CHAPTER 11

THE LINCOLN MURDER CONSPIRACIES: The Assassination in History and Historiography

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IN THE AMERICAN CIVIL WAR men and women on both sides believed they were struggling to uphold basic American traditions and ideals, and on both sides they were right, for the Constitution itself defined the divided loyalties, one to the states, one to the union of states. "There never existed any other government against which treason was so easy," declared the New England novelist Nathaniel Hawthorne, "and could defend itself by such plausible arguments." The federal system, he continued, "has converted crowds of honest people into traitors, who seem to themselves not merely innocent, but patriotic, and who die for a bad cause with as quiet a conscience as if it were the best."[1] Hawthorne never doubted who were the traitors and who were the patriots, which the bad cause and which the best, but neither did the people on the other side.

Since both sides were in fact loyal to fundamental American principles, there were necessarily large numbers of men and women in each section who sympathized with the objectives of the other. Northern Copperheads, or citizens of states that did not secede who supported the Confederacy, and Southern Unionists were despised as traitors by most of the people of their sections, and were sometimes the victims of persecution and abuse. They saw themselves, of course, as true patriots and, depending upon circumstances, the more daring and committed of them gave open or covert support to the cause in which they believed. Naturally, the dominant power in each section sought to strengthen its friends amidst the enemy. A well-financed Confederate mission operating out of Montreal and Toronto, cities

of intrigue throughout the war, sought to aid the Confederate cause by exploiting the North's internal divisions and growing war weariness. Confederates in Canada planted anti-Lincoln articles in the press, encouraged Copperheads to spread defeatism and commit acts of sabotage, organized raids across the border and an attempt to burn the city of New York, and planned or undertook other acts of the kind.

It was easy for Copperheads to feel virtuous in their opposition to Lincoln and his policies, for many Democrats loyal to the Union, and even some Republicans, also opposed them. Lincoln suspended the writ of habeas corpus and held without charge thousands of citizens in what became known as "American Bastilles"; he tried civilians alleged to be guilty of ill-defined "disloyal practices" before military commissions instead of in civil courts; he suspended the publication of newspapers; he issued a proclamation confiscating billions of dollars' worth of private property. Such actions were justified, he insisted, as fit and necessary war measures. But critics like the chief justice of the U.S. Supreme Court disputed his reasoning and denounced him for disregarding Constitutional restraints and making his will the limit of his power. Lincoln appeared to be acting like a dictator, reminding many Americans in both sections of one of their most cherished political principles: "Resistance to Tyranny Is Obedience to God."

Ironically, the policy that aroused the most emotional reaction against Lincoln was the same policy for which he was at the time and later most honored, the emancipation of slaves. Good political arguments were raised against emancipation; four slave states of the Upper South had not seceded, and throughout the North there was vigorous objection to interfering with what was considered a local institution. The South, on the other hand, was united in its determination to protect slavery. Opponents of the policy therefore insisted that emancipation would prolong the war by further dividing the North and strengthening unity in the South.

But the most extreme attacks on Lincoln's emancipation policy were racially motivated. Prejudiced whites feared that if the slaves were freed, ignorant black hordes would invade the North, displacing white workers and defiling the section's relative racial purity. Ultimately, the white race would be mongrelized, and that would be the end of American greatness. When Lincoln issued his Emancipation Proclamation—having decided that emancipation would shorten, not

lengthen, the war and at the same time rid the nation of the only institution that had ever threatened its existence—the negative response was about as strong as the positive. The *Chicago Times* called the president's action "a monstrous usurpation, a criminal wrong, and an act of national suicide." The proclamation, said the *Times,* "will be known in all history as the most wicked, atrocious, and revolting deed recorded in the annals of civilization."[2]

Among the factors that caused Lincoln to adopt emancipation as a war measure was the huge reservoir of manpower it would make available to the army. But the recruitment of black soldiers infuriated many whites, who felt it degrading for whites and blacks to wear the same uniform and who objected to the idea that the Union might be dependent upon "niggers" for its salvation. Other whites in both sections viewed the turning of docile slaves into armed warriors as an invitation to a massive slave insurrection and the massacre of thousands of innocent women and children. They saw such barbarism as only too characteristic of the Lincoln administration, which had thrown out the time-honored rules of war and adopted the ruthless tactics of total war.

To his enemies, North and South, Lincoln was thus a modern Attila waging war against the sacred principle that governments derived their just powers from the consent of the governed. He had seized dictatorial powers in the face of explicit constitutional prohibitions, and was pursuing a policy with regard to slavery which would pollute the white race and thwart the country's true destiny. In addition, he was himself uneducated and uncouth, a drunkard who spat tobacco juice and blew his nose frontier-style through his thumb and forefinger.

Among the good Americans who hated Lincoln was the popular young actor John Wilkes Booth, a border-state Copperhead from Maryland. Sometime during the summer of 1864, Booth decided that he could do more than serve the Confederacy as a spy and smuggler of medicine. Languishing in Northern prisoner-of-war camps were many thousands of Confederate soldiers whom the United States refused to exchange for its own soldiers held in the Confederate States because it could afford the loss of manpower and the South could not. Booth determined to save the South by freeing some or all of these prisoners. He would capture Lincoln on the road to the Soldiers' Home outside

the city limits of Washington, rush him through the pro-rebel countryside of southern Maryland to a boat on the Potomac, and deliver him to the authorities in Richmond to be held for ransom. Even if the United States refused to exchange the prisoners for the president, it was bound to make some important concession, and the very daring of the coup would revitalize the South's sinking morale.

Convinced that his plan was feasible and legitimate as an act of war—certainly legitimate in the kind of war Lincoln was fighting—he recruited a small band of Confederates and Copperheads to help him. He all but gave up his profession, playing only twice during the early 1865 season, both times in Washington. He traveled to Montreal, almost certainly to confer with rebel leaders. He purchased horses, guns and ammunition, and handcuffs, and spent himself poor in the partial support of his men. But the winter months passed and there was nothing but talk of heroic deeds. In March Booth almost caused the breakup of his group by proposing seriously to kidnap Lincoln in his box in the theater instead of on the open road. A few days later he actually led his men out the Seventh Street road to ambush the president as he returned to the city from a theatrical performance at a hospital, only to learn what he could have read in the newspapers, that Lincoln was attending a ceremony honoring an Indiana regiment at Booth's own hotel. Some of the conspirators drifted off. Later in the month Booth sought futilely to recall them for still another attempt to capture. This time he discovered the president was out of town.

If Booth had ever been a mature and determined leader of a daring conspiracy, he was now only a humiliated, frustrated, and depressed Southern patriot who sought with brandy to deaden the pain of his own failure and of the South's approaching collapse. His zeal for the South and his abhorrence of what the North was doing to it were inflamed by Lincoln's visit to Richmond on April 4, 1865. There, in the city that had been the capital of the Confederacy and in which Booth had played over a hundred times in 1859 and 1860, the Yankee president was received like a god by mobs of newly freed blacks who wept and knelt before him and cried out their blessings in gibberish. It was a depraved spectacle, Booth thought, and the portent of things to come. A week later he and two fellow conspirators were at the White House when the president spoke on Reconstruction policy from a second-story window. When they heard him say he favored enfranchising literate Southern black men and those who had

served in the army, Booth exclaimed in disgust, "That means nigger citizenship. Now, by God, I'll put him through. That is the last speech he will ever make."[3]

But it was not just simple racism that turned Booth from an unsuccessful kidnapper into a successful assassin. Most Americans assumed that the April 9 surrender at Appomattox was decisive, that the war was as good as over; but many Southern patriots did not. Robert E. Lee had surrendered only 22,000 men; Joseph E. Johnston's rebel army was still in the field, and at least 100,000 additional soldiers were scattered through the Confederacy. Had he not believed the South would continue to fight, Booth told a Southern officer who assisted him during his attempt to escape, "he would not have struck the blow as he did."[4]

At noon on April 14 Booth stopped for his mail at Ford's Theatre and learned that Lincoln and Ulysses S. Grant planned to occupy the presidential box that evening. Lincoln and Grant together! The commander in chief and the general in chief!

Perhaps Booth had already decided to murder Lincoln if he got the chance. Perhaps the decision came to him only now, when he discovered he had an opportunity to kill at the same time the two men chiefly responsible for the South's imminent defeat. Perhaps the prospect of this twin killing led his despairing mind to imagine the effect upon the Union of the killing of still more of its leaders, and perhaps this vision, in turn, caused him to experience a thrilling resurgence of hope for his beloved Confederacy. So many men had been sacrificed, why not the officials who were responsible for all the killing and for the merciless destruction of Southern rights and institutions? They were the guilty ones and their deaths would end the war.

Early in the afternoon Booth arranged for an evening meeting with at least three of the members of the kidnapping conspiracy who were still in town, and then busied himself preparing for the assassinations of Lincoln, Grant, Vice President Andrew Johnson, Secretary of State William H. Seward, and possibly Secretary of War Edwin M. Stanton. He would save the South by bringing down the government of the United States, leaving the country leaderless and bewildered. And he would redeem himself.

Grant's plans changed and he did not appear at the theater. But Booth did. After shooting Lincoln point-blank in the back of the head,

he vaulted over the railing of the box to the stage below, catching his right spur in the folds of a flag, and fracturing the fibula of his left leg when he landed. "Sic semper tyrannis!" he cried before making his way upstage left and out a door in the rear of the theater. Thus always to tyrants! One of the conspirators talked his way into Seward's bedroom and nearly succeeded in knifing the secretary to death as he lay in bed. Pulled away, he wounded four other men and dashed down the stairs and into the street. The conspirator who was supposed to kill Johnson made no attempt to do so. Two unknown individuals who may have been potential assassins tried unsuccessfully to approach Grant and Stanton. Booth's assassination conspiracy, apparently conceived and executed on the spur of the moment, thus resulted in the death of Lincoln alone.

"Damn the rebels!" swore Secretary of the Navy Gideon Welles when he heard the news, "This is their work."[5] It was the most common and most natural reaction, and before dawn on April 15 evidence linking Booth—recognized by many theatergoers—to Richmond was discovered, apparently confirming the quick assumption that the assassination was the product of a grand conspiracy of Copperheads and Confederates. In Booth's hotel room officers found a letter advising Booth to postpone some sort of enterprise and recommending that he "go and see how it will be taken at R——d." In addition, they found a Confederate secret cipher which proved to be keyed to a deciphering device recently taken from the abandoned office of the Confederate secretary of state in Richmond.

Responsibility for the investigation of the assassination fell to Joseph Holt, judge advocate general of the U.S. Army and head of the War Department's Bureau of Military Justice. A loyal Kentuckian, Holt had denounced supporters of secession as "maniacs and monsters," and advocated the severe punishment of "rebels and traitors." As judge advocate general, he acted as the principal agent through whom Lincoln extended military control over civilian prisoners, the practice that had been so widely condemned as unconstitutional in the North and that had helped convince Booth Lincoln was a tyrant. Now, after the assassination, Holt was in charge of collecting and evaluating the evidence that would be used before a military commission in the trial of the "maniacs and monsters," the "rebels and traitors," responsible for Lincoln's death.

Within a week Holt found what he had expected to find, and on

April 24, just ten days after the shooting, Secretary Stanton made it public: "This Department has information that the President's murder was organized in Canada and approved at Richmond." This sensational charge was made official on May 2 when President Johnson issued a proclamation stating that the murder of Lincoln and attempted murder of Seward had been "incited, concerted, and procured" by Jefferson Davis and five Southern leaders in Canada, and offering large rewards for their arrest. Davis was captured in Georgia later in the month and imprisoned at Fort Monroe, Virginia.

Booth was killed by a soldier at the time of his capture near Bowling Green, Virginia, on April 26, but on May 10 eight civilian friends of his were formally charged before a military commission with having combined in the assassination conspiracy with him and the individuals named in the president's proclamation. At the end of June all were found guilty. Four were sentenced to terms in prison, and four were hanged. Among the latter was Mrs. Mary E. Surratt, owner of the house in Washington where some of the conspirators had met, and the mother of John H. Surratt, a Confederate courier and close associate of Booth, who escaped to Europe. There were rumors that Johnson would extend special clemency in her case, but he did not and she met her fate with the others on July 7.

Even while the trial was in progress, a flood of letters and affidavits denouncing the principal government witnesses as liars and imposters was published in Canadian newspapers and reprinted in the United States. Disturbing as these attacks were, they were only to be expected from rebels and their Canadian friends, and some of the alleged perjuries could be explained or rationalized away. Yet they did shake Stanton's confidence in Holt's evidence, and just two weeks after the hanging of the four condemned for having conspired Lincoln's death with Davis, Stanton supported the cabinet's decision to try Davis for treason, not assassination, and in a civil not a military court.

There proved to be more difficulties involved in trying Davis for treason in a civil court than the cabinet had anticipated, for Confederate soldiers had been treated as belligerents and given the protection of the laws of war. Could their commander in chief now be tried as a traitor? Many Republicans thought not. In addition, the U.S. attorney general gave it as his opinion that Davis would have to be tried in the federal circuit court in Virginia, where any jury impaneled would be so biased in his favor as to make conviction an impossibility.

For these reasons the administration did not pursue its decision to try Davis and looked, instead, for a way by which it could release him with a minimum of embarrassment. In November Stanton withdrew the offer of rewards for the other confederates named in the president's May 2 proclamation. He later stated that he had done so because he was convinced the men were out of the country and if they were apprehended it would be by government officials in the line of duty. Maybe so, but the withdrawal was more likely an indication of his loss of faith in the evidence against them.

Unaware of Stanton's shift in position and recognizing the futility of trying Davis for treason in a Southern civil court, many Republicans assumed President Johnson was protecting the ex-Confederate leader in exactly the way his Reconstruction policies were protecting the Southern states. In the spring of 1866 the House Judiciary Committee therefore undertook its own investigation of the assassination. Holt appeared before the committee, his confidence in the evidence collected by his bureau apparently unshaken. He restated the case against Davis which had been made at the conspiracy trial, and supplemented it with incriminating depositions from eight new witnesses in whose integrity he said he had complete confidence.

His confidence was misplaced. The new depositions proved to be fictions created by one of the government's chief witnesses at the 1865 conspiracy trial, a scoundrel who was seeking personal revenge against Davis. This man was tried and convicted of perjury and the suborning of perjury, and sentenced to prison. But he insisted that the testimony he had given to the military commission the previous year had been true, and in this matter the beleaguered judge advocate general continued to support him.

Despite the disgrace of the government witness, the Judiciary Committee concluded that Davis was probably privy to the events leading to Lincoln's death, recommended that the War Department continue its investigations, and urged that Davis and the others named in the president's May 2 proclamation be tried without further delay. In a well-publicized minority report, the Democratic member of the committee denounced the majority report and charged that far from being members of the conspiracy against Lincoln, Davis and the others were themselves victims of a conspiracy designed to save the reputations of "certain officers" of the government who had made reckless accusations and then proceeded to manufacture the evidence to sup-

port them. It was an accusation to which Holt had certainly left himself—and Stanton—vulnerable, but it is probable that he was the victim of his witness's lies rather than a party to them. The witness had enjoyed a remarkably successful wartime career of deception and self-promotion in Richmond, Washington, and Canada, and in Holt's papers are letters and reports from him which seem marvelously plausible and convincing even today.

During the war Andrew Johnson had talked very much like a Radical Republican. But as president he permitted the former leaders of the Confederacy to continue in political power in their states and sanctioned passage by the Southern legislatures of laws that made a mockery of the Emancipation Proclamation and the Thirteenth Amendment. He was so partial to the ex-rebels that by 1867 Republicans were far more interested in removing him from office than in bringing Jefferson Davis to trial. During hearings to determine if the president had committed an offense for which he could be impeached, the House Judiciary Committee heard testimony from Lafayette C. Baker, chief of the War Department's detective police during the war, that was all Johnson's worst enemies could have desired. Baker swore that he had seen and could obtain wartime correspondence between the president and Davis and other Confederates that proved Johnson had been a rebel spy. As the only one who could be said to have profited from the assassination, some Republicans had already wondered if Johnson might have had an understanding with Southern leaders and been maneuvered into the vice-presidential nomination in 1864 and the presidency in 1865 as part of an intricate conspiracy by which the South could win in peace the protection against the national government denied it by defeat in war. But Baker was unable to produce the sensational letters or any evidence that they had ever existed, and within a short time it was he, not Johnson, who was exposed. As two exasperated members of the committee exclaimed, "It is doubtful whether he had in any one thing told the truth, even by accident."[6]

In one thing, however, Baker did tell the truth to the Judiciary Committee. He revealed that at the time of his death Booth had been carrying a pocket diary. When the diary was produced, Baker startled the committee by testifying that pages had been cut out of it during the two years since he had last seen it, years in which it had been in the custody of the executive branch. "Who spoliated that Book?"

cried Representative Ben Butler of Massachusetts with a gesture toward the White House. Who did Booth expect to succeed to the presidency "if the knife made a vacancy?"[7]

Shrugging aside the fact that Johnson had been himself an intended victim of the assassination conspiracy, Congress established a special committee to see if it could establish a link between the president and the conspirators. The committee did its best, but it did not bother to report, and Butler later conceded that there was no case against Johnson.

By releasing Jefferson Davis from prison in May 1867 the government admitted that there was no case against him, either. The rebel leader promptly departed for a vacation in Canada, the last place a guilty man would have wished to visit.

The release of Davis naturally raised questions about the justification of the 1865 prosecution, conviction, and punishment of the eight individuals with whom he was supposed to have conspired. So, too, did the 1867 civil trial of John H. Surratt, who had been discovered serving as a private in the papal guard at the Vatican. The jury, standing eight to four in his favor, was dismissed, and in 1868 all charges against him were dropped.

At John Surratt's trial was produced the long-rumored petition of clemency for Mary Surratt signed by five of the nine members of the military commission. President Johnson denied ever having seen the petition—which had also been omitted from the published record of the conspiracy trial approved by the War Department—although he conceded that he and Holt had discussed the possibility of commuting Mary Surratt's sentence to life imprisonment. Holt claimed that he and Johnson had discussed the petition specifically and that it had been before the president when he signed the order of execution. The public could not be sure who was telling the truth, but the knowledge that a majority of the commission had recommended that Mary Surratt be spared caused many people, chiefly Democrats, to think of her as a martyr to Republican vindictiveness.

When at the end of his presidency Johnson pardoned the conspirators who had been sent to prison, it attracted no public outcry and little notice, proof that the Confederate grand conspiracy theory mapped out by Holt and originally accepted by Stanton was dead.

But not quite dead, for many Union men and women who bore the psychic scars of a hundred battlefields and one theater could never

rid themselves of the suspicion that the rebel leaders responsible for waging war against the United States must also have been responsible for the killing of Lincoln. That a case had not been made did not mean there was no case. In 1901 Osborn H. Oldroyd, a Union veteran who had lived for ten years with his collection of Lincolniana in the Lincoln home in Springfield and who would ultimately live for nearly thirty in the house on Tenth Street in Washington where Lincoln died, expressed these long-lingering misgivings. "Had the military court reached out a little farther in its investigations," he wrote in his popular descriptive history of the assassination, "I believe it would have implicated many persons holding positions of power and authority in the service of the Confederate Government."[8] By the 1980s some serious researchers agreed that Confederate leaders might have been involved at least in Booth's kidnapping conspiracy.

Perhaps no event in their history stirred and has continued to stir the American people so much as Lincoln's assassination. In a sense, Lincoln was the last casualty of the Civil War, and if his death was not the result of a grand conspiracy, it was all the more meaningless and unnecessary, and therefore all the more tragic. Once the trauma of Ford's Theatre tuned out the static of partisanship, it was suddenly recognized that Lincoln had been a supremely successful president. Against staggering odds, he had preserved the Union and the principle of democratic government, and he had destroyed slavery. Yet he had been denounced continually as a failure. Critics had cursed him both for usurping power and for failing to exercise power, and his person and personality had been ridiculed and disparaged. The extraordinary idealization of Lincoln that took place in the generation after the war was in part a way by which those who had underestimated or scorned him could expiate their regret or guilt. Popular veneration was encouraged for their own purposes by Republican leaders and hagiographic biographers, but it was nonetheless real, and the mysteries of Lincoln's mind and character lent credibility to his emergence as the central figure of a new secular religion. Thus the wartime president, who had been just as controversial as the political and social controversies that divided and subdivided his country, was transformed into a revered figure somehow above politics and worldly strife.

In the reputation of Lincoln's murderer there was an opposite

and almost equal reaction. The end of the grand conspiracy theory meant, by default, that the assassination had been the result of a simple conspiracy organized by John Wilkes Booth. Where Booth had earlier been accorded a certain respect as a Confederate agent or else dismissed with the contempt due a hired gunman, he was now alone held responsible for Lincoln's death. That meant that he alone had to bear the hatred of increasing millions of Americans who were discovering that they loved Lincoln. As Lincoln's image rose to the heights of a national diety about whom nothing too good could be thought or said, Booth's image sank to the level of a demon about whom there *was* nothing good to be thought or said. Only an evil or insane person would kill a god. Therefore Booth had been evil or insane—and a second-rate ham actor, as well.

Winning sides get to write the history, or at least the first histories. Through sympathetic historians and publicists, the Republican party was thus able to establish itself as the vehicle through which the sainted Lincoln had saved the Union and freed the slaves, and to stigmatize its Democratic opponents as anti-Lincoln rebels and Copperheads. By the end of the century, however, the Democrats had regrouped and counterattacked by revising Republican assessments of Civil War era leaders and issues. The triumph of the revisionist movement was closely related to the prompt reunion of North and South. In the interests of restoring intersectional harmony, many Republicans joined in the critical reevaluation of their party's postwar, post-Lincoln policies, and ended up repudiating them and the leaders associated with them. The nation was reunited by revisionist historians in a bipartisan orgy of recrimination against the "excesses" of Radical Reconstruction. David M. Dewitt, who served as a Democrat in the U.S. House of Representatives in the 1870s and in the New York state legislature in the 1880s, introduced anti-Radical revisionism into the history of Lincoln's assassination.

In two powerful volumes, *The Judicial Murder of Mary E. Surratt* (1895) and *The Assassination of Abraham Lincoln* (1909), Dewitt presented the first systematic accounts of the assassination as a simple conspiracy. Because he was revising the War Department's hapless grand conspiracy charge, he was necessarily anti-War Department, and that meant that his severest criticism was reserved for Secretary of War Stanton, rather than Judge Advocate General Holt (who, however, did not escape lightly). In place of the vigorous and efficient if admittedly somewhat irascible, secretary so much admired by Republicans, Dewitt portrayed Stanton as an unstable coward who panicked under pressure. His job the night of Lincoln's murder was to mollify public hysteria; instead, every action he took seemed designed to magnify it. His quick assumption that the attacks on Lincoln and Seward were parts of a Confederate grand conspiracy and his subsequent official statements to this effect fixed the false idea in the minds of the Northern people and helped create the desire for vengeance which set the tone for Reconstruction.

Among the major offenses for which Dewitt excoriated Stanton was the government's insistence at the conspiracy trial that assassination, not kidnapping, had been Booth's intention from the beginning. One of the conspirators had referred to the plot to kidnap Lincoln at the time of his arrest, and another later amended his confession to include kidnapping. Booth himself made two references to kidnapping in documents possessed by the government, and one of the government's own witnesses testified that Booth had sought his assistance in an effort to capture the president. But at the time of the conspiracy trial, there were good reasons to doubt the reality of a plot to kidnap. Most of the conspirators said nothing about one, and the story Booth told to the government witness was considered to be only a ruse, since Booth had known that this man would have recoiled in horror from a conspiracy to kill. Given the facts of Lincoln's murder, Seward's near murder, knowledge that Johnson was to have been murdered, the incidents suggesting that Grant and Stanton were to have been murdered, too, and the early evidence apparently implicating the Confederate leadership in these awful matters, it was not unreasonable for the War Department to treat talk about a conspiracy to kidnap originating with the actor Booth as trivial and ridiculous, a "silly device" to fool the government.[9]

Revisionist Dewitt also argued at length that the petition of clemency for Mary Surratt had been withheld from President Johnson by War Department treachery. Although this conclusion was based exclusively upon conjecture, it was so plausible and so forcefully stated that practically every writer since has accepted it, even though it is by no means the only conclusion that could be drawn from the facts. Whoever was responsible for the fate of the petition, Dewitt's case against Stanton was every bit as crude and malicious as he claimed

Stanton's case against Mary Surratt had been. Closing his eyes to the myriad individuals, problems, and uncertainties with which Stanton had to deal in the chaotic weeks following Lincoln's death and the simultaneous end of the bitter Civil War, he contended that with Booth dead and John H. Surratt missing, the secretary's "one supreme aim" was to hang Mary Surratt.[10] With revisionist fervor, he slanted everything against Stanton, conceding nothing to the turbulence of the times, permitting the secretary no honest misjudgments, and dealing his reputation a blow from which it has not yet recovered.

The first book on the assassination as a simple conspiracy in which there was some effort to be fair was Clara Laughlin's *The Death of Lincoln* (1909). A writer on the staff of *McClure's Magazine,* Laughlin approached the subject like a journalist going after a big story. She interviewed surviving principals and searched magazine and newspaper files for articles and documents unknown to a new generation, and reprinted some of them as appendices. Unlike Dewitt, she did not denounce or ridicule Stanton for not knowing from the beginning that only a simple conspiracy was involved, and although the military trial of the conspirators looked "hideously unfair" to her, she described it in its historical setting and concluded that it was probably as fair a trial as was possible under the circumstances. Nevertheless, her portrait of Stanton as a man of overpowering hatreds was almost as unfriendly as Dewitt's, and she accused the secretary of entertaining special hatreds for Southern women and Roman Catholics, a charge—already old in 1909—with no more substance behind it than Mary Surratt's Southern origins and Catholic religion.

Far more surprising was Laughlin's sympathetic, even flattering, description of Booth. Beginning in the 1890s, actors and actresses had begun to publish scattered reminiscences in which they revealed that Lincoln's assassin had not been at all the fiend imagined by the public. He had been, on the contrary, talented and warmhearted, and was remembered fondly for many acts of kindness on and off stage. By the time Laughlin wrote, Lincoln's position as the nation's most beloved hero was so secure that it was possible for her to portray Booth as the charming young man his friends and family had known. If he committed a monstrous deed, she declared, it was because he had been "cruelly misguided" and thought Lincoln was a tyrant.[11]

Equally sympathetic was actor Francis Wilson's *John Wilkes Booth: Fact and Fiction of Lincoln's Assassination* (1929), still the only book-

length biography of Booth. Intimately acquainted with members of the Booth family and with Booth family history, Wilson knew that brutality was no part of John Wilkes's nature. His crime, therefore, had been out of character, committed in a state of temporary insanity induced by his extreme depression at the South's impending subjugation and the failure of his own plans to prevent it, and by a "sudden exaggeration of hereditary imbalance."[12]

If the Laughlin and Wilson portraits of Booth marked the beginning of a trend that would eventually change the image of the assassin and lead to a more sophisticated understanding of the furies let loose by the Civil War, the trend was abruptly halted by *Myths after Lincoln* (1929), by Lloyd Lewis, a Chicago newspaperman. Published the same year as Wilson's biography and far more widely read, *Myths after Lincoln* showed the relationship between the public's worshipful attitude toward Lincoln and the dying god figure found in popular mythologies since antiquity. The dying god was the "one hero brighter and more beautiful than the rest, [the] one dear, friendly god who had sacrificed his life for the race." When Lincoln ascended into immortality, he took Booth with him, for dying gods had often been the victims of treachery and conferred upon those who had betrayed them an immortality of infamy. Booth was America's demon-hero, and so long as Lincoln was revered, he was destined to be reviled.

Although Lewis was well aware of the difference between the mythological Lincoln and the historical Lincoln, he made no effort to distinguish between the mythological Booth and the historical Booth. In fact, his chapters on Booth and his conspiracies, grouped under the general title "The American Judas," exceed in vituperation any extended analysis of Booth ever published. Drawing freely upon his imagination and disregarding well-established facts, Lewis described Booth perfectly as the evil genius of the American past, thus making a contribution to folklore if not to history. Unfortunately, he called his folklore biography.

By the time *Myths after Lincoln* was published, anti-Radical revisionism had become the new orthodoxy, and Lewis did not fail to insult Stanton with the by now routine charges. The secretary was a coward, he became unbalanced in the presence of danger and death, he was power mad, and he was fanatically anti-Catholic. But Lewis did add something new by suggesting that as early as the day after the assassination Stanton knew the shooting was only "the fool exploit

of a disgruntled actor." The secretary proceeded to blame it on Jefferson Davis so that the Radicals, "Lincoln's enemies," could seize control of the government.[13] One might suppose that knowing the assassination was a simple conspiracy but for political purposes announcing it was a grand conspiracy would be the most despicable outrage imaginable against Stanton. But Otto Eisenschiml, another Chicagoan and friend of Lewis, imagined something worse, as we shall see.

An entirely new Booth made his debut in the literature of Lincoln's assassination in Philip VanDoren Stern's *The Man Who Killed Lincoln* (1939). Although in reality a novel, the book was generally received as nonfiction, and Stern, a New York writer and editor, himself described it as "my first historical work." He claimed to have invented only conversations and five minor incidents. In fact the book's major hypothesis—that Booth killed Lincoln because he identified him with his own father, whom he hated—was also Stern's invention. Not one of the books listed in his bibliography lends the idea any support whatsoever, and several help to establish the exact opposite. The fact is that Booth, who was fourteen years old when his father died, loved and admired him deeply, and was in turn his father's favorite child. Nevertheless, psychiatrists, amateur and professional, responded eagerly and predictably to Stern's nonsense, regaling each other with explanations of the assassination that featured Booth's hatred for his father or brothers or both, and other tensions originating in the family circle, which had been, in truth, loving and close.

One psychological theory is worthy of consideration if only because it originated with journalist Stanley Kimmel, author of the fact-filled *The Mad Booths of Maryland* (1940): Booth shot Lincoln because he was losing his voice and recognized that his career on the stage was drawing to a close. A member of a great acting family who had reveled in the applause of standing-room-only audiences all across the country, he was now faced with the prospect of oblivion. It was this dread, wrote Kimmel, that "drove him to that act of madness. There can be no doubt that this was the underlying cause of his determination to kill Lincoln."[14]

It is true that John Wilkes, unlike his older brothers, had not served a stage apprenticeship under his father, the great tragedian Junius Brutus Booth, and had not been taught how to project his voice without straining his vocal chords. The result was occasional

hoarseness and the cancellation of some performances. But there is no evidence that Booth believed his career was ending, and he would have been a rare twenty-five-year-old to believe it was. In the fall of 1864, when he began to devote himself so fully to the kidnapping conspiracy, he sent his theatrical wardrobe to Richmond (through Canada), where he expected to join it and use it. Among the last things he said to one of his friends the following spring, when the kidnapping scheme had been abandoned, was that he planned to return to his career on the stage. Kimmel's overstated theory trivializes Booth and is unworthy of the impressive research on the Booth family apparent in his book.

Far more convincing an explanation of the assassination is offered by George S. Bryan in his classic *The Great American Myth* (1940). Like Stern a New York writer and editor, Bryan devoted nearly a hundred pages to Booth's evolution from a high-spirited young boy, proud of his famous family and confident of his own future, into the angry, quick-tempered fanatic who shot Lincoln. He followed Booth's theatrical career in greater detail than Kimmel, and accorded the actor a greater degree of success and recognition. More important, he showed how closely Booth identified himself with the pro-Confederate sympathies of his native Baltimore and Maryland.

It is no coincidence that Bryan, who wrote the best analysis of Booth as a youth, actor, conspirator, and assassin, should also have written the best analysis of the assassination as a simple conspiracy. As he observed, the assassination had from the first become "involved in a tangle of disorder and error, of falsehood and credulity, from which it has not yet been set free."[15] If he had had the influence he deserved, Bryan would have gone a long way toward setting it free, for he genuinely sought the truth and the tone of his writing was judicious and unemotional. Unfortunately, *The Great American Myth* was published just after Eisenschiml revolutionized the subject of Lincoln's murder with an entirely new grand conspiracy theory, entangling the assassination in new "disorders and errors, falsehoods and credulities," and reducing Booth once again to the secondary role of hired gunman. The public was far more interested in the sensational Eisenschiml thesis than in Bryan's sober analysis of Booth's simple conspiracy, and the result was that Bryan had very little influence at all.

Trained as a chemist in his native Austria, Otto Eisenschiml made

a fortune as a businessman in Chicago in the 1920s, and thereafter devoted himself to the study of the Civil War until his death in 1963. Why did Booth shoot Lincoln, he wondered, disbelieving that the actor had turned assassin out of either a mad desire to avenge the South or a vainglorious one to be hailed as the last champion of the lost cause. As he saw it, "A great political crime was committed without an adequate motive."[16]

In attempting to discover what had motivated Booth, Eisenschiml engaged in the most thorough and imaginative search for assassination-related materials yet undertaken. He prided himself upon discovering in dusty files in the War Department the documentary evidence, now known as "Investigation and Trial Papers Relating to the Assassination of President Lincoln," collected by Joseph Holt's Bureau of Military Justice in 1865 (although these documents had been consulted by previous researchers). He purchased private collections of papers of individuals involved with the assassination or its aftermath, and with the help of a research staff he turned up hundreds of relevant government documents, memoirs, and magazine and newspaper articles, many of them never before studied. As he and his assistants sifted through these thousands of pages, he later recalled, a pattern began to emerge. As the pattern "grew in size and distinctness, we became almost frightened at the form it was taking. Could it be that Lincoln's murder had been an inside job?"[17] After years of work, Eisenschiml revealed in his *Why Was Lincoln Murdered?* (1937) that the pattern did indeed show the assassination to have been an inside job. In fact, Lincoln's murder had been masterminded by Secretary of War Stanton!

Eisenschiml's hypothesis was that Stanton and other Radical leaders had arranged the assassination because they opposed the president's compassionate Reconstruction program and wished to substitute a policy that would make the South pay for its rebellion and assure the permanent supremacy of their party. In addition, according to Eisenschiml, Stanton believed that with Lincoln dead he would emerge as the nation's most popular hero and be rewarded with the presidency.

No fairminded person, let alone a scientist striving for scholarly objectivity (which is how Eisenschiml repeatedly characterized himself) could possibly maintain that this pattern emerged from the evidence. It did not. It was imposed upon the evidence, which was stretched

and twisted to establish the pattern. A few examples of how Eisenschiml manufactured his case against Stanton by asking leading and misleading questions must suffice:

Why did the War Department not take the strictest measures to protect the president?

Why did Stanton deny Lincoln the escort he had requested to the theater on the fatal evening?

Why was the guard who deserted his post outside Lincoln's box never punished?

Why was the telegraphic service out of Washington interrupted at about the same time as the assassination?

Why did Stanton send out telegraphic orders blocking all the roads out of Washington except the one Booth took?

When Booth's coconspirators were captured and held in prison for trial, why were they silenced and cut off from communication with the world by being forced to wear canvas hoods over their heads?

These are shameful questions. They imply a complicity that honest answers do not justify, and they establish a prejudice against Stanton that is extremely difficult to overcome. Consider:

Presidents cannot be strictly protected unless they want to be. Despite frequent and urgent pleas from Stanton and others, Lincoln did not want to be.

Stanton denied Lincoln the officer whose company he had requested because he did not want Lincoln to go to the theater. The officer was to have been a guest inside the box, not a guard outside of it, a distinction Eisenschiml blurred by referring to him as an "escort."

The guard who took a seat so he could watch the play, a member of the Washington metropolitan police force, was tried before the police board. The case was dismissed, perhaps because Parker could show he had not been ordered to remain at the door to the box, where, in fact, it had not been the habit to station a guard; perhaps the board recognized that Parker would have had no reason to deny Booth entrance to the box, Lincoln's interest in actors and the theater being well known.

Only the commercial telegraph between Washington and Baltimore went out of operation. Other commercial lines and the military lines were not interrupted.

Stanton could not order the blocking of the road Booth took out

of Washington because there were no telegraph facilities along it or at the end of it. He did notify the nearest telegraph stations.

The conspirators were not silenced or denied communication with the world. Each was interrogated repeatedly by civilian or military authorities, and each was represented by counsel at the conspiracy trial. Those who were hanged spent their last nights in the company of family or clergy; those sentenced to prison had unlimited opportunities to talk both in prison and after their pardons.

The suggestion that Stanton hoped to succeed Lincoln as president was pure fiction. Never a popular figure, he cared nothing for popularity and never held an elective office.

Analyzed point by point, Eisenschiml's grand conspiracy simply falls apart. Eisenschiml freely admitted he could not prove his case against Stanton because it was based exclusively on circumstantial evidence, thereby winning for himself a reputation for fairness. But he never admitted that he had tampered with the circumstantial evidence, which is what he did when he asked questions that inferred sinister answers he knew were not warranted. For reasons that have not yet been explained and may be inexplicable, he abandoned the scientific principles he claimed to be applying—he abandoned even the simplest rules of fair play—and then justified himself by explaining he was only advancing a hypothesis. The title of his book, he pointed out, was *Why Was Lincoln Murdered?* not *Why Lincoln Was Murdered.* The sophistry may have salvaged his self-respect, and it fooled the American people into thinking he was an honest man.

An immediate hit, the book was a selection of the Book-of-the-Month Club and enjoyed a large sale as a paperback. More important, all or parts of the thesis were picked up by writers who understood the market value of stories of conspiracy and betrayal involving the nation's best-loved hero, and who eagerly searched for additional facts and incidents by which to arouse suspicion against Stanton and the Radicals. The revisionist books these writers consulted necessarily reinforced the anti-Stanton bias taken from Eisenschiml (who had consulted the same books) and added credibility to Eisenschiml's conclusions. Viewing the assassination from revisionist perspectives, the popularizers saw Eisenschiml's grand conspiracy as but the logical climax of Radical extremism and hostility toward Lincoln. That is how they passed it on to their own readers. They publicized the Eisenschiml thesis so extensively in books, in articles in newspapers

and mass-circulation magazines like the *Reader's Digest* and later *Playboy,* and in radio and television dramatizations, that it is probable that within a generation a majority of the people who had any opinion at all about the assassination had come to believe it: Lincoln had been a victim of an evil plot by Stanton and other government officials he had trusted.

Even writers who adhered to the traditional, simple conspiracy theory were influenced by Eisenschiml and perpetuated features of his argument. In *The Day Lincoln Was Shot* (1955), the most popular of all books on the assassination, Jim Bishop, for example, noted that Stanton had sent out telegraphic warnings along all the roads out of Washington except the one Booth took, but offered no explanation. He presented Stanton as a frightened fool who recognized by 3:00 A.M. the day after the assassination that he was pursuing only one man; he made the charge of a grand conspiracy in order to save face. Bishop, and virtually every other writer after 1937, also accepted Eisenschiml's idea that the War Department had known about Booth's kidnapping conspiracy but allowed the conspirators to remain at large because it was not averse to having Lincoln become the victim of violence.

If the general public bought the Eisenschiml thesis in whole or in part, professional historians—who were not much interested in the assassination—did not, although one leading Lincoln scholar and a professor of history at Harvard University were at least temporarily mesmerized. Recognizing that *Why Was Lincoln Murdered?* and most of Eisenschiml's subsequent books were captious and perverse, historians said so to each other in reviews in their journals, but until recently no one ever attempted a close analysis of the techniques employed by Eisenschiml in his case against Stanton. Had it not been for his success with the public, an exposure would not have been worthwhile, for scholars have more important things to do than to occupy themselves with every fool theory that comes along. But it was precisely because historians ignored Eisenschiml that his thesis was able to obtain such a powerful hold over the public imagination.

In the literature of Lincoln's assassination there are many crackpot theories which have won and held their coteries of true believers. There is the theory that Booth was not captured and killed on a farm in Virginia, but escaped to live in Europe or India or Oklahoma or California. At least twenty men confessed to Booth's crime, and for

years a Booth mummy was an attraction at county fairs across the country. There is the theory that the assassination was plotted by the Roman Catholic church, which saw Lincoln, the Protestant champion of democracy and emancipator of slaves, as an obstacle in its struggle for world mastery. Were not some of the conspirators Catholic? Was not John Surratt serving in the Vatican at the time he was discovered? There is the theory that Lincoln was the victim of a conspiracy of international bankers, who objected to his protectionist policies and wanted him removed so that they might dominate the American economy. There is the theory that Lincoln was killed by the officer who was his guest at Ford's Theatre; Booth, who happened to be in the box at the time, became frightened and fled. About the only theory of the assassination that has not been seriously proposed, historian William C. Davis has remarked, is that Lincoln, bored with the play, shot himself.

Such theories are generally recognized for what they are, and for the most part they are harmless. But the writers inspired by Eisenschiml popularized a theory equally absurd, which was generally accepted as the truth, and which, because it deceived the American people about one of the most important events in their history, was not harmless. To compound their influence—and Eisenschiml's—most of the popularizers of the Eisenschiml thesis were reputable, if uncritical, writers whose books were published by respected and responsible houses.

It is not surprising that the irrationality and sensationalism of writing on the assassination should have led in the 1960s and 1970s to the appearance of a large number of "documents" and transcripts of "documents" apparently manufactured to prove the Eisenschiml thesis. A much advertised and widely sold paperback book, *The Lincoln Conspiracy* (1977), by David Balsiger and Charles E. Sellier, Jr., and a simultaneously released feature-length film of the same title, brought this material to the attention of a very large audience. But far from becoming the triumphant capstone of Eisenschiml's work, *The Lincoln Conspiracy* was one of the factors that finished off the Eisenschiml thesis for good. For professional historians—most notably Davis for *Civil War Times Illustrated* and Harold M. Hyman for the Abraham Lincoln Association—assumed their critical responsibilities and exposed the hoaxes upon which it was based. In doing so they also helped to establish that the Eisenschiml thesis was itself a hoax.

Another factor that helps to explain the sharp decline in th public's interest in Eisenschiml is a profound conceptual shift whic took place within the historical profession in the 1960s. During th civil rights revolution of that decade—sometimes referred to as th Second Reconstruction—the nation was torn by many of the sam conflicts it had experienced in the post–Civil War period. The intru sion of the federal government into areas traditionally left to the state in order to bring about the civil equality of all citizens was precisel what the Radical Republicans had attempted a hundred years befor These long-maligned leaders now began to seem more heroic (premature) than villainous; their objective had not been to punish o humiliate the South but to safeguard the results of the war and giv meaning to the freedom won by the ex-slaves. A fresh examinatio of the sources showed that on these vital matters there had been n major differences between Lincoln and the Radicals, certainly n irreconcilable ones. There would have been no reason, therefore, fo Stanton or any other Radical to plot the president's murder.

The perspectives and insights of future historians will chang again. But even a revival of anti-Radical revisionism, remote as seems at the moment, is not likely to revive Eisenschiml's theory c a War Department grand conspiracy, for that explanation of the as sassination is now too clearly seen to be a fraud and a libel on th reputation of a great secretary of war and true friend of Lincoln.

NOTES

1. As quoted in Jack Lindeman, ed., *The Conflict of Convictions: America Writers Report the Civil War* (Philadelphia: Chilton Book Co., 1968), p. 79.
2. As quoted in Robert S. Harper, *Lincoln and the Press* (New Yorl McGraw Hill, 1951), p. 258.
3. U.S., House of Representatives, "Impeachment of the President, *House* Report no. 7, 40th Cong., 1st sess., 1867, serial 1314, p. 674; an George Alfred Townsend, *Katy of Catoctin* (New York: Appleton, 1886), p 490, 490n.
4. M. B. Ruggles, "Pursuit and Death of John Wilkes Booth," *Centu Magazine*, 33 (Jan. 1890): 445.
5. As quoted in Thomas Reed Turner, *Beware the People Weeping: Publ Opinion and the Assassination of Abraham Lincoln* (Baton Rouge: Louisian State University Press, 1982), p. 46.
6. *House Report* no. 7, 40th Cong., 1st sess., 1867, p. 111.