned above crepped up, and finally, in order to settle them authoritatively, he sought Mr. Lincoln. He went with trepidation. He had never seen a President, and the idea of entering the White House and facing one seems to have frightened him. Mr. Lincoln, however, at once put his visitor at his ease. Douglass says somewhere in his writings that the President was the first great man he had talked with in the United States freely who in no single instance reminded him of the difference between them - of the difference of color. "I thought that all the

more remarkable because he came from a State where there were black laws."

Douglass had come with certain demands. What they amounted to was that the Negro soldier must be treated exactly as the white soldier. Lincoln was frank with ^{him} Douglass. He should have the same uniform, he soon should have the same pay, his deeds of valor certainly should be recognized - but he was a Negro, and he alone could prove that the prejudice and the doubt that probably the majority had against him as a soldier was unfounded. That is, his position as a soldier must depend in the final result upon his own action. As for retaliation - a death for a death - which Douglass had demanded, "Once begun," Lincoln replied, "I do not know where such a measure would end." He could not take men out and kill them in cold blood, for what was done by others. If he could get hold of the persons who were guilty of killing the colored persons in cold blood, the case would be different; but he could not kill the innocent for the guilty. In spite of this, however, he did, a little later, issue an order of retaliation which met Douglass' demand. It reads strangely, coming from him.

"The law of nations, and the usages and customs of war, as carried on by civilized powers, permit no distinction as to color in the treatment of prisoners of war as public enemies. To sell or enslave any captured person on account of his color, and for no offense against the laws of war, is a relapse into barbarism and a crime against the civilization of the age.

"The government of the United States will give the same protection to all its soldiers, and if the enemy shall sell or

enslave any one because of his color. the offense shall be punished by retaliation upon the enemy's prisoners in our possession.

"It is therefore ordered that for every soldier of the United States killed in violation of the laws of war, a rebel soldier shall be executed; and for every one enslaved by the enemy or sold into slavery, a rebel soldier shall be placed at hard labor on the public works and continued at such labor until the other shall be released and receive the treatment due to a prisoner of war."

Before the end of 1863, the acute opposition to the Emancipation Proclamation had quieted down. It was certain that the majority in the North had come to look upon the document in the same way ^{that} as Mr. Lincoln did - a necessary military measure. And that the majority of them also were with him in his determination to prevent any Negro, freed under the Proclamation, from ever being enslaved. But as the clamor against it because it freed the Negroes of the insurgents, died down, there arose a steadily increasing clamor from those who believed that Mr. Lincoln had not freed enough negroes. They wanted immediate emancipation of all slaves, in and out of the Confederacy; and because the President had not attempted this, they accused him of "tenderness" towards the slaveholders of the Border States, of being interested in politics more than in humanity, of "betraying" his anti-slavery supporters. The outbreaks became more violent, impatient and vindictive as time went on. Radicals began to jeer at the Emancipation Proclamation as useless. The war over, they declared nothing in it prevented the re-enslaving of the slaves it freed.

This question of whether the war ~~was~~ over, the document would be supported by ~~the~~ Congress or not, did not seriously trouble Lincoln. "I think it is valid in law", he wrote in the summer of 1863. "Those who have tasted actual freedom I believe can never be slaves or quasi slaves again." Moreover, whether the law proved to be valid or not before the Congress, there was one thing that was certain, — As long as he was President, no man made free under that document would ever be turned back into bondage. "In presenting the abandonment of armed resistance on the part of the insurgents as the one indispensable condition to ending the war, I retract nothing heretofore said as to slavery," he declared in his first message after his re-election in 1864. "While I remain in my present position, I shall not attempt to retract or modify the Emancipation Proclamation nor shall I return to slavery any person who is freed by the terms of that Proclamation or by any of the acts of Congress. If the people should by whatever mode or means make it an executive duty to re-enslave such persons, another and not I must be their instrument to perform it."

But, supposing that he should be removed by death or impeachment, his successor might very possibly be willing to drop from the peace terms which it was now evident would be worked out before the end of many months, the promise to recognize and maintain those set free by the Proclamation. There should be something more decisive. He saw this well enough, and when his radical critics began to talk of an amendment to the Constitution,

But Mr. Ashley ^{saw} saw to it that the question was carried to the country by announcing that he would move for its reconsideration in December. That meant that one, if not the chief issue, before the North in the coming election was to be the 13th Amendment. Lincoln had been influential, (though it would be too much to say that he was entirely responsible) ⁱⁿ putting the Abolition plank into the Republican platform. Before the convention he had urged the chairman, Governor Morgan of New York, to see to it that such a plank was adopted. He probably understood, better than anybody else, how well the ground had been ploughed for the plank. He understood as those who had been fighting him because he had not called for such a measure a year and a half before instead of issuing an emancipation proclamation, did not - or, ^{then} if ^{he} had a glimmer of it, would not admit - that the Proclamation had prepared the way for an amendment. Through its operation slavery in the seceded states had crumbled; through its operation the chance given to the black man to show his self-control and his ability had put an entirely different face on the problem. There had been a tremendous change of feeling in the Border States about the "institution." It looked as if all the majority now asked was to get rid of it. Indeed no better proof of the wisdom of Lincoln's patience and careful handling of the Border States could have been given than what happened in the summer and fall of 1864. What the radicals sneered at as "petting," "cringing to," "spoiling etc.", began to tell.

There was Arkansas. The state had gone out of the Union

reluctantly at the start. After Vicksburg there was little heart for continuing in the Confederacy. Early in 1864 a convention was called which declared their act of secession void, proposed abolishing slavery "immediately and unconditionally," repudiated the Confederate debt and organized a provisional state government. Before the election Arkansas was free. *J* Down in Louisiana the new government amended the state constitution by abolishing slavery - a measure which was adopted in July of 1864. Tennessee, too, it was fairly certain, would soon accept emancipation. In October of 1864 the people of Maryland declared by popular vote that thereafter there should be neither slavery nor involuntary servitude in their state. And so it went. Before Mr. Lincoln's re-election, the Border States, one and all, had either freed themselves or obviously soon would.

The soil was prepared for the amendment; and although the House to which Mr. Lincoln sent his first message after re-election was the same that the year before had refused a two-thirds majority, he urged the members to reconsider.

"Of course," he said, "the abstract question is not changed, but an intervening election shows almost certainly that the next Congress will pass the measure if this does not. Hence there is only a question of time as to when the proposed amendment will go to the States for their action. And as it is to so go, at all events, may we not agree that the sooner the better?

"It is not claimed that the election has imposed a duty on

members to change their views or their votes any further than as an additional element to be considered, their judgment may be affected by it. It is the voice of the people now for the first time heard upon the question. In a great national crisis like ours, unanimity of action among those seeking a common end is very desirable - almost indispensable. And yet no approach to such unanimity is attainable unless some deference to the will of the majority shall be paid, simply because it is the will of the majority. In this case the common end is the maintenance of the Union, and among the means to secure that end, such will, through the election, is most clearly declared in favor of such constitutional amendment. "

There was serious doubt whether the House which in June had fallen 13 short of the necessary two-thirds for passing the amendment could change its mind to that number. The friends of the amendment used every possible argument, influence, even to cajolry and log-rolling to bring about the result. The President was called into many of these "negotiations", but there is little reliable proof of what he did or did not do. Certainly there is nothing to show that he took any part in what may be called the 'log-rolling' for the measure.

The House vote on the amendment was not taken until the 31st of January. There had not been a vote during the whole course of the war that had called together a greater crowd. The Senate, the heads of Bureaus and a tremendous crowd of people packed the House of Representatives. The opponents of the measure were, on the whole, cheerful; but no sooner did the voting begin than the

temper changed, for, unexpectedly, two Pennsylvania Democrats went over to the amendment. And this went on through the whole of the voting - recruits that had not been expected voting Aye. Even before the roll call was finished, the result was seen. The amendment had its two-thirds vote. As a matter of fact it had seven more - 119 to 56.

When the speaker announced in formal terms the tremendous fact that American slavery had been abolished by a Constitutional amendment, there was a scene in the House of Representatives that has few parallels in its history. Congressmen shouted, Senators, Judges and populace cheered and embraced one another - both on the floor and in the galleries. There was no hope for further business, and finally, in honor of this "immortal and sublime event" as a member put it, the House adjourned for the day.

Outside, the news of the passing of the amendment was told to the city by the firing of 100 guns. To nobody was the news more welcome than to Lincoln. The measure, he told the serenaders who came to congratulate him, was a fitting if not indispensable adjunct to the winding up of the great difference. All would bear him witness, he thought, that he had never shrank from doing all he could to eradicate slavery by issuing an emancipation proclamation. But that proclamation, he added, falls far short of what the amendment will be when fully consummated. A question might be raised whether the Proclamation was legally valid. It might be urged that it only aided those that came into our lines and that it was not operative as to those that did not give themselves up or that it would have no

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effect upon the children of slaves born hereafter. In fact, it could be urged that it did not meet the evil, but this amendment was a "king's cure-all for all evils, it winds the whole thing up."

Before an amendment becomes a law, however, two-thirds of the States must ratify the act of Congress. Lincoln did not live to see the 13th amendment fully ratified, although he did live to know that it would be done. He had no doubt, indeed, of the fact from the time that Congress passed the bill, and from now on, he gave much attention to the problem of helping the freed men adjust their lives to their new situation, to finding them employment, training them to self-control and self-help. He was much more concerned about educating them to take care of themselves than he was in securing them the suffrage. He was particularly sympathetic with the plans for the Freedmen's Bureau, and if he had lived he undoubtedly would have been its continuous and intelligent adviser and supporter. As it was, however, his relations with the colored people were most helpful and friendly. He saw to it that they were recognized in many ways. A troop of colored soldiers attended him at his second inaugural. By his invitation, Frederick Douglass was a guest at the inaugural reception, where Mr. Lincoln greeted him heartily as "my friend Douglass." The colored people were never wrong in believing him their friend, and one can confidently say that if he had lived, the task of adjusting them to a freeman's life would have been easier for them and for both North and South.

Their treatment was an integral part of his plans for reconstruction, and it is these plans which we will take up in our next chapter.