



Lincoln Lore

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THURLOW WEED, THE NEW YORK CUSTOM HOUSE, AND MRS. LINCOLN'S "TREASON"

In January, 1975, *Lincoln Lore* published an article proving that Abraham Lincoln did not appear before the Committee on the Conduct of the War to defend his wife from allegations of treason. The source of the erroneous story about Lincoln's appearance was Thomas L. James, a New Yorker who served as Postmaster General in President Garfield's cabinet. It was easy to prove that James could not have heard the story, as he claimed, from a Senator who had been a member of that committee, because all but two of the Senators were dead by the time James claimed to hear the story (1881). Of the remaining two, one was of the opposition party (and would never have sat upon a story that could kill the Republican party), and the other retired to Oregon after one term in the Senate (and had no opportunity to see James).

The story obviously was not true, but where did it come from? Why did this relatively obscure New York politician, whose name otherwise never appeared in the Lincoln story, become the source for this famous Lincoln anecdote? In 1975, there seemed to be no answer to this question. Now it is possible to establish a plausible connection between James and the allegations against Mrs. Lincoln, but to do so will require a historical excursion to the docks of New York City, an examination of a rare pamphlet which Jay Monaghan failed to list in his *Lincoln Bibliography*, and a brief discussion of the seamier side of American politics.

Hardly a patronage prize in nineteenth-century American politics was sought after more ardently than the collectorship of the New York Custom House. As far back as 1841, a correspondent had warned Presidential-hopeful Henry Clay that the position in the New York Custom House was "second only in influence to that of Postmaster-General." By the time of the Civil War, the collector's salary was \$6,340, and he could expect to earn another \$20,000 from fees. The Custom House perhaps employed 1,200 people, all of whom gave two percent of their salaries to the coffers of the party that got them their jobs in the first

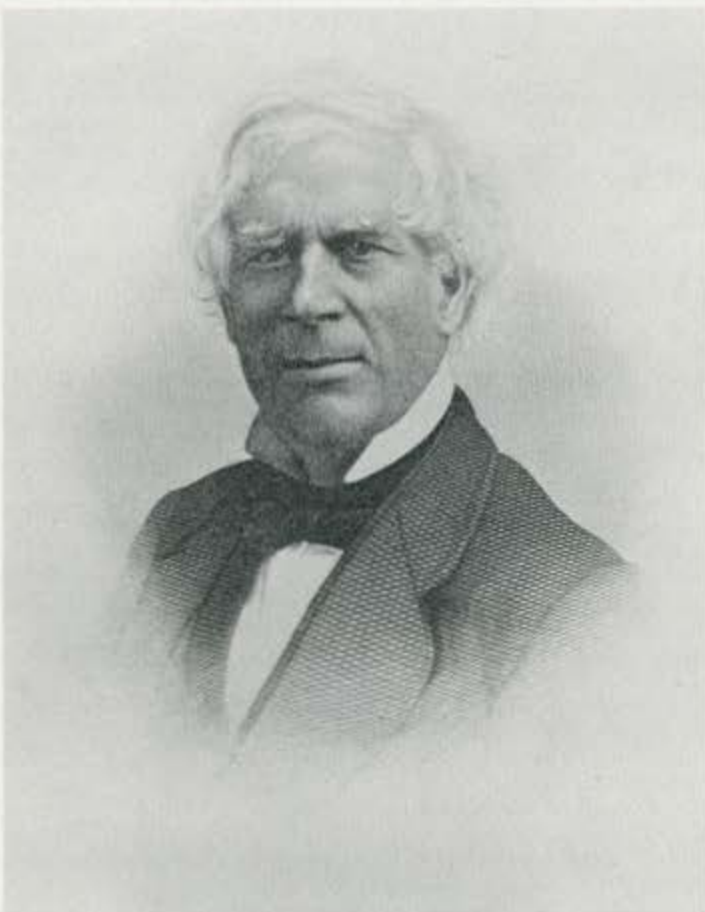
place. It is little wonder that this prize whetted political appetites all over the country.

The New York Custom House was often the focus of unseemly intra-party feuds in the Empire State. The period of Lincoln's Presidency was no exception, and a dispute over the Custom House marred New York politics throughout the Civil War. It became the focus of a long-standing feud between the wing of the Republican party controlled by William H. Seward and his henchman Thurlow Weed, on the one hand, and the wing controlled by Horace Greeley and William Cullen Bryant, on the other. There were many smaller feuds and many irregular twists and turns, but the existence of animosity between Seward and Greeley, two men of enormous talents and ambitions, kept the fires of conflict raging in New York Republican politics.

Since Seward was in Washington as Secretary of State for the entire period of Lincoln's Presidency, the local feud in New York centered above all on the personality and politics of Thurlow Weed. When the Lincoln administration first took office, Weed gave the impression that he would be the conduit through which all administration patronage in New York would flow. President Lincoln informed Weed, however, that his motto in such matters was "justice to all" and that Weed did not have Lincoln's "authority to arrange" all such matters in New York.

Endeavoring "to apply the rule of give and take," President Lincoln first appointed Hiram Barney to the collectorship. He was an enemy of Weed's faction, and he appointed, among others, Rufus F. Andrews to the position of Surveyor of the Port of New York, one of the many offices the collector could appoint. Despite their appointments, however, the bulk of the Custom House offices went to partisans of Weed and Seward.

In 1862, Barney used Custom House patronage to help nominate James S. Wadsworth for Governor of New York. Wadsworth was an anti-Weed Republican, and he would run against Democrat Horatio



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FIGURE 1. Thurlow Weed.

Seymour. Seymour won, and Wadsworth's supporters claimed that Weed had stabbed the Republican candidate in the back. Weed's explanation was different. True, he said, he had supported a renomination of Governor Edwin D. Morgan to run on a platform strictly of support for reuniting the Union. It was also true that Weed had been disappointed by not having the ticket "ballasted" by a candidate for Lieutenant-Governor friendly to Weed, that "Weed men" were carefully excluded from the state committee, that the party headquarters were moved from Albany (Weed's upstate bailiwick) to New York City, and that Wadsworth took an "abolition" line in his speeches despite Weed's pleading with him to take a strictly "Union" line. Nevertheless, when Wadsworth's managers came to Weed out of desperation because they could not raise money for the canvass, he let bygones be bygones and called out his party workers. They went to work too late, but in Weed's estimation he had been faithful to the party when it needed him.

Despite occasional setbacks like the disastrous Wadsworth nomination, Thurlow Weed managed to dominate, if not control completely, the Custom House. This was increasingly true as his enemies in the party and in the Custom House became identified with Salmon P. Chase's bid for the Republican nomination for President in 1864. At a meeting of the state committee from which Chase supporters were absent, Weed managed to get an endorsement for Lincoln's renomination.

In September, Chase's supporters (and many of Weed's enemies) were removed from the Custom House. Collector Barney and Surveyor Rufus Andrews were among those removed. Andrews, who had been a delegate to the convention in Baltimore which nominated Lincoln, took an active part in the campaign for his election anyway. About a month after the election, Andrews published an angry letter in the *New York Tribune* savagely attacking Weed. The Louis A. Warren Lincoln Library and Museum has recently acquired a rare copy of the letter as a separately published pamphlet entitled, *Letter of Rufus F. Andrews, Lately Surveyor of the Port of New York, to Thurlow Weed, Lately Editor of the Albany Evening Journal* (New York: 1864). This choice example of nineteenth-century political vituperation discussed the Custom House removals of September. It was published on the eve of Thurlow Weed's trial in a \$50,000 damage suit brought against him by George Opdyke, Mayor of New York City and an adherent of the Greeley faction. The libel suit was an outgrowth of the factional wars in New York and, especially, of Weed's attacks on his rivals. Weed had accused Greeley of involvement, through a friend, in shady speculations in Southern cotton. Weed had charged Isaac Henderson, who was a proprietor of William Cullen Bryant's newspaper and a Lincoln appointee as Navy Agent for New York, of graft and illicit commissions on government contracts. He accused Opdyke of sitting on a committee which awarded a \$190,000 indemnity for a gun factory destroyed in the 1863 draft riots — a gun factory in which Opdyke had a personal financial interest. He said, too, that Opdyke had secret partnerships which led to profits from government contracts for cloth, blankets, clothing, and guns. Opdyke was further alleged to have been involved in the Mariposa Mining Company, which swindled General John C. Frémont. Opdyke pressed a suit for libel, and Andrews's letter appeared at a strategic moment — the day before the trial began.

Andrews claimed that he waited until after the Presidential election to write for fear that "to avenge personal wrongs might damage the cause of Republican government and free institutions" at such a critical time. He said that he met Weed first in the winter of 1857-1858. A young lawyer from New York City, Andrews was flattered by Weed's attention and became one of his partisans ("you and I were thrown a great deal together in politics"). In 1860, Andrews worked for Lincoln's election, and in 1861 he got the reward of the politician who chooses the right Presidential horse; he was appointed Surveyor of the Port of New York. At that point, Andrews said, "I yielded to your entreaties, and gave to you for your friends a large proportion of the best places in my gift."

Then a remarkable thing happened. In 1863, according to Andrews, Weed became "severe in . . . denunciations of the President," proclaimed him an "old Imbecile," judged the war a "failure," and called Lincoln's "advising ministers a corrupt and inefficient cabal." Finally, Andrews continued,

. . . in the spring of 1863, in a public hotel of the city of New

York, you announced to an indiscriminate audience that the wife of the President of the United States was guilty of treasonable conduct, and that by order of the Secretary of War that lady had been banished [from] the Capital; an order which you declared was too long delayed! This occurred in my hearing, and I promptly denied the statement, and branded it as the invention of malicious mendacity.

Mrs. Lincoln arrived in New York that very evening, Andrews said, and he "called to pay her" his "accustomed respects." He also expressed his "surprise at hearing she had been ordered to leave Washington." Astonished and indignant, Mrs. Lincoln demanded the source of the allegation. Andrews told Weed subsequently "went to Washington, and sued for and received pardon" for his offense, but he never forgave Andrews for his "interposition upon behalf of a slandered woman."

In my zeal to save the first American lady from aspersion [Andrews wrote], I incurred the wrath of her defamer, and from that hour how to destroy me became his chief ambition. Thenceforward your hatred to me had no boundary but your capacity for harm.

Andrews claimed that Weed tried unsuccessfully to keep him from becoming a delegate to the Republican nominating convention in 1864. Andrews quoted Weed's letter in the *Albany Evening Journal* of June 11, 1864, which charged that "a formidable and organized body of ultra abolitionists, 'loyal leaguers,' and radical demagogues appeared at Baltimore, for the purpose, . . . of procuring the nomination of Mr. Dickinson for Vice-President, that Mr. Seward might be excluded from the Cabinet. In this miserable intrigue the ultraists of Massachusetts cuddled with the slime of New York." In particular, Weed noted that "Mr. Lincoln's Surveyor of the port of New York, was among the most unscrupulous traducers of Mr. Lincoln's Secretary of State." To put a New Yorker in the Vice-Presidency would be to remove Seward from the Cabinet, for it was assumed that Lincoln would not have two New Yorkers among his closest advisors. Andrews denied the charge and called Seward "a statesman of whom the nation may be justly proud." Andrews also noted Weed's letter of June 25, 1864, which attacked George Opdyke, who had brought suit against him; Weed asked him to explain "the alleged sale of the office of Surveyor of the port of New York for the moderate sum of \$10,000." Again, Andrews denied the charge and said, "I have been subpoenaed as a witness in the case of Opdyke vs. Weed, and am happy in the belief that you are to be gratified on this point of the 'alleged sale,' whenever the trial of that cause shall take place."

Andrews explained his own downfall as Weed's effort to save his power. Having beaten Weed's forces and served as a delegate in the nominating convention, Andrews was a symbol of Weed's inability to control New York's party. He had to be removed. Andrews charged that Weed had friends tell Lincoln that he would not support him for President in 1864 if Andrews was retained. "I was dismissed, and you triumphed," Andrews concluded, but, "not imputing blame to the President, I devoted my time, money, and efforts to securing his re-election to the office which he adorns."

Such was Andrews's remarkable story, but one thing has been left out, the extreme language he used to tell it. He called Weed a "demagogue," a "hypocrite," and an "ingrate." He recalled Weed's well-known nicknames in opposition circles, "the Old Man," "the Lucifer of the Lobby," and "Fagin the Jew." He referred to Weed's retirement from the editorship of the *Albany Evening Journal* in 1863 and claimed that Weed dodged military service because of a "sprained wrist." "Why don't you emulate the last virtue of Judas Iscariot," Andrews asked, "and hang yourself?" In addition to name-calling, Andrews made a point of Weed's disloyalty to the Lincoln administration. He dated Weed's impatience with the President from the fall of 1862:

According to your expressed views, nothing was right. In civil and military life everything was wrong. The policy of the Government was condemned by you in unmeasured terms. The principles of liberty were sneeringly alluded to by you as weak devices of fanatics and abolitionists. The appointments to office were "not fit to be made."

Certainly, not all that Andrews said was true. For example, Weed's resignation letter claimed "an infirm leg and a broken arm" as reasons for not going to military service; besides, "the

Old Man" was sixty-five years old. On the other hand, Andrews's letter is not without its uses. Harry J. Carman and Reinhard Luthin in *Lincoln and the Patronage* term Weed "a loyal supporter of the administration," and so he was when the chips were down. Yet, he did have his differences with the administration, and Andrews's letter serves to alert us to the nature and degree of those differences.

Weed had his principal differences with what his grandson and memorialist Thurlow Weed Barnes called "the radical section of the Republican party." In his letter announcing his retirement from his newspaper, Weed said:

I differ widely with my party about the best means of crushing the Rebellion. That difference is radical and irreconcilable. I can neither impress others with my views, nor surrender my own solemn convictions. The alternative of living in strife with those whom I have esteemed, or withdrawing, is presented. I have not hesitated in choosing the path of peace as the path of duty.

These differences clearly centered around the Emancipation Proclamation. Though Weed apparently issued an endorsement of the Proclamation as a document which even "the most ungenerous enemies of our cause will be compelled to respect," he must not have cared for it very much. In late 1862 and early 1863, Weed was in the forefront of attempts to unite on a Democrat like Horatio Seymour or General McClellan to lead a Union party on a platform of simply reuniting the Union. After the draft riots, he wrote Henry Raymond, editor of the *New York Times*, offering a 500 dollar con-

tribution "for the relief of the colored people whose dwellings were robbed and who were driven from their employment." In the course of doing so, Weed wrote:

For this persecution of the negro there is divided responsibility. The hostility of Irishmen to Africans is unworthy of men who themselves seek and find in America an asylum from oppression. Yet this hostility would not culminate in arson and murder but for the stimulants applied by fanatics. Journalists who persistently inflame and exasperate the ignorant and the lawless against the negro are morally responsible for these outrages. When all the circumstances have been reviewed, the popular condemnation of those who, while the United States was struggling for its existence, thrust the unoffending negro forward as a target for infuriated mobs, will become general and emphatic.

In South Carolina ultra Abolitionists have been hailed as the "best friends" of secession. Practically, they are the worst enemies of the colored man. Had it not been for the malign influence of these howling fanatics in Congress and with the President, rebellion would not, in the beginning, have assumed such formidable proportions; nor, in its progress, would the North have been divided or the government crippled . . .

The abolitionists had too much influence on Lincoln to suit Thurlow Weed. In the summer and autumn of 1863, he devised a plan to end the war which he submitted to President Lincoln, and there was no abolition in it. It called for the President "to issue a proclamation offering pardon and amnesty to all persons engaged in making war upon the government" as soon as there was a military success. A ninety-day armistice should follow, during which any states which returned to their former allegiance would be fully restored to the privileges they enjoyed before the war. After the armistice, any states refusing pardon would be affected by another proclamation "announcing that in the future prosecution of the war . . . all territory, whether farms, villages, or cities, shall be PARTITIONED equitably between and among the officers and soldiers by whom it shall be conquered." This was an interesting proposition, for what do we make of Weed's self-conscious opposition to radicalism when his own plan embodied the most radical plan ever proposed by Republican politicians, the partitioning of Southern plantations? The only difference was not in degree of radicalism but in the particular social group to be served. Weed's helped white Northerners and the "radical" proposal helped black Southerners. Each was socially revolutionary, and Weed defended his policy as a social and political revolution:

Your armies [Weed told Lincoln] will be voluntarily and promptly recruited, and their ranks filled with enterprising, earnest yeomen, who have an intelligent reason for entering the army, and who know that the realization of their hopes depends upon their zeal, fidelity, and courage. And by thus providing homes and occupations when the war is over for our disbanded soldiers, you leave scattered over rebel territory an element that may be relied upon for the reconstruction of civil government in the seceded states. Each plan was potentially bloody:

In answer to those who may object [Weed wrote the President] to the sanguinary feature of this plan, I think it quite sufficient to say that in maritime wars this feature has long been recognized and practiced by all civilized nations. Argosies of merchant vessels, laden with untold millions of the wealth of non-combatants, captured in time of war, are divided as prize money among the officers and sailors by whom they are captured. This, therefore, in all wars upon the oceans and seas of the world, being a part of the law of nations, cannot, in reason or common-sense, be objected to, whereas, in this case, the sufferers are in rebellion against their government, and have been warned of the consequences of rejecting the most liberal offers of peace, protection, and prosperity.

If we may judge by Weed's conservatism, the only difference between the wings of the Republican party was not their relative degree of constitutional flexibility or even sanguinary desires for social revolution; their difference was over whether to help the black man or not.

This is not to say, of course, that the differences between Weed and Andrews, or in general between the Weed faction



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FIGURE 2. The "Old Man."

and the Greeley faction, involved anything so high-minded and ideological as policy alternatives towards the black race. True, factions do use issues and sometimes use them long enough to become identified over a period of time with one issue or another. But there was a lot more at work in New York's factionalism than philosophical disagreements over policy. Personal ambitions were a major factor; there were only so many offices to be filled, and many talented Republicans vied for them. Here, for example, is Weed's explanation of the opposition to the renomination of Governor Morgan in 1862:

Mr. Greeley still aspired to the Senate, and Governor Morgan, a resident of New York, was in his way. He therefore urged the nomination of General Wadsworth, a western man, of Democratic antecedents, so that the field for the Senate might remain open.

Though jaundiced, of course, this explanation has nothing to do with issues, and it serves to remind us of a factor of overriding importance in New York politics, the upstate-New York City conflict. From the era of the ratification of the United States Constitution to the Civil War to the present day, this rivalry has been great enough to cause threats that the city would secede from the state. In a rough way, one can understand the Seward/Weed-Greeley feud by the simple notion that the former men were from upstate and the latter from New York City.

But in all the welter of confusion over Republican factionalism in New York, we have almost lost track of the accusations about Mrs. Lincoln's treason. The importance of the emergence of that story in this wrangle over patronage is not that it makes the story any more verifiable or understandable, but that it links the story to Thomas L. James. For James got his political education in the New York Custom House. From 1861 to 1864, James served as inspector of customs for the port of New York. Moreover, James was married four times: his first wife was Emily Ida Freeburn, a niece of Thurlow Weed. His second wife was her sister. He was twice married to nieces of Thurlow Weed! We can now understand better how Thomas L. James became the source for the famous

story about Mrs. Lincoln's treason. As a Custom House appointee throughout the war years, James was present to witness the Andrews-Weed feud. Moreover, as Weed's relative by marriage, he had more reason than most to take note of the charge that Weed had accused Mrs. Lincoln of treason. Of course, the story of the President's appearance before the Committee on the Conduct of the War was not included, but the seventeen years that would intervene before James told the story would cloud the memory, alter details, and embellish the story. At last we know that James had some connection to allegations of Mrs. Lincoln's treason.

What of Rufus Andrews? He never got his job back, but it is hard to arouse much pity for him. He was the ultimate spoilsman. Our principal source of knowledge about Andrews is five letters written by him and preserved in the Robert Todd Lincoln Collection in the Library of Congress. They reveal the other side of the pamphleteer who claimed to defend Mrs. Lincoln's honor. One letter is a recommendation for office (July 2, 1862). One is his letter saying he will sacrifice himself "to the insatiable thirst of revenge, and the senile lust of power" for the sake of his party (August 31, 1864). Another, written one day later, places him and a fellow campaigner for Lincoln at Willard's Hotel in Washington, hoping Lincoln will call them to come and explain Andrews's case. The other two letters, though they do not mention any issues or personalities of the Civil War era, are the most revealing of all. Both were written several months before his removal from office. On January 15, 1864, he wrote President Lincoln: "I send you by express this day, a Saddle of English Mutton, received by the Scotia [sic]. I hope the disposition of the English may hereafter be as good as their mutton." And again on February 27, 1864, he sent "by express . . . some English mutton just received from the other side of the world — I hope it may reach you in time for your dinner tomorrow." Whether it was a tribute to Weed's clout or Lincoln's lack of susceptibility to the little favors extended from the New York Custom House, a little English mutton was not enough to keep Rufus Andrews in office.



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FIGURE 3. Horatio Seymour and George McClellan as Republicans as seen by 1864.