

## The Seven Martyrs?

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ONE of the firmly fixed stereotypes in American history concerns the seven Radical Republicans—William Pitt Fessenden of Maine, Joseph Smith, Fowler of Tennessee, James W. Grimes of Iowa, John B. Henderson of Missouri, Edmund G. Ross of Kansas, Lyman Trumbull of Illinois, and Peter Van Winkle of West Virginia—who voted for President Andrew Johnson's acquittal in the celebrated impeachment trial. It has become the accepted view that the seven senators were relentlessly persecuted, not alone during and immediately after the trial, but indefinitely until they were forced altogether from the American political scene.

Several leading college textbooks in use today expound this black legend.<sup>1</sup> It is not surprising, therefore, to find Senator John Kennedy's popular treatment of political courage adhering to the established historical opinion that *all* the "martyrs" suffered a permanent political setback as a result of voting for Johnson's acquittal.<sup>2</sup>

This myth gained wide currency in part because two of the seven acquitters, John B. Henderson<sup>3</sup> and Edmund G. Ross,<sup>4</sup> could not resist adopting this reasoning in their later writings to explain why they did not go further in politics. Also, one of Lyman Trumbull's old friends, Joseph Medill of the *Chicago Tribune*, who wrote Trumbull's obituary, played up Trumbull's impeachment stand as the cause for his leaving the Republican party and omitted any account of the Liberal Republican revolt, a political upheaval that was personally painful to Medill.<sup>5</sup>

On the surface, since none of the seven acquitters ever won reelection to

<sup>1</sup> Samuel Eliot Morison and Henry Steele Commager, *The Growth of the American Republic* (4th ed., 2 vols., New York, 1950), II, 45; John D. Hicks, *The American Nation* (3d ed., Cambridge, Mass., 1955), 27; Thomas A. Bailey, *The American Pageant: A History of the Republic* (Boston, 1956), 479; Leland D. Baldwin, *Survey of American History* (New York, 1955), 334; Henry Bamford Parkes, *The United States of America* (New York, 1954), 384.

<sup>2</sup> John F. Kennedy, *Profiles in Courage* (New York, 1956), 126-51. For other historical writing perpetuating the idea that all of the seven acquitting Republican senators were rooted out of political life, see James Truslow Adams, *The March of Democracy* (New York, 1933), 126; Walter Lynwood Fleming, *The Sequel of Appomattox*, *Chronicles of America Series*, XXXII (New Haven, Conn., 1919), 168.

<sup>3</sup> John B. Henderson, "Emancipation and Impeachment," *Century*, LXXXV (Dec., 1912), 196-209.

<sup>4</sup> Edmund G. Ross, "Historic Moments: The Impeachment Trial," *Scribner's Magazine*, XI (Apr., 1892), 519-24; *id.*, "A Previous Era of Popular Madness and Its Lessons," *Forum*, XIX (July, 1895), 595-605.

<sup>5</sup> *Chicago Tribune*, June 26, 1896. See also *Chicago Times*, June 26, 1896.

... to the Democrats, and these they enjoyed all the prominence that the party could grant  
them



the Senate, this belief seems substantiated. Yet if this were an authentic criterion the converse should be true: that a large majority of the Republicans who voted as the party desired should have won reelection. The results are far from conclusive. Out of thirty-five Republican senators who voted for conviction, seventeen—less than half—won immediate reelection as Republicans.<sup>6</sup> An eighteenth, Orris S. Ferry, was reelected only with Liberal Republican and Democratic support.<sup>7</sup> A nineteenth, Lot Morrill of Maine, after being defeated for an immediate renomination, was appointed by the governor to the seat vacated by the death of one of the "martyrs," William Pitt Fessenden.<sup>8</sup>

What of the twelve Johnson Republicans and Democrats who cast the bulk of the nineteen votes for the President's acquittal? There were three Johnson Republicans. Two of them, James Dixon<sup>9</sup> of Connecticut and James Rood Doolittle<sup>10</sup> of Wisconsin, were retired in favor of regular Republicans. The third, Daniel S. Norton<sup>11</sup> of Minnesota, died before the expiration of his senatorial term. The nine regular Democrats all voluntarily retired or were defeated for reelection. Doubtless their vote on Johnson's acquittal was incidental to their fate, yet they did not return to the Senate although they voted as their party dictated. Then, as now, many crosscurrents entered into a senatorial election. Senator Willard Saulsbury of Delaware, for example, was supplanted by his own brother, also a Democrat.<sup>12</sup>

Consider the Republican senators who were waverers, men who leaned toward acquittal only to recant. Does their fate strongly indicate that if the seven had recanted they yet could have been politically "saved"? It does not. The votes of three senators were in doubt on all the articles until the end. These men who ultimately voted for conviction were Edwin D. Morgan of New York, William Sprague of Rhode Island, and Waitman T. Willey of West Virginia.<sup>13</sup> Morgan<sup>14</sup> and Willey<sup>15</sup> were defeated for renomination.

<sup>6</sup> See the lists of senators for the Fortieth to the Forty-Third Congresses in *Biographical Directory of the American Congress, 1774-1949* (Washington, D. C., 1950), 299-337.

<sup>7</sup> *Dictionary of American Biography* (New York, 1928-58), VI, 343; *ibid.*, VIII, 197.

<sup>8</sup> *Ibid.*, XIII, 200.

<sup>9</sup> *Ibid.*, V, 329.

<sup>10</sup> *Ibid.*, V, 375.

<sup>11</sup> *Biographical Directory*, 1621.

<sup>12</sup> See the list of senators in *ibid.*, 299-337; *DAB*, XVI, 379.

<sup>13</sup> *Nashville Republican Banner*, Apr. 14, 23, 1868, May 5, 1868; *Peoria National Democrat*, May 6, 1868; *New York Times*, May 12, 1868, May 13, 1868; *Baltimore Sun*, May 13, 1868; *Baltimore Gazette*, May 14, 1868; James A. Rawley, *Edwin D. Morgan, 1817-1885: Merchant in Politics* (New York, 1955), 228.

<sup>14</sup> Rawley, *Morgan*, 231-32.

<sup>15</sup> Charles Henry Ambler, *A History of West Virginia* (New York, 1933), 377; James McCallahan, *Semi-Centennial History of West Virginia* (Morgantown, W. Va., 1923), 456; Sylvester Myers, *Myers' History of West Virginia* (New Martinsville, W. Va., 1915), II, 312-315, 338; *DAB*, XX, 246-47.

Sprague alone won a renomination and a reelection. His career was undistinguished and he was retired in 1875.<sup>16</sup>

These cases illustrate the uncertainty of any senator's reelection at that time. Also, it indicates that reelection to the Senate alone is no criterion for judging the continuing temper of the period regarding Johnson's acquitters.

The seven acquitters were all under heavy pressure,<sup>17</sup> but in the case of the better-known senators—Fessenden, Trumbull, and Grimes—it was not seriously continued once it was certain they could not be swayed.<sup>18</sup> In the case of the lesser-known senators—Van Winkle, Fowler, Henderson, and Ross—it was severe.<sup>19</sup> Ross, coming from a state where Republicanism was equated with patriotism and exhibiting signs of uncertainty as to his course, was under prolonged vilification during and immediately after the trial.<sup>20</sup>

Often overlooked is the backing that the stand of the seven attracted. There was considerable Republican newspaper support for independent voting at the time of the trial.<sup>21</sup> Also, prominent Republicans from many walks of life—college presidents, leading merchants and bankers, and members of the state and federal judiciary—supported the right of the seven to vote as their consciences dictated.<sup>22</sup>

As to later careers, the seven acquitters were not, as a group, hounded out of politics. Their individual fates differed widely. Yet they all remained within the Republican party at the time of the trial and for years thereafter.

<sup>16</sup> Thomas Graham Belden and Marva Robins Belden, *So Fell the Angels* (Boston, 1956), 190-95, 291.

<sup>17</sup> Henderson, "Emancipation and Impeachment," 205-206; Ross, "Historic Moments," 523-24; *id.*, "A Previous Era of Popular Madness," 604-605; Jessie O. Norton to O. H. Browning, May 18, 1868, Orville H. Browning Papers, Illinois State Historical Library; *Baltimore Gazette*, May 14, 1868; *Memphis Avalanche*, May 16, 1868; *New York Tribune*, May 19, 1868; *Philadelphia Press*, May 19, 1868; *Cincinnati Gazette*, May 20, 1868; *New York Times*, May 20, 1868; John Bozier to W. P. Fessenden, May 12, 1868, W. P. Fessenden Papers, Library of Congress.

<sup>18</sup> *Nation*, VI (June 18, 1868), 482; *Chicago Republican* as reprinted in *Peoria National Democrat*, May 19, 1868; *New York World*, May 13, 1868; *Indianapolis Journal*, May 14, 1868; Lyman Trumbull to C. H. Ray, May 26, 1868, C. H. Ray Papers, Huntington Library; Shelby M. Cullom, *Fifty Years of Public Service* (Chicago, 1911), 157.

<sup>19</sup> *Nation*, VI (June 18, 1868), 482; *New York World*, May 13, 1868; Henderson, "Emancipation and Impeachment," 205-206; Ross, "Historic Moments," 523-24; *id.*, "A Previous Era of Popular Madness," 604-605; *Baltimore Gazette*, May 14, 1868.

<sup>20</sup> Ross, "Historic Moments," 523-24; *id.*, "A Previous Era of Popular Madness," 604-605; *Nation*, VI (June 18, 1868), 482; George S. Merriam, *The Life and Times of Samuel Bowles* (New York, 1885), II, 37.

<sup>21</sup> See Ralph J. Roske, "Republican Newspaper Support for the Acquittal of President Johnson," *Tennessee Historical Quarterly*, XI (Sept., 1952), 263-73.

<sup>22</sup> William Salter, *The Life of James W. Grimes; Governor of Iowa, 1854-1858: A Senator of the United States, 1859-1869* (New York, 1876), 358; Francis Fessenden, *Life and Public Services of William Pitt Fessenden* (Boston and New York, 1907), II, 227-29; Trumbull to Ray, May 22, 26, and June 8, 1868, Ray Papers; Trumbull to John D. Caton, June 4, 1868, John D. Caton Papers, Library of Congress; Trumbull to Gustave Koerner, May 20, 1868, in *Belleville Advocate* as reprinted in *New York Times*, June 5, 1868.



The national convention meeting in Chicago in May, 1868, at the height of the furor, contented itself with praising the thirty-five Republican senators who voted for conviction. It ignored the seven acquitters.<sup>23</sup>

All of the seven campaigned actively for Grant in 1868.<sup>24</sup> They retained their committee assignments and standing within the party in the Senate. In 1869, Ross, the most maligned of the seven, was able to block the confirmation by the Senate of a Grant appointee to a Kansas postmastership.<sup>25</sup> Also, in 1869, Trumbull, the most active of the acquitters in securing votes and shoring up waverers on his side during the trial, was elected to the steering committee which arranged the business of the Forty-First Congress.<sup>26</sup> James W. Grimes of Iowa, who had been stricken by a paralytic attack during the trial, slowly seemed to regain his health, and quickly regained his political strength. He wrote a friend in March, 1869, less than a year after the trial: "The impeachment *furor* has entirely subsided here [Washington], and those who voted for it are now on the defensive, rather than those who voted against it. Between us, I am satisfied that I am stronger in the Senate in every respect, where I am so well known, than I ever was before I was tried in the furnace of impeachment. The only evil resulting to me from that attempt to act according to my convictions, has been the injury to my health."<sup>27</sup>

The manner in which the seven retired from the Senate and the unfolding of their later careers call for more scrutiny. Grimes journeyed to Europe in the late spring of 1869, and seemed completely recovered when a second paralytic attack struck him. Realizing that he could never again regularly attend the sessions of the Senate, he resigned on August 11, 1869, a year and a half before the close of his term. Invalided, he lived on until February 7, 1872.<sup>28</sup>

William Pitt Fessenden also had his career cut short by death. Under attack by his enemies within the party in Maine, he was locked in a bitter contest for control of the Republican legislators to ensure his return to the Senate when he died suddenly on September 9, 1869.<sup>29</sup>

Peter Van Winkle possessed a rather conservative voting record during

<sup>23</sup> Chicago *Tribune*, May 18, 22, 1868; Trumbull to Ray, May 22, 1868, Ray Papers; Peoria *National Democrat*, May 23, 1868.

<sup>24</sup> *Nation*, VII (Sept. 24, 1868), 241; (Oct. 1, 1868), 262.

<sup>25</sup> *Ibid.*, VIII (Apr. 22, 1869), 303.

<sup>26</sup> New York *Times*, May 16, 1868; New York *Tribune*, May 16, 1868; Baltimore *Gazette*, May 14, 1868; Fish P. Hunt to Horace Greeley, May 13, 1868, Benjamin F. Wade Papers, Library of Congress; Washington *Chronicle*, Mar. 10, 1869.

<sup>27</sup> James W. Grimes to Henry W. Starr, Mar. 18, 1869, in Salter, *Grimes*, 367.

<sup>28</sup> Salter, *Grimes*, 372, 376, 387.

<sup>29</sup> Fessenden, *Life*, II, 328-30.

his term and this, in addition to his vote in the impeachment trial, made him easy prey for the popular, thrice-elected governor of West Virginia, Arthur I. Boreman, an orthodox Radical Republican.<sup>30</sup> The Democrats swept West Virginia in 1870 and fastened a death grip on the state-wide offices which lasted for years.<sup>31</sup> Van Winkle could have continued his career as an office-holder only by changing parties, a course probably rendered impossible by his earlier leading role in the process of shearing West Virginia from the Old Dominion during the Civil War.<sup>32</sup> In any event, Van Winkle's death in 1872, a scant three years after his retirement from the Senate, precluded a later political career.<sup>33</sup>

Joseph Smith Fowler was succeeded in 1871 by a Democrat. Fowler lost because he remained a Republican, while control of the Tennessee legislature rested with the Democrats and their allies.<sup>34</sup> His vote for Johnson's acquittal won him no Democratic support for reelection. Indeed, former President Johnson was a leading candidate for Fowler's place.<sup>35</sup> Fowler left the Republican party in 1872 at the time of the Liberal Republican uprising and ran successfully as a presidential elector. With the collapse of the organization he withdrew from politics. He found neither the Radical Republicans nor the conservative Democrats to his taste and moved to Washington, D. C., where he practiced law until his death in 1902.<sup>36</sup>

When Edmund G. Ross's term drew to a close in 1871 he was passed over for a renomination which in Republican Kansas would have been tantamount to reelection.<sup>37</sup> Serious charges that money influenced the result seem valid in the light of the venal state of Kansas politics in the 1870's.<sup>38</sup> It is problematical whether the honest Ross could have gained a renomination at that time, regardless of his vote on Johnson's acquittal. Ross successively joined the Liberal Republicans, then the Democrats. He ran unsus-

<sup>30</sup> *DAB*, XIX, 220; *ibid.*, II, 461-62; Myers, *History*, II, 283-84; Ambler, *History*, 348; Callahan, *History*, 176, 455.

<sup>31</sup> Ambler, *History*, 367, 368-69, 371, 372, 377; Callahan, *History*, 176-77, 456-57; Myers, *History*, II, 283-84, 302-303, 338.

<sup>32</sup> *Biographical Directory*, 1953; *DAB*, XIX, 219-20; *Appleton's Cyclopaedia of American Biography*, VI (New York, 1888-89), 257; Ambler, *History*, 348, 372; Myers, *History*, I, 408, 415, 417; II, 302-303; Callahan, *History*, 142-51, 176, 177, 321, 450-52, 455.

<sup>33</sup> *DAB*, XIX, 220.

<sup>34</sup> *DAB*, VI, 564.

<sup>35</sup> Lloyd P. Stryker, *Andrew Johnson: A Study in Courage* (New York, 1929), 783-84.

<sup>36</sup> *DAB*, VI, 564.

<sup>37</sup> *Appleton's Cyclopaedia*, V, 327-28; *DAB*, XVI, 175-76; *Biographical Directory*, 1759; Ralph Emerson Twitchell, *The Leading Facts of New Mexican History* (Cedar Rapids, Iowa, 1912), II, 497 n.

<sup>38</sup> Samuel J. Crawford, *Kansas in the Sixties* (Chicago, 1911), 345-46. In 1873 Ross's colleague, Senator Pomeroy, was refused a reelection when it was revealed that he had attempted to bribe legislators. See *DAB*, XV, 54-55.



cessfully as a Democratic elector in 1876 and as a gubernatorial candidate in 1880.<sup>39</sup> Despairing of success in Kansas, he moved to the New Mexico Territory. Here he became a power in Democratic politics, and in 1885 President Grover Cleveland appointed him territorial governor. Ross had a stormy term; he quarreled with Republicans and Democrats alike. A Republican supplanted him in 1889, and when Cleveland returned to office in 1893 he did not consider Ross for reappointment because of his record.<sup>40</sup> In 1896 the embattled Ross, critical of free silver, left the Democrats and died outside both parties.<sup>41</sup>

Ross's situation contrasts strongly with that of John Brooks Henderson, who had resisted the entreaties of General Grant to vote for Johnson's conviction but had retained the General's personal friendship.<sup>42</sup> Henderson was unfortunate in that his term expired in March, 1869. Since his reelection chances seemed remote, he publicly announced his retirement in 1868.<sup>43</sup> Yet there was covert support for Henderson's immediate renomination and President-elect Grant was understood to prefer him. Carl Schurz secured from Henderson the support of the moderate wing of the party, however, and won the Republican nomination.<sup>44</sup>

In 1870 Henderson supported the successful Liberal Republican revolt in Missouri against the Radical party regulars. He was named its senatorial nominee in an effort to reunite the party, but failed to obtain the support of the splinter groups in the legislature and the Democratic candidate was chosen.<sup>45</sup> Back in the regular ranks, Henderson was the unsuccessful party choice for governor in 1872 and senator in 1873.<sup>46</sup> He was appointed by President Grant as federal district attorney at the time of the Whisky Ring prosecution, but Grant considered his courtroom remarks offensive and summarily dismissed him. Only then did the Henderson-Grant friendship end. He led the anti-Grant faction of the Missouri Republicans for the next eight years.<sup>47</sup> In 1884 he was officially "forgiven," if indeed he needed for-

<sup>39</sup> *Appleton's Cyclopedia*, V, 328; *DAB*, XVI, 175-76; Twitchell, *History*, II, 497 n.

<sup>40</sup> Twitchell, *History*, II, 497 n., 500-501, 515-17; Horatio O. Ladd, *The Story of New Mexico* (Boston, 1913), 451-52; *DAB*, XVI, 175-76.

<sup>41</sup> Ross, "A Previous Era of Popular Madness," 595-605; Twitchell, *History*, II, 497 n.; *DAB*, XVI, 175-76.

<sup>42</sup> Henderson, "Emancipation and Impeachment," 204-205, 207.

<sup>43</sup> Thomas S. Barclay, *The Liberal Republican Movement in Missouri* (Columbia, Mo., 1926), 140-41.

<sup>44</sup> *Ibid.*, 151, 155-61; Eugene Violette, *A History of Missouri* (Boston, 1918), 419.

<sup>45</sup> *DAB*, VIII, 528-29; Barclay, *Liberal Republican Movement*, 233-79.

<sup>46</sup> Violette, *History*, 426; *DAB*, VIII, 528-29.

<sup>47</sup> *DAB*, VIII, 528-29.

givenness, when he was named presiding officer of the Republican national convention. This closed his political career.<sup>48</sup>

Lyman Trumbull's term did not expire until 1873. In the meantime the Illinois and Chicago Republican organizations, which had pilloried his action in voting for Johnson's acquittal, forgave him.<sup>49</sup> In 1870 President Grant offered him the post of minister to Great Britain.<sup>50</sup> Trumbull had 103 recommendations for federal appointments to his credit in the first three years of Grant's initial term.<sup>51</sup>

Finally Trumbull, disgusted with the excesses of the Grant administration, joined the Liberal Republicans in 1872 and attempted vainly to win an immediate reelection. After his term expired Trumbull drifted into the Democratic party, which welcomed him. Samuel J. Tilden seriously considered him for a cabinet post in 1876 when it seemed that the New Yorker had been elected president. In 1880 Trumbull ran unsuccessfully for the governorship of Illinois. Retiring from active politics, he played the role of an elder statesman in the Democratic party until 1894, two years before his death. Then he openly affiliated with the Populists.<sup>52</sup>

It is true that the acquitters, nationally and in their home states, suffered some damage in their relations with Republican party leaders. It was severe in the cases of Fowler, Van Winkle, and Ross—less so in the cases of Fessenden, Grimes, Henderson, and Trumbull. In assessing the effect of the impeachment trial on the seven regarding their intraparty ties it must be remembered that their vote of acquittal was symptomatic of their independence of party restraint which they displayed at times before and after the trial.

Of the four who lived until the Liberal Republican revolt, it is significant that all joined the coalition. Yet in the case of Henderson it was a fleeting connection that he severed before the movement became national. He then returned to the high councils of the Missouri Republican party. Ross and Trumbull used the Liberal Republican crusade as a bridge to cross over

<sup>48</sup> Horace White, *The Life of Lyman Trumbull* (Boston and New York, 1913), 326. White was present as an eyewitness of this scene.

<sup>49</sup> *Chicago Tribune*, Oct. 21, 1868. William Ross to Lyman Trumbull, May 12, 1869; A. B. Moore to Trumbull, May 12, 1869; S. M. Skinner to Trumbull, May 22, 1869; Gershom Martin to Trumbull, May 29, 1869; John Olney to Trumbull, June 15, 1869; Joseph P. Root to Trumbull, Oct. 8, 1869; David Shepard to Trumbull, Sept. 26, 1870, Lyman Trumbull Papers, Library of Congress.

<sup>50</sup> White, *Trumbull*, 347-48.

<sup>51</sup> *Congressional Globe*, 42 Cong., 2 sess., pt. 2, p. 1181 (Feb. 23, 1872).

<sup>52</sup> White, *Trumbull*, 351-418; Ralph J. Roske, *The Civil War Career of Lyman Trumbull* (Abstract of doctoral thesis, Urbana, Ill., 1949), 7-11.