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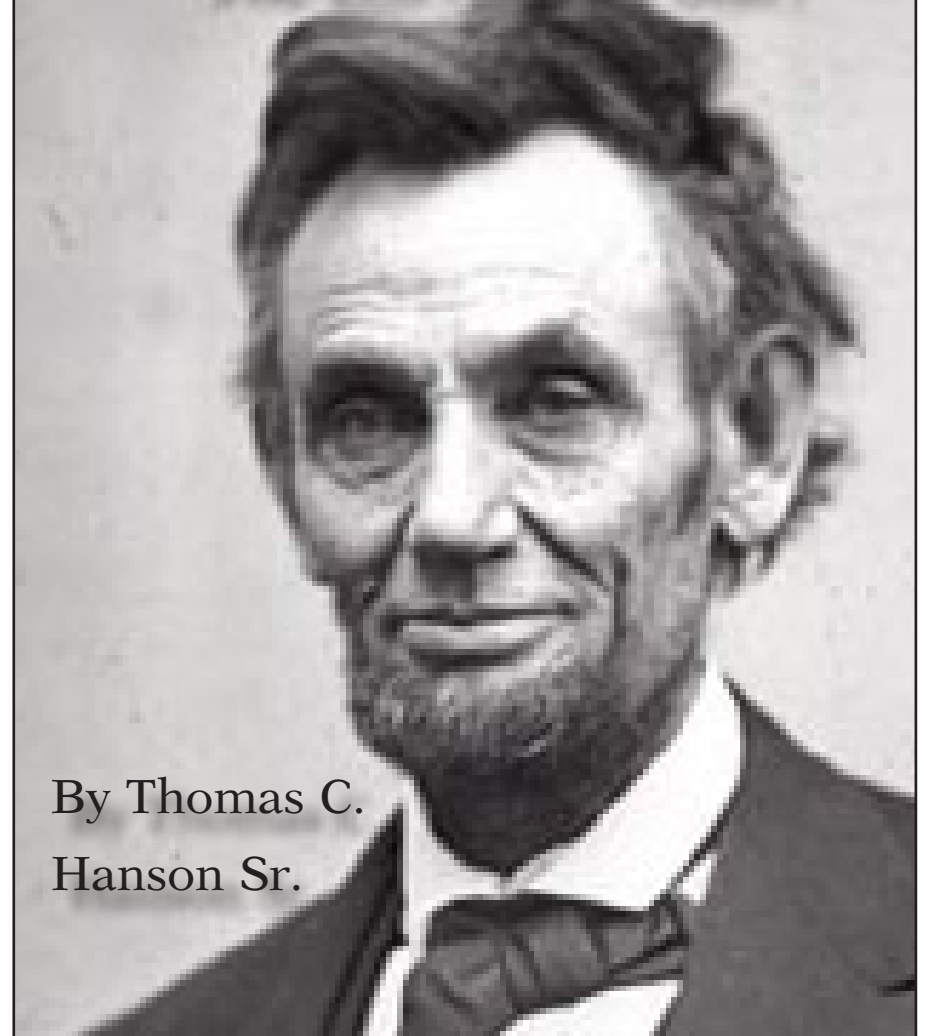
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Why Did Abraham Lincoln
Suppress
The Los Angeles Star?



By Thomas C.
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Why Did Abraham Lincoln Suppress The Los Angeles Star

And jail editor Henry Hamilton?

From the Documents of That Time Period

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To my mother, Betty Sue Hanson, who instilled in me from my youngest years a love for history; to my wife, Tina, without whom I could not have completed this project; and to the two children God has blessed me with, Betsy and Tom Jr.

In memory of my father, Samuel C. Hanson Jr., born November 8, 1926, died November 4, 1994, and my father-in-law, Miguel Blanco, born October 28, 1907, died January 5, 1995.

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Press restraints in history

Henry Hamilton, editor of the Los Angeles Star, was a critic of Abraham Lincoln, who excluded Hamilton's weekly, four-page newspaper from the mails and had him arrested at a time of initial Union military defeats.

Freedom of the press is a hallmark of American journalism, being firmly established in the First Amendment. Likewise, the adversarial role is an established tradition that the press fulfills.

Though, according to the First Amendment, Congress is prohibited from making any laws that would restrict press freedoms, more than 200 years of U.S. history show that the government has, at times, done just that, especially when the country is at war.

Sedition law

Less than seven years after the First Amendment was in force, Congress limited press freedoms by approving a sedi-

tion law that gave the government the authority to fine anyone convicted of publishing false, scandalous and malicious writing against the government with the intent to defame it or bring it into contempt. But that law was short-lived, as it was only to be in force until March 3, 1801, the day before the next president would be inaugurated (*U.S. Statutes at Large 1798*, 1:596-7).

Congress approved war-time press controls when it passed the fifty-seventh Article of War, April 10, 1806, forbidding the holding of correspondence with, or giving intelligence to, the enemy (*U.S. Statutes at Large 1806*, 1:20:66). This article was enforced, magnified and used against the press during the Civil War.

Congress approved a sedition law that gave the government the authority to fine anyone convicted of publishing false, scandalous and malicious writing against the government.

As the Civil War approached and the slavery issue divided the nation, the Federal government gave local and state postmasters in the South the right to refuse to deliver Abolitionist publications they deemed insurrectionary (Nelson 1967, 218).

During the Civil War, the Lincoln administration took control of telegraph wires, temporarily shut down disloyal newspapers, denied them access to the mails and arbitrarily arrested editors.

The next major period of U.S. war-time press controls was World War I, which saw some press controls that were reminiscent of those enforced during the Civil War. Congress passed the Espionage Act, which, among other things, gave the postmaster general the authority to exclude from the mails periodicals that contained treasonable and seditious material. Congress also passed the Sedition Act, and the President created the Committee on Public Information and a Censorship Board. The government also took control of telegraph and

cable lines leaving the country, and some editors were arrested.

During World War II, President Franklin Roosevelt created an Office of Censorship and the Office of War Information. The army and navy imposed censorship (Sloan, Stovall and Startt 1989, 286-8).

Since many blame the U.S. defeat in Vietnam on an unrestricted, adversarial press (Reston 1975, 41), war-time press controls have enjoyed popular support since then, as was the case with the controls President George H.W. Bush imposed on journalists during the Gulf War.

The question of how much a President can restrict the press, therefore, is not a new question. As military commanders have noted, without a system of press controls, their military effectiveness is weakened.

During the U.S. Civil War, an active opposition press functioned in a virtual absence of press controls and weakened the Union cause by revealing military secrets and undermining public confidence in the Lincoln administration's ability to wage the war (Randall 1918, 303).

An Opposition Newspaper: The Los Angeles Star

One of these opposition newspapers was the *Los Angeles Star*, edited by outspoken editor Henry Hamilton.

Hamilton, a native of Londonderry, Ireland, moved to the United States in 1848, and came to California a year later. In June 1856 he acquired the *Los Angeles Star* and continued the paper's pro-Democratic Party stance. Hamilton was known in Los Angeles for his pro-Democratic editorials, and in 1863 he was elected to the state Senate as a Democrat.

During the Civil War, Hamilton and the *Star* ridiculed and denounced the Lincoln administration. In response, the administration excluded the *Star* from the mails for 11 months. During the exclusion period, the Lincoln administration arrested Hamilton and held him in custody for 10 days.

Southern California was a microcosm of the Union and Confederacy as a whole. The sparsely populated area had its pro-Union and rebel elements, each served by a newspaper that suited its needs.

Though Southern California was sparsely populated in the 1860s, the Lincoln administration considered it an important region, even though it was far from the scene of conflict. Federal troops were stationed there during the war to shore up the nation's left flank and to subdue a rebel element.

Historical Overview

Most works dealing with press controls during the Civil War focus on the Eastern and Midwestern press. The West was sparsely populated and far from the scene of conflict. The fact that most works ignore Western newspapers makes a book about the *Los Angeles Star*, a Western newspaper, all the more important.

This section deals with the following subjects: press suppression during the Civil War; Lincoln and the press; the Copperhead Press; and the *Los Angeles Star*, a Civil War newspaper.

Press Suppression During the Civil War

Mott (1962), in his history of American journalism, found that press controls imposed by President Lincoln were ineffective in curbing criticism of the war effort.

Mott noted that informal press agreements also proved ineffective. Early in the war, editors and correspondents met with government officials and agreed to abstain from publishing anything that could give aid or comfort to the enemy. For its part, the government agreed to provide adequate facilities for obtaining and transmitting stories.

Though it was hoped that this voluntary system of self-censorship would obviate any need for government-imposed censorship, it soon fell apart, since editors and the government had different ideas about what was proper to print. Many newspapers refused to abide by the agreement, and competition proved to be more powerful than the voluntary system of constraints.

The *Los Angeles Star* was not party to this system of voluntary restraints, because it was across the country from the editors and government officials who made this agreement. It is also doubtful that the *Star* could claim that its articles did not bring comfort to the enemy.

Mott wrote that some newspapers benefited from press suppression, as the negative attention gave the papers more prominence, while they continued to hurl insults at the government. This is certainly true in the case of Henry Hamilton, editor of the *Star*, who was elected to the California State Senate eight months after the government lifted the suppression order against his newspaper.

Randall (1918, 1926) dealt with several areas where Lincoln contravened the Constitution.

He wrote: "It is not argued that Lincoln's administration was without fault. . . . Where praise is fulsome, uninformed, and uncritical, it is historically unconvincing." Of interest to this book are Lincoln's actions in restricting freedom of the press.

Despite some instances of suppression of newspapers, Randall wrote that an active opposition press functioned during the Civil War in a virtual absence of press controls. Newspapers weakened the Union cause by revealing military secrets and undermining public confidence in the Lincoln administration's ability to wage the war.

Lincoln's general lack of press controls during the Civil War, Randall found, coincided with a period of intense activity in the journalistic field. Newspaper correspondents served in positions not considered ethical today, such as government clerks, army nurses and signal officers, and, therefore, were in a great position to obtain news stories. They wrote stories that gave away military secrets, defamed generals and undermined public confidence in the government's conduct of the war.

The most damaging blow newspapers could strike was the revelation of military information, such as troop movements and plans. However this would not apply to the *Los Angeles Star*, which had no reporters in the field in battle areas, and, as was standard newspaper practice of that day, copied articles from other papers. The *Star's* main way to harm the Union cause was to belittle the Lincoln administration and discredit it in the eyes of the loyal citizenry. Though Southern generals learned much from Northern newspapers east of the Mississippi River, it is doubtful they would have learned anything from the *Star* about troop movements and military plans.

Though Lincoln was severely tempted to adopt drastic measures to control the press, he had to uphold the Constitutional freedoms of that same press that belittled him. To deal with those who opposed him, Lincoln temporarily shut down disloyal newspapers, denied them access to the mails and arbitrarily arrested editors. The severity of wartime control though, Randall argued, was tempered. Clemency was readily bestowed, and practice was milder than theory.

One example Randall gave that Lincoln's wartime controls were tempered is shown in how Lincoln dealt with one of the most notable Southern sympathizers in the North, Clement Vallandigham, a congressman from Dayton, Ohio, from 1857 to 1863. When Vallandigham was court-martialed and was to be imprisoned for expressing treasonable sympathy with the enemy, Lincoln set aside the sentence and had him exiled to the Confederate lines. When Vallandigham reappeared in the North, Lincoln simply let him alone.

Randall also cited Lincoln's policy of allowing vigorous expression of dissent and allowing opposition newspapers to operate (suppression being the exception), as examples of Lincoln's high regard for citizens' rights under the most difficult conditions, and argued that during the Civil War little real censorship existed.

Though the Lincoln administration took control of the telegraph wires and suppressed what it felt were harmful messages, throughout the war messages could be sent freely through the mails. Despite these suppression efforts, information damaging to the war effort continually found its way into newspapers. Randall noted that newspapers in the North practically functioned as Confederate spies, as Southern generals could easily obtain copies of the newspapers.

The Lincoln administration regularly tolerated newspaper editorials that weakened public morale and hindered the public's support of the armies in the field. Randall referred to these editorials as "injurious journalism" and noted that the Lincoln administration rarely suppressed such newspapers.

Randall found that suppression usually meant that pub-

lication was temporarily suspended by military action. Editors might be arrested for disloyalty, correspondents excluded from the battle lines, newsgathering facilities withheld, use of the mails denied, circulation of certain newspapers prohibited, an edition seized, or in a worst case, a newspaper suppressed. Suppressions were fairly numerous, but it was also true, Randall found, that throughout the war the administration allowed the most flagrant disloyalty to continue in many prominent papers.

In the case of the *Los Angeles Star*, the government denied its use of the mails for a period of 11 months, and arbitrarily arrested the editor, but released him 10 days later.

In some cases, Randall found that a single edition of a newspaper was suppressed or circulation prohibited within a certain area. This was not done in military areas for military purposes, but the action was taken as a partial measure for press control against disloyal papers.

The postal authorities excluded some objectionable newspapers from the mails. In some instances the postmaster general was merely carrying out orders by the secretary of state or the secretary of war, but at other times he was the one who determined which papers should be excluded. In the case of the *Star*, it appears that regional and local military and postal authorities prompted the exclusion from mails. Government officials in Washington certainly would have had no direct knowledge of the *Star* without the input of local officials.

Though the Treason Act of July 17, 1862, was comprehensive enough to include those who gave comfort to the enemy by publishing disloyal sentiments, Randall wrote that the occasional grand jury indictment brought no convictions. The ordinary resources of the law were inadequate to deal with journalistic treason. Unlike England, the United States

Suppression of newspapers during the Civil War usually meant that publication was temporarily suspended by military action.

had no seditious libel law to deal with extreme abuse of the government.

Randall argued that under the circumstances prevalent during the Civil War, even the most patient administration would have been tempted to use vigorous measures of suppression. Yet, despite this temptation, the administration was faced with the citizens' fundamental right of a free press. The U.S. Constitution and laws lacked a specific legal remedy for journalistic wrongs against the government. Randall noted the dilemma faced by the Lincoln administration, and all administrations during times of war: on the one hand, the military urged the government to restrict the press, yet the administration was restrained by its regard for the law.

The conditions peculiar to the Civil War made that struggle even more difficult. When the provocation became too great, the Lincoln administration resorted to such questionable acts as the suppression of papers and the arrest of editors.

Though cases such as those involving the suppression of the *New York World* and the *Chicago Times* are remembered as examples of the abuse of authority, by and large, Randall found that Lincoln's prevailing policy was one of tolerance and leniency. Anti-Lincoln and anti-Union papers were mostly left undisturbed. That they could heap such abuse and criticism on the administration was evidence that freedom of the press, even to the point of license, did exist.

Randall found that ignoring the papers was often the most effective course, especially in the case of those newspapers, that by their abusiveness, caused them to forfeit public respect. On the other hand, if the newspaper had popular support, oppressive government action would only strengthen that support.

Lincoln and the Press

Harper (1951) wrote that despite all the books written about Lincoln, one remained to be written. That book was about Lincoln and the press.

Harper wrote his book after examining many different Civil War newspapers. "Speaking from those dusty pages,"

he said, "were a few editors who saw the contemporary Lincoln as a great man. But speaking in louder tones were those who hated him." Though Harper did not mention Henry Hamilton, articles in the *Star* showed that Hamilton certainly was one of those who hated him.

Harper found that mob rule was more effective in silencing unpopular newspapers than government action, and many newspapers were silenced by renegade soldiers, though this was not the case with the *Los Angeles Star*.

The Copperhead Press

To understand the viewpoints expressed by the *Los Angeles Star* and its subsequent suppression one must consider the context of the Copperhead movement during the Civil War.

Mott (1962) noted that every great northern city had its proslavery or Copperhead newspaper. Even pro-administration papers did not withhold criticism of the president, his cabinet and his generals. At times they attacked as severely as the papers that openly opposed the war.

Skidmore (1939) traced the history of the Copperhead movement. She noted that Northerners who sympathized with the Southern cause were called Copperheads, taking the name given the poisonous snake, which, because it has no rattles, makes it even more dangerous. Apparently the first time the term was applied was in 1831 by the *Detroit Free Press*.

These neutral papers are always deceptive. In some parts of the country they go by the name of rattlesnake papers; but a friend suggests to us that they ought to be called Copperheads—because the first-named reptile always gives notice before he bites, whereas the neutral papers never show their colors before they apply their fangs.

This early definition would hardly apply to the *Star* under Henry Hamilton, since it was not a neutral paper. From

Every great northern city had its proslavery or Copperhead newspaper.

Hamilton's first issue it was a Democratic paper, and when Abraham Lincoln came on the scene, the *Star* vigorously, openly and sarcastically opposed him.

However, Skidmore noted:

A more precise definition of the term would limit its application to those who gave "aid and comfort" to the enemy by proposing a complete reversal of the Government's war policy and by advocating vigorous measures to bring a cessation of hostilities.

With this definition the *Star* was clearly in the Copperhead group.

Skidmore referred to a list of Copperhead motives published in the May 20, 1863, *New York Evening Post*, a pro-Union paper edited by William Cullen Bryant: (1) to magnify Confederate victories and deprecate those of the Union armies, (2) to parade reports from Southern papers boasting of the size of their army and the skill of their generals, (3) to calumniate [malign] the efficient Northern generals and laud the incompetent, (4) to seize upon a Northern reverse as basis for demands for the end of a hopeless war, (5) to sneer at the Northern financial system, (6) to abuse the President and his cabinet without consistency or truth, (7) to rail about the "niggers" in the army, and (8) to clamor against the draft.

Mott noted that the partisan political press dominated the American journalism scene up to the Civil War. If a split developed in the state party organization, newspapers would side with one faction or the other. The *Star* sided with the Breckinridge Democrats when the California Democratic Party split. John C. Breckinridge, vice president under President James Buchanan, was one of three candidates who ran unsuccessfully against Abraham Lincoln for the presidency in 1860.

In many cases the distinction between loyal and disloyal newspapers was blurred. Randall (1918) wrote that many newspapers in the North had a "malignant attitude" toward the Lincoln administration that amounted to "disloyalty and active sympathy with the enemy."

Skidmore noted that the Copperhead press was not the voice of the entire Democratic Party. She contrasted the Copperhead papers, which represented the peace wing of the party, with the War Democratic papers, which accepted the Civil War as just, and bitterly denounced the South. However, as Democrats, all of them opposed Lincoln and "took full advantage of the personal journalism of day to vilify Lincoln and the whole tribe of Republicans."

The basic difference she found was that the War Democratic papers supported the Lincoln administration's conduct of the war and condemned the South as the aggressor. Peace papers, the Copperheads, on the other hand, called the Lincoln administration the aggressors and denounced the war as unnecessary and provoked. This even more firmly places the *Star* in the Copperhead group, as it labeled the North as the aggressor and denounced the war as unnecessary.

The Copperheads were a potent force though. In his *Memoirs*, Ulysses S. Grant contrasted the press in the South with the press in the North, saying that "the press of the South, like the people who remained at home, were loyal to the Southern cause. . . . In the North the press was free up to the point of treason." He felt that the Copperhead press served as an auxiliary to the Confederate army.

Skidmore listed 16 Copperhead newspapers that set the pace for the smaller papers. The editors of these papers were high in the political councils of the peace wing of the Democratic Party and served as officers in their state organizations. Though the *Star* certainly was not one of these 16 influential papers, this description fits editor Henry Hamilton, who, on September 2, 1863, while editor of the *Star*, was elected to the state Senate.

**The War
Democratic
papers sup-
ported the
Lincoln
administra-
tion's conduct
of the war and
condemned
the South as
the aggressor.**

Included in Skidmore's list are two papers—the *New York World* and the *Chicago Times*—from which the *Star* copied articles during the Civil War. She noted that generous copying from exchange papers was common during the Civil War.

Skidmore marked the end of the Copperhead era as the landslide re-election of Abraham Lincoln in 1864. The Copperhead press “tried valiantly to outshout the cheering public, but there were few who heard its voice.”

This also coincided with the end of the *Los Angeles Star*. Hamilton published his last issue of the *Star* October 1, 1864, a little more than one month before the election. Though one source implies that suppression caused the *Star* to fold, Rice (1942) asserts that financial difficulties seemed to be the cause. Hamilton resumed publishing the *Star* four years later.

Harper argued that the final nail was driven into the Copperhead coffin on April 14, 1865, when Abraham Lincoln became the first American president to be assassinated. The day before, many would say nothing in Lincoln's favor, but after he was shot, it was in poor taste to say anything against him. After the assassination, Lincoln was praised by the same papers that only days earlier had vilified him.

Unfortunately the *Star* had folded six months earlier, and one can only wonder if its tone would have changed.

Summary

In summary, the existing literature, establishes the following points:

(1) Abraham Lincoln used unconstitutional methods against the press during the Civil War.

(2) These methods, most notably excluding offending newspapers from the mails and the arbitrary arrest of editors, did not lessen criticism of the Lincoln administration by the offending newspapers. In fact, it caused such newspapers to criticize Lincoln more.

(3) Henry Hamilton was an outspoken critic of Lincoln. His newspaper, the *Los Angeles Star*, was excluded from the mails, and Hamilton was arrested.

(4) Hamilton continued to criticize Lincoln while the paper was excluded and during and after his arrest.

Civil War censorship methods

This book searches Lincoln's own writings for his comments about the press as stated in his original correspondence compiled by his aides, John G. Nicolay and John Hay, and published in the *Complete Works of Abraham Lincoln*.

This book identifies comments made by those in the Lincoln administration acting on his behalf to show how Lincoln and his administration dealt with press concerns elsewhere in the country. The first and foremost source is the 70-volume *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. This massive work contains original correspondence of government officials, including instructions on the suppression of newspapers.

The freedom to publish anti-Lincoln articles, combined with a lack of threats, would show that the *Star* enjoyed freedom of expression.

Background and discussion

Freedom of the press, having been established in the Constitution, was an American tradition before the Civil War began. The decade before the Civil War, “one of extraor-

dinary political agitation,” saw a large increase in the number of political papers, up nearly 100 percent to 3,242 from the 1850 census, according to the Preliminary Report on the Eighth Census. The increase in newspaper circulation far exceeded the increase in population growth, and the largest increase occurred in California (Kennedy 1862, 103).

The Eighth Census noted the importance of freedom of the press:

A free press has thus become the representative and, for the masses, the organ of that free speech which is found indispensable to the development of truth, either in the religious, the political, the literary, or the scientific world.

Even though at the time the census report was printed those freedoms were being restricted by the Lincoln administration, the report said, “In no other country has their influence been more sensibly witnessed, or more widely extended, than in the United States.” The report noted the potential for good and evil in press freedoms.

It is easy to predict that the public press must here ever exert a power which renders it mighty for good or for evil, according to the intelligence and the virtue of those who preside over its conduct (Kennedy 1862, 102).

Close relations with the press

Lincoln had close relations with newspapermen and realized that it was to his advantage to curry their favor. Gideon Welles, his secretary of the navy, wrote: “It is an infirmity of the President that he permits the little newsmongers to come around him and be intimate.” However, Lincoln did not court “the corrupt and vicious” as did Secretary of State William Seward. Lincoln “likes to hear all the political gossip as much as Seward.” Welles said, “The President is honest, sincere, and confiding—traits which are not so prominent in some by whom he is surrounded” (Welles 1960, 2:131).

Benjamin Perley Poore, a Civil War editor and correspondent, said that the White House was fertile ground for news

when Lincoln occupied it, “which he was always ready to give those correspondents in whom he had confidence” (Rice 1885, 226).

However, many newspapers were vicious in their attacks against him.

He was publicly called just about every name imaginable by the press of the day, including a grotesque baboon, a third-rate country lawyer who once split rails and now splits the Union, a coarse vulgar joker, a dictator, an ape, a buffoon, and others. The *Illinois State Register* [published in his adopted home state] labeled him “the craftiest and most dishonest politician that ever disgraced an office in America (Phillips 1992, 66).

Lincoln was publicly called just about every name imaginable by the press of the day including a grotesque baboon, a dictator, an ape, and a buffoon.

The Los Angeles Star, like other opposition newspapers, hurled savage and sarcastic criticism at Lincoln.

Of the abuse that U.S. leaders face, Donn Piatt, a Civil War journalist, wrote:

There is no tyranny so despotic as that of public opinion among a free people. The rule of the majority is to the last extent exacting and brutal. When brought to bear upon our eminent men, it is also senseless (Rice 1885, 477-8).

Poore said that Lincoln tried to remain aloof of the battles dealing with press restrictions. When angry reporters appealed to him, Lincoln would good-naturedly say that he had no control over his cabinet secretaries and try to appease them by telling them a story. Once, he told two angry journalists, “I don’t know much about this censorship” (Rice 1885, 227-8).

Then, as now, fighting against the press can be futile.

Chauncey M. Depew, a Civil War-era attorney and politician from New York, advised:

No man, whether he be private citizen or President of the United States, can successfully carry on a controversy with a great newspaper, and escape destruction, unless he owns a newspaper equally great, with a circulation in the same neighborhood (Rice 1885, 436).

Press controls enacted by Lincoln

Yet Lincoln did fight the press and impose press controls. However, his press controls seemed to be a

Lincoln's press controls seemed to be a mixture of harsh measures, followed by lenient enforcement.

mixture of harsh measures, followed by lenient enforcement. Lincoln's press controls began in April 1861, when, the executive branch of the government took control of telegraph lines from Washington.

Denied transmission were dispatches giving military information, and also those deemed to be conveying too much news concerning

the activities of the government, reports of delicate diplomatic questions, criticisms of cabinet members, comments giving the mere opinion of correspondents, advance information of contemplated measures, and stories injurious to the reputation of officers (Randall 1951, 482, Nicolay and Hay 1894, 5:141).

At first, suppression of telegraph messages was limited to the Washington, D.C., area, but telegraphic messages could be sent from Baltimore, Philadelphia or New York. Throughout the war, messages could be sent freely through the mails (Randall 1951, 484).

Even innocuous messages were censored from the telegraph wires, and newspapers objected. On December 5, 1861, the House asked its Judiciary Committee to "inquire if a telegraphic censorship of the press has been established in this city; if so, by whose authority, and by whom [is it] controlled," and to "report if such censorship has not been used

to restrain wholesome political criticism and discussion, while its professed and laudable object has been to withhold from the enemy information and reference to the movements of the army" (*Journal of the House of Representatives 1862*, 37).

On January 8, 1862, the House gave the Judiciary Committee the authority to call witnesses under oath and "to compel the production of papers and telegraphic dispatches [1860s spelling] sent, or proposed to be sent" (*Journal 1862*, 146-7).

On March 20, 1862, the Judiciary Committee confirmed that telegraphic censorship had been established in Washington, and that, although the original intent, based on an agreement between newspaper editors and General George McClellan, was to prevent the publication of military information that might be of advantage to the rebel authorities, almost numberless dispatches of a political, personal and general character, had been suppressed by the censor.

The Judiciary Committee confirmed that almost numberless dispatches of a political, personal and general character had been suppressed by the censor.

The Judiciary Committee said:

The telegraph has become a most important auxiliary to the press of the country, and should be left as free from government interference as may be consistent with the necessities of the government in time of war.

It recommended that the government not "interfere with free transmission of intelligence by telegraph, when the same will not aid the enemy in his military or naval operations, or give him information concerning such operations on the part of the government" (*Journal 1862*, 461-2).

On February 25, 1862, before the Judiciary Committee

issued its report, Secretary of War Edwin Stanton wrote to Major-General John A. Dix in Baltimore:

All newspaper editors and publishers have been forbidden to publish any intelligence received by telegraph or otherwise respecting military operations. Please see this night that this order is observed. If violated by any paper issued to-morrow seize the whole edition and give notice to this Department that arrests may be ordered (*Official Records 1897*, 2:2:246).

Telegraph employees were required to take an oath of allegiance issued by the War Department (*Official Records 1897*, 2:2:40).

“The Government have been coerced, as they say, by the safety of the Republic, to destroy the liberty of the press.”

Noting the infringement on press freedoms, William Howard Russell, war correspondent of the *London Times*, wrote that “the Government have been coerced, as they say, by the safety of the Republic, to destroy the liberty of the press.”

Russell continued:

The freedom of the press, as I take it, does not include the right to publish news hostile to the cause of the country in which it is published; nei-

ther can it involve any obligation on the part of Government to publish any dispatches which may be injurious to the party they represent (Russell 1954, ix, 198).

Poore, the Civil War editor and correspondent quoted earlier, wrote that “surveillance of the press—first by Secretary Seward and then by Secretary Stanton—was as annoying as it was inefficient.” Telegraph censorship “was exercised by a succession of ignorant individuals, some of whom had to be hunted up at whiskey shops when their signature of approval was desired” (Rice 1885, 226-7).

Legal justification for government control of newspapers

What rationale did the Lincoln administration offer in defense of its abridgement of press freedoms?

Secretary of War Stanton said that the government had the right to control newspapers during a time of rebellion:

Newspapers are valuable organs of public intelligence and instruction, and every proper facility will be afforded to all loyal persons to procure, on equal terms, information of such public facts as may be properly made known in time of rebellion. But no matter how useful or powerful the press may be, like everything else, it is subordinate to the national safety. The fate of an army or the destiny of the nation may be imperilled by a spy in the garb of a newspaper agent....

The duties of the President and his Secretary, of every officer in the government, especially in the War Department and military service, are at this moment urgent and solemn—the most urgent and solemn that ever fell upon men. No news gatherer, nor any other person, for sordid or treasonable purposes, can be suffered to intrude upon them at such a time to procure news by threats, or spy out official acts which the safety of the nation requires not to be disclosed (Harper 1951, 132).

More than five decades earlier, the government gave itself some authority to control the press 15 years after the First Amendment went into force, which denied the government’s right to make such laws. The fifty-seventh Article of War, approved by Congress April 10, 1806, said that “whosoever shall be convicted of holding correspondence with or giving intelligence to the enemy either directly or indirectly, shall suffer death or such other punishment as shall be ordered by the sentence of a court martial” (*U.S. Statutes at Large 1806*, 1:20:366).

On August 7, 1861, Secretary of War Cameron wrote an order, approved by the President, magnifying Article 57 by giving the commander of an occupied territory the right to

silence newspapers giving details of military movements or other intelligence to the enemy without the authority of the major-general in command (*Official Records 1897*, 3:1:390).

A group of New York area newspaper editors led by Horace Greeley of the *New York Tribune* (not a Copperhead paper) objected to Lincoln's attempt to control the press. They met June 8, 1863, and denied "the right of any military officer to suppress the issues or forbid the general circulation of journals printed hundreds of miles from the seat of war" (Harper 1951, 135).

In a short-lived and ill-fated move, Lincoln ordered Major-General John A. Dix to suppress the *New York World* and *Journal of Commerce*.

In a short-lived and ill-fated move, Lincoln ordered Major-General John A. Dix to suppress the *New York World* and *Journal of Commerce* May 18, 1864, for publishing a forged proclamation calling for a fast because of the failures of General Ulysses S. Grant and for a draft of 400,000 men (Welles 1960, 2:35).

General Dix was arrested and tried by a state judge for obeying the President's suppression order. According to Navy Secretary Welles, "the President very frankly avowed the act to be his, and he thought the government should protect Dix." Welles expressed his own regret that the papers had been meddled with (Welles 1960, 2:67).

Later court actions made Lincoln and his Cabinet reluctant to act against newspapers. When a district court judge ordered a government officer arrested "for false arrest and imprisonment at the instigation of the late Secretary of the Treasury," Secretary of State Seward said that under that decision no Cabinet officer was safe. And Secretary of War Stanton said he would be imprisoned for at least a thousand years (Welles 1960, 2:206).

Lincoln's compassionate and forgiving side is evident in a comment made by Welles. Lincoln, he said, was "always dis-

posed to mitigate punishment, and to grant favors"—even to the point of weakness and even to those with Secessionist leanings (Welles 1960, 2:207-8).

Lincoln overrules suppression orders

Lincoln expressed his view toward newspapers in an October 1, 1863, letter he sent to General John H. Schofield in the border state of Missouri, which had an active secessionist minority:

You will only arrest individuals and suppress assemblies or newspapers when they may be working palpable injury to the military in your charge, and in no other case will you interfere with the expression of opinion in any form or allow it to be interfered with violently by others. In this you have a discretion to exercise with great caution, calmness, and forbearance (Nicolay and Hay 1894, 9:148).

Lincoln's lenient treatment of opposition newspapers disappointed many loyalists who, while their friends and relatives were dying on the battlefield, watched disloyal editors go unpunished as they furnished aid and comfort to the enemy. Many wanted the Copperhead papers silenced.

Charles Fishback of Indianapolis wrote to Secretary of State Seward September 9, 1861:

Sir: I send you the inclosed [1860s spelling] Kentucky paper with several articles marked merely to inquire if it is not about time the editor were an occupant of Fort Lafayette or some other suitable place for traitors? The people are getting tired of sending their sons to fight rebels while such as this editor, more mischievous by far than if armed with muskets, are allowed to furnish aid and comfort to the enemy unmolested (*Official Records 1897*, 2:2:806).

Lincoln, although not wanting to undermine military authority, reluctantly overruled one of his generals, who suppressed the *Chicago Times*, edited by Wilbur Fiske Storey, June 1, 1863. On June 4, he wrote to Secretary of War Stanton:

I have received additional despatches [1860s spelling], which, with former ones, induce me to believe we should revoke or suspend the order suspending the Chicago "Times"; and if you concur in opinion, please have it done (Nicolay and Hay 1894, 8:290).

Stanton concurred and added a postscript to a June 1, 1863, letter to General Ambrose Burnside, and told him to revoke his suppression order:

The President "directs me to say that in his judgment it would be better for you to take an early occasion to revoke that order. The irritation produced by such acts is in his opinion likely to do more harm than the publication would do. The Government approves of your motives and desires to give you cordial and efficient support. But while military movements are left to your judgment, upon administrative questions such as the arrest of civilians and the suppression of newspapers not requiring immediate action the President desires to be previously consulted" (*Official Records 1897*, 2:5:724).

In the main body of that letter, Secretary Stanton asked General Burnside to remove Brigadier-General Milo S. Hascall, stationed in Indianapolis, "an indiscreet . . . foolish military officer, who is constantly issuing military proclamations and engaging in newspaper controversies upon questions that agitate the public mind."

General Hascall had written to editors of several papers who said they would violate an order he had issued. To the editor of the South Bend, Indiana, *Forum*, Hascall wrote May 8, 1863:

You can now publish an order retracting all this and publish a loyal paper hereafter or you can discontinue its publication till further orders. A violation of this notice will receive immediate attention (*Official Records 1897*, 2:5:725).

The *Los Angeles Star* defended the *Chicago Times* in an item it published about the suppression July 18, 1863. Under the heading "A Bold Judge," the *Star* quoted Judge Thomas Drummond:

I may be pardoned for saying that personally and officially I desire to give every aid and assistance in my power to the Government and Administration in restoring the Union, but I have always wished to treat the government as a Government of Law and a Government of the Constitution, and not as a Government of mere physical force. I personally have contended, and shall contend, for the right of free discussion and the right of commenting under the law and under the Constitution, upon the acts of the officers of the Government.

The *Star* commented:

Three months ago that speech would have landed Judge Drummond in the deepest and darkest dungeon in Fort Lafayette; and would now consign him to the gallows, if the minions of despotism dared to further provoke the long-slumbering but partially aroused spirit of the people.

Arbitrary arrest of editors

Occasionally the Lincoln administration arbitrarily arrested editors of disloyal papers, including Henry Hamilton of the *Los Angeles Star* in October 1862. In February 1862, Secretary of War Stanton sent an order to officers in various cities to suppress newspapers that published military intelligence. This is probably what led to the *Star's* exclusion from the mails that month. Though the *Star* was critical of the war, none of the articles could be considered of strategic value to a Southern general.

Stanton ordered:

All newspaper editors and publishers have been forbidden to publish any intelligence received by telegraph or otherwise respecting military operations by the United States forces. Please see . . .

that his order is observed. If violated . . . seize the whole edition and give notice to this department, that arrests may be ordered (*Official Records 1897*, 2:2:246).

This background on how the Lincoln administration dealt with newspapers is helpful in understanding his administration's actions against the *Los Angeles Star* and editor Henry Hamilton.

Los Angeles in the 1860s: Secessionists Not Numerous, but Active

To determine the stresses the Lincoln administration experienced, this book now takes note of how successful the war effort was at that time, and how strong the Republican Party was on the national, state and local scenes.

Los Angeles of the 1860s bears little resemblance to the sprawling city of the 21st century. In the January 17, 1863, issue, editor Henry Hamilton was able to refer to the *Los Angeles Star* as a "country newspaper" at "the utmost limits of Lincoln's empire . . . on the very verge of civilization."

The following chart is adapted from Table 41 from the *Preliminary Report on the Eighth Census*.

| County | Whites | Free Colored | Indians | Half-breeds | Chinese | Total |
|-------------|--------|--------------|---------|-------------|---------|--------|
| Los Angeles | 9,221 | 87 | 1,979 | 35 | 11 | 11,333 |

California, with a population of 379,994, was ranked 26th in the nation in population (Kennedy 1862, 12). It had four electoral votes in 1864 and five votes in 1864. The population of Los Angeles was less than 2,000, and between San Gabriel and San Bernardino, the only settlement of any size was El Monte. The area was primarily cattle country (Cooney 1924, 21:1:54).

The population south of Techachapi was not more than 12,000, and three-fourths of them were Southerners by birth and ancestry, which explains why a paper such as the *Star*, with Southern sympathies, could thrive.

Most Californians supported the Union cause during the war, and a minority supported the Confederacy (Gilbert 1941). The state legislature passed resolutions placing the state squarely in favor of the Lincoln government (Cooney 1924, 21:1:55). On August 5, 1861, Henry M. Willis, a candidate for the Senate, wrote from San Bernardino to Major Carleton, commandant of U.S. Forces at Los Angeles, that "the secessionists are not numerous, but active, energetic, and persevering and fighting men, while the Union men are the hard working and quiet citizens, unorganized and unsuspecting" (*Official Records 1897*, 1:50:1:564-5). The May 17, 1862, *Star* referred to Carleton as brave, honest and patriotic.

Though outright secessionists may not have been numerous, anti-Lincoln Democrats were, as the election returns surrounding the exclusion period show (see next page).

Though no Civil War battles were fought in California, Federal troops were stationed there during the war, and strategic points were occupied. No draft was necessary in California because the state always provided more volunteers than requested (Cooney 1924, 21:1:62).

Secret Confederate societies were particularly active in Southern California, and the region was heavily guarded by Federal troops (Gilbert 1941, 20:2:156). Displaying the Bear Flag, the California state flag, was considered an assertion of states rights, the leading Southern cause (Cooney 1924, 21:1:55).

Election returns show heterogeneity

Election returns show that Los Angeles was a Democratic area in a state that was beginning to be dominated by the Republican Party.

The 1861 election took place five months before the exclusion of the *Star* from the mails; the 1862 election was during the exclusion period and just more than one month before the arrest of Hamilton; and the 1863 election, which saw the election of Hamilton to the state Senate, was eight months after the exclusion order was lifted. Each election showed victories on the local level for the Democratic Party, which the *Star* strongly supported. However, the elections also

showed victories for the Republican Party on the state and national levels.

1860 election

Lincoln won California by only 734 votes in 1860. The final tally was Lincoln, 38,733; Douglas, 37,999; and Breckinridge, 33,969. Lincoln only got 20 percent of the vote in Los Angeles, which was carried by John C. Breckinridge, the candidate backed by the *Star* (Delmatier, McIntosh and Waters 1970, 52). Lincoln won California's four electoral votes out of a national total of 303.

That the stability of the Lincoln administration was stronger four years later is evidenced by the fact that Lincoln carried California by 18,302 votes in the 1864 election, defeating George McClellan 59.2 percent to 40.8 percent. Lincoln received California's five electoral votes in 1864 out of a national total of 233 with 81 not voting. California elected John G. Downey, a Douglas Democrat, as governor in the 1860 election.

1861 election

The September 4, 1861, elections were for state and county offices. The September 7 *Star* said that "never in this county, has the Democratic party been so nobly sustained. The ticket has been carried by a sweeping, an overwhelming majority." Democrats were elected to each office, except district attorney. Democratic candidates received sixty-three percent of the aggregate vote.

However, Leland Stanford was elected as the first Republican governor, and the 1860 state legislature was the last one dominated by the proslavery wing of the Democratic Party (Delmatier, McIntosh and Waters 1970, 24, 6, 52). The Republicans also elected three congressmen. This is an indication that the Republican Party was on the rise and facing no threat to its stability in California.

After the Democrats carried California in 1856 they did not carry the state again until the 1880 elections.

In 1861, the Democratic-dominated legislature elected General Jim McDougall, a Douglas Democrat, as senator to replace William McKendree Gwin, leader of the proslavery California Democrats.

1862 election

The 1862 election was mainly for local offices, except for the state superintendent of public schools. He was the only Democrat defeated in the county. Democratic candidates received fifty-three percent of the aggregate vote.

The September 6, 1862, *Star* reported the election returns and complained about voting in the military precinct. The troops stationed at Camp Latham in the Ballona precinct took possession of the ballot box, the *Star* said, and dispensed with the services of the duly appointed officers and voted for the county and township offices as if they were citizens of the county. This was in direct contravention of the state constitution and a decision of the state supreme court. Although the soldiers voted Republican almost unanimously, their votes were not enough to offset the Democratic victories. The *Star* promised that the soldiers' votes would be "summarily disposed of."

It is worth noting that despite a contingent of pro-Republican soldiers, the *Star* did not suffer the fate of other newspapers elsewhere in the country that were sacked by soldiers. Perhaps with the pro-Democratic nature of the area, such action was impossible, thus showing that the heterogeneous society tolerated freedom of expression.

1863 election

In 1863, Republican Frederick F. Low defeated former Governor John Downey to become the state's first four-year governor, and the Republicans gained control of the California legislature for the first time as they were joined by the Douglas Democrats to form the Union Party (Delmatier, McIntosh and Waters 1970, 26, 30). However, the Democrats remained strong in Los Angeles, where they received fifty-five percent of the aggregate vote.

Commenting on the 1863 election, the September 5 *Star* said that "the triumph of the Democracy in the county is complete—from Governor to Constable." Every candidate the *Star* endorsed won at the Los Angeles precinct level.

The *Star* noted that "the struggle has been the most severe we have been called upon to endure; and, from the nature of the opposition, as well as from the lukewarmness of our

own party, resting on a fancied security, there is less cause for congratulation than on any former State election.” The *Star* complained that “military power was put forth to overawe and intimidate the voters” and that “many persons expressed their dread of going to the polls to vote the Democratic ticket, lest they should be held as acting against the Government.” Despite this, the *Star* referred to the 1863 election as “the most complete triumph under the circumstances, we have accomplished in many years.”

So, as the election returns show, the Republican Party made significant gains in each election, which would have lessened the stress against it on the state level. This would cause the Lincoln administration to feel free to revoke the exclusion order in January 1863, even though it continued to suppress papers in the eastern part of the country as it still experienced stress there. Indeed, as late as August 1864, Lincoln believed he would not be reelected and desperately needed a military victory. General William Tecumseh Sherman provided that victory when he captured Atlanta the next month and assured Lincoln’s reelection and the demise of the Copperhead papers.

So, Lincoln contracted the area of freedom the *Star* operated within when the stresses on the stability of the Lincoln government and of the structure of society increased, and expanded that area of freedom when the stresses decreased.

The Lincoln administration’s actions to contract the area of freedom were limited by the heterogenous nature of Los Angeles. The *Star* continued to publish its dissenting views throughout the exclusion period, as the articles that begin below show. The Los Angeles area tolerated, and even supported, the *Star’s* viewpoint throughout the war. The fact that *Star*-backed candidates received more than 50 percent of the vote in 1861, 1862 and 1863, would indicate that the *Star* actually expressed the majority viewpoint in its articles.

The *Star* appeared to increase its criticism of the President because of his actions against it. As Donald L. Shaw and Stephen W. Brauer noted in their study of William W. Holden and the *North Carolina Gazette*, “sometimes stress brings more determination and zeal in an editor to use his freedom to the maximum” (Shaw and Brauer 1969, 46:2:243).

| Lincoln’s actions against the <i>Star</i> and stresses against his government | | | | | |
|---|--|--|--|---|--|
| <ul style="list-style-type: none"> ● Last California legislature dominated by proslavery Democrats. ● John Downey, a Douglas Democrat, elected governor. ● Lincoln narrowly wins California. | <ul style="list-style-type: none"> ● Union Democrats elect Jim McDougall as senator to replace proslavery William M. Gwin. ● Republicans congressmen. ● Leland Stanford elected first Republican governor. ● Civil War begins. Union defeat at Bull Run. | <ul style="list-style-type: none"> ● Los Angeles <i>Star</i> excluded from mails. ● Union defeat at second battle of Bull Run—formerly supportive newspapers begin to openly criticize Lincoln. ● Henry Hamilton, Los Angeles <i>Star</i> editor, arrested. | <ul style="list-style-type: none"> ● <i>Star</i> exclusion order revoked. ● Republicans control California legislature for first time. ● Democrats retain control of LA county. ● Tide of war in Union favor with victories at Gettysburg and Vicksburg. | <ul style="list-style-type: none"> ● Lincoln thinks he won’t be re-elected. ● With capture of Atlanta, Lincoln’s re-election assured. ● <i>Star</i> folds ● Lincoln re-elected, wins California in landslide. | <ul style="list-style-type: none"> ● Civil War ends. ● Lincoln assassinated. |
| 1860 | 1861 | 1862 | 1863 | 1864 | 1865 |

63 percent 53 percent 55 percent

Percentage of votes received by *Star*-backed candidates

Text shows events that indicate the rising strength of the Republican Party on the national and state level; Lincoln’s actions against the *Star*; and the tide of the Civil War.

Viewpoints expressed by the *Star*

Articles from the *Star* show Hamilton's anti-Lincoln, anti-Republican sentiments. Like other editors of his day, Hamilton made little or no attempt to distinguish his opinions from news, except that editorials appeared on page 2 beginning in the upper left column, and news articles began on page one. News articles and editorials reflected the same anti-Lincoln, pro-Confederacy sentiment. Though his byline does not appear in the articles, his comments in his inaugural issue show that, even if he did not write all the articles in the *Star*, he must have agreed with the views expressed in them.

In his first issue, dated June 7, 1856, Hamilton placed at the top of the editorial column the name of Democrat James Buchanan, as the paper's choice for Presidency. "That is the banner under which we enter the political arena," Hamilton wrote. "It is our pride to be found contending, humbly but zealously, among the rank and file for the great truths of Democracy—the sacred principles of civil and religious liberty—the charter of equal rights and equal privileges." Hamilton thought it best "to be thus explicit in defining our position," adding that "in the struggle which is approaching, we are desirous that our trumpet shall give no uncertain sound."

The *Star*, like other early California newspapers, relied chiefly on steamers, bringing news from the eastern states, making the trip in three weeks. The Overland Stage from St. Louis, established in 1858, made the trip in about the same time. When it became the Pony Express two years later, it cut the time of the trip to 10.5 days (Mott 1962, 290).

Articles researched for this book show why the *Star* gained the disapproval of the Lincoln administration. Following are a series of articles that show the *Star's* views on secession, slavery, Congress, Jefferson Davis, Abraham Lincoln, Lincoln's cabinet, and causes of the Civil War, all of which put it at odds with the Lincoln administration.

The articles also show that the *Star's* criticism of the Lincoln administration did not diminish during the key dates that marked Lincoln's suppression efforts.

February 1862: exclusion of the *Star* from the mails.

October 1862: arrest of Henry Hamilton.

January 1863: revocation of the exclusion order.

A view of the *Star*: Let the South Leave in Peace

In a Feb. 2, 1861, article titled "The Crisis," published after states began to secede, but before Lincoln took office, the *Star* labeled the North the aggressor, advised against bloodshed and called on the government to let the Southern states secede in peace.

Recent advices from the eastern side of the continent bring the most deplorable accounts of the state of affairs. Secession was advancing; several states having followed the example of South Carolina. . . .

Black as the political horizon is, we are not even yet without hope, that propositions may be submitted which will meet the approbation of the people of the Southern States. Even if secession should run its full course, and there be presented a consolidated South against the aggressions of a united North, there may, even in that attitude, provided no blood be shed, arise negotiations for a union [based on] the present Constitution; in which the rights of the South shall be fully and fairly stipulated and guaranteed. . . .

At all events, if secession spreads, we hope there will be no attempt at coercion. It cannot drive States into a union, which, by the act of force and victory, would be merely held as conquered provinces, ready to break out in revolt and rebellion on all occasions, and on every opportunity. This cannot be. It is repugnant to all ideas of a Democratic Republic.

A view of the *Star*: Slavery Protected by Constitution

The *Star* published a proslavery article titled, "Why the Word *Slaves* Is Not Used in the Constitution," from a speech by Congressman John Millson of Virginia, in Congress, January 21, 1861. Congressman Millson took issue with the claim he said the Republican Party made that the framers of

the Constitution refused to use the word *slave* or *slavery* in the Constitution “because of their reluctance to disclose the fact that there was any such personal relation acknowledged or established by the laws of any of our States.”

Since some framers of the Constitution owned slaves, Millson argued that they were not “so intensely hypocritical that they were not ashamed to do what they were ashamed to talk about.”

Millson said that they knew the word *slave* or *slavery* was vague and had a variety of meanings. Instead, the framers referred to “persons held to service or labor under the laws of any State,” which Millson said, “embraces every kind of servitude.”

“They were guilty of no such miserable hypocrisy,” he argued, “that they were unwilling to introduce into the Constitution any phrase which might imply that there could be no property in man.” He said that “to insist that they are persons, as well as property, is to take the highest position on which the South can rest her claims. . . . A slave is a man. He is a responsible man; responsible to our laws, responsible to God. He is a person; a person held to service; and it is because he is a person that the position of the South before this Congress, and in the Constitution, is impregnable. I say it is because he is a person that gentlemen of the Republican party are forbidden to pass a law prohibiting his emigration into the territories.”

A View of the Star: Congress Is Wasting Its Time

The Republican-dominated 37th Congress, which took office two months before Lincoln’s inauguration, wasn’t too popular with the *Star*. In the February 2, 1861, issue, under the heading, “The Legislature,” the *Star* commented: “As usual, this body is engaged in the discussion of all kinds of questions, to occupy the time and stave off action on the few measures required for the public good.”

A View of the Star: Lincoln Flip-flopping on the Issues?

In the March 16, 1861, issue the *Star* pondered what course President Lincoln would take when he assumed office,

hoping that he would negotiate with the Confederacy.

In looking over the speeches made by Mr. Lincoln during his progress to his Capital, we see that he has changed ground considerably. We hear no more of the Chicago Platform, “pure and simple” . . . What course he will adopt on the great questions, it is impossible to guess. . . .

[The Chicago platform was vague on the issue of slavery in the territories. The platform condemned John Brown’s raid on Harper’s Ferry to incite a slave rebellion, and condemned popular sovereignty, whereby each territory seeking admission to the Union would vote to be free or slave, as “a deception and a fraud” (Milton 1963, 547).]

Truly, Mr. Lincoln has a hard task before him; and we will not be at all astonished to hear him denounced by his own party ere long. He will most likely throw overboard Chicago and the radical straight-outs, give assurances to the border States, and negotiate treaties of peace and commerce with Jeff Davis and his confederates.

A View of the Star: Favorable Toward Jefferson Davis

The *Star* had high and uncritical praise for the inaugural address given by Jefferson Davis, president of the Confederate States of America, calling it “a calm and able document” and declaring that “the separation from the Union is complete.”

The *Star* continued:

For long years the South has protested against the action of the North; every contest has ended in a “compromise,” disastrous to her interests and subversive of her policy; her appeals to the Constitution, as her great bulwark of right, were laughed at.

The *Star* blamed the North for the dissolution of the Union.

Patience has ceased to be a virtue. The fanaticism

of the North has effected what the combined powers of the world could not accomplish. Much as we deplore the disruption of the Union, we cannot but admit that the South, if she could not have her rights in it, is justified in maintaining them out of it.

The *Star* said that the South was adhering to the same principles that the United States asserted when it declared independence from England: “the right of the people to alter and abolish governments whenever they become destructive of the ends for which they were formed.”

The *Star* then pondered how President Lincoln would react to the seceded states:

How this will be looked on at Washington, by the Administration of Mr. Lincoln, is the all important question at present. How will he regard the Congress, the President and people of the Confederate States of America? He finds an independent government in existence, will he at once acknowledge it, or endeavor to overturn it by coercion of physical force?

The *Star* contrasted the problems awaiting Lincoln with the reception Jefferson Davis got along the route to the Confederate capital in Montgomery, Alabama. In the March 16, 1861, edition, the *Star* reported that President Davis “was received with every demonstration of respect and devotion—in fact his progress was an ovation. He made a great many speeches before the people, and his sentiments were everywhere loudly applauded. This shows that the people of those States fully endorse the new government.”

In the April 13, 1861, issue the *Star* quoted a correspondent of the Charleston, South Carolina, *Mercury* about Davis speaking in Atlanta en route to Montgomery. Under the heading, “A Southern View of Jefferson Davis as a Man and an Orator” the correspondent wrote:

And now, as he stands at ease, leaning slightly on a stout cane, let me tell you what I think of him. Of medium height, weight about 150 pounds, clad in a full suit of blue gray cloth, apparently home

made, but fitting perfectly, hair of light color, and features sharp and well defined, mouth well cut, chin decisive, and thin, bold nose, coupled with a high but not deep forehead, his features in calm repose, he seems not the man for the occasion.

But hark! he speaks; like trumpet tones ring the words, “Georgians and fellow citizens!” The “windows of his soul” are opened, and forth from his eyes flashes the power to light up his placid and stern features, and his sonorous voice penetrates where the flash of his eyes cannot reach, stirs the blood of the listener, and he forgets that the man he saw so calm and cold is the same impassioned and perfect orator before him.

Inaugural Address of Jefferson Davis

The March 16, 1861, edition of the *Star* continued its coverage of Davis with a report on his inauguration February 18.

According to the *Star*, President Davis compared the formation of the Confederacy to the U.S. Declaration of Independence based on “the American idea that government rests upon the consent of the governed, and that it is the right of the people to alter and abolish governments whenever they become destructive of the ends for which they were established.”

Davis said that the Union had failed to provide the purposes for which it was created: “To establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure blessings of liberty to ourselves and our posterity” and that “a peaceful appeal to the ballot box declared that, so far as they were concerned, the Government created by that compact should cease to exist.”

“It is the right of the people to alter and abolish governments whenever they become destructive of the ends for which they were established.”

Davis concluded that “the impartial, enlightened verdict of mankind will vindicate the rectitude of our conduct, and He who knows the minds of men will judge the sincerity with which we labored to preserve the Government of our fathers in its spirit.”

A View of the Star: Lincoln’s Inaugural a Great Failure

Lincoln was inaugurated March 4, 1861, a cloudy and raw day, with about 30,000 people gathered at the east side of the Capitol (Milton 1963). Based on an abstract it received before receiving the text of Lincoln’s address in full, the *Star* commented March 23, 1861, that “on the whole, we think the inaugural address of Mr. Lincoln a great failure. It gives aid and comfort to his opponents, while it throws a wet blanket on the hopes and aspirations of his friends.” The *Star* said that “the declarations it contains are so contradictory, that while some construed them as threatening and coercive, others considered them as merely harmless gasconade [bravado, boasting], and that Mr. Lincoln would not attempt to carry into effect one tittle of what he threatened.”

By the March 30, 1861, issue the *Star* had received the full text of Lincoln’s inaugural address.

Last week we published the abstract of the President’s Inaugural address, as conveyed to us by telegraph. This week, we lay the document, in full, before our readers. The abstract gave a fair synopsis of the “points” made by the President and we do not feel ourselves called upon to change our views on the questions.

The *Star* took exception to Lincoln’s stated determination not to use force to bring the seceding states back into the Union. If his policy is to be a peace policy, “why not, then, at once acknowledge the existence of the new Confederacy, and have a period put to the anomalous condition of the affairs of the country. We do not find in this address any broad statesmanlike views of the questions at issue—nor a single recommendation for their solution.” The *Star* published the text of Lincoln’s speech and called upon each of its readers to

“form his own judgment regarding its merits or demerits.”

In contrast to the obsequious comments the *Star* reprinted about Jefferson Davis in its April 13, 1861, issue, similar actions directed toward Lincoln were ridiculed in the same issue:

The amount of toadyism exhibited at Willard’s [hotel] to the Presidential family and suite is fairly sickening. Lincoln himself continues unaffected by the disgusting servility and sycophancy showered upon him, but some of those that came with him are swelling with conceit at a fearful rate.

A View of the Star: Lincoln’s Cabinet the Weakest Ever

Of Lincoln’s cabinet the *Star* wrote March 23, 1861:

We have the now conservative [William H.] Seward [secretary of state] associated with the radical [Salmon P.] Chase [secretary of the treasury], whilst [Gideon] Welles [secretary of the Navy], of Connecticut, hob-nobs with Southern [Edward] Bates [attorney general] and [Montgomery] Blair [postmaster general]. Talk of discordant element; but if this cabinet be a unit, then is it a most singular representation of unity.

The *Star* continued its critical comments on April 13, 1861, when it copied from the *New Orleans Delta* an article titled “A Southern View of the Cabinet.” Of special note are comments about Montgomery Blair, the postmaster general. Blair “is a third rate lawyer, whose chief consequence is due to the fact of his being the son of old Frank P. Blair [editor of the *Washington Globe* in the days of President Andrew Jackson], who turned Abolitionist when the Democratic party dispensed with his services as ‘organist,’ and the further fact of his being the son-in-law of the lamented and patriotic Levi Woodbury. Blair is an elder brother of Frank P. Blair, Jr., and is even inferior in ability to that very shallow and pestilent demagogue.”

Continuing, the article said:

On the whole, the Cabinet, including the President,

is by far the weakest that has ever been called to administer the Government of the United States. Interested in the prosperity of those States, and efficiency and wisdom of the administration of their Government, we shall be agreeably disappointed if under such an executive the Republic of the United States will ever enjoy any of that respect which has hitherto been awarded to the old Republic by foreign nations, and escape the perils that begin to gather so darkly and ominously over its path.

Although Lincoln asked Blair to resign before the election of 1864, he had high praise for his postmaster general. Lincoln wrote to Blair September 23, 1864:

My dear Sir: You have generously said to me more than once that whenever your resignation could be a relief to me it was at my disposal. The time has come. You very well know that this proceeds from no dissatisfaction of mine with you personally or officially. Your uniform kindness has been unsurpassed by that of any friend; and while it is true that the war does not so greatly add to the difficulties of your department as to those of some others, it is yet much to say, as I most truly can, that in the three years and a half during which you have administered the general post-office, I remember no single complaint against you in connection therewith (Nicolay and Hay 1894, 10:228-9).

It is interesting that Lincoln would be unaware of any complaints against Blair, since his department would have been involved in the sometimes unpopular policy of excluding some papers from the mails.

A View of the Star: Republicans Caused the Civil War

In an April 20, 1861, editorial, the *Star* commented on what it referred to as “the present terrible crisis.” The Republican Party, the *Star* said, which first took definite shape in 1856, “has swept the Northern States as an avalanche, and as

each succeeding State has come under abolition sway, it has engrafted upon its statute books laws in direct violation of the Federal compact, and hostile to the fundamental interests of nearly one-half the Federal Union.”

The *Star* asked:

But is it not too late? Has not the patience of the South ceased, in their eyes, to be a virtue? Have not the indignities, wrongs and outrages of sectionalism so worked upon their honor, as to smother their love of union, and cause them to rise in the majesty of an outraged people, and assert, by force, if needs be, their just and legitimate rights?

The *Star* advised against forcing the seceding states back into the Union. “Can they, by coercion, under the Federal Constitution, be brought back to loyalty to the Union? Assuredly not, for the power cannot be claimed upon any other hypothesis than implied, and as one of the provisions of that instrument is, that all powers not expressly granted, are reserved to the States and the people, the implied power must fail, there being no express power delegated.”

A View of the Star on the Crittenden Compromise

After the presidential election, Congress considered the Crittenden Compromise, put forth by Senator John J. Crittenden of Kentucky in December 1860.

Crittenden’s compromise sought to settle the status of slavery in the Territories. It would divide the area from the Missouri River to California along the line of 36 degrees 30 minutes. To the north Territorial slavery would be forever prohibited. To the south it would be protected by Congressional legislation. Whenever a territory asked for statehood it would be admitted free or slave as its people determined (Cooney 1924, 21:1:60).

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On March 2, 1861, two days before Lincoln was inaugurated, the Senate defeated the plan 20-19 in a vote along partisan lines. President-elect Lincoln refused to let his party compromise, because he felt that if a firm stand on slavery wasn't taken at that time it would have to be taken later (Nicolay and Hay 1894, 6:77).

The *Los Angeles Star* blamed the Republican Party for the Civil War. The *Star* copied an article from the *Philadelphia Constitutional Union* titled "Who Defeated the Crittenden Compromise" in its November 8, 1862, edition, more than 20 months after the plan was defeated. The *Star* concluded that the Republicans defeated the compromise and brought on the Civil War, which the compromise would have averted. The *Star* also expressed the view that most Northerners would have voted for the compromise to avert war.

The War Begins

The April 27, 1861, *Star* reported the beginning of the war and called upon Californians to decide which side to join. Showing a strong states-rights sentiment, the *Star* advised Californians not to "crawl at the feet of either a Southern or a Northern Confederacy." Under the heading "Hostilities Commenced" it wrote:

The intelligence we publish to day of the fall of Fort Sumter created in our midst the most profound sensation.

The intelligence which we publish to day of the fall of Fort Sumter [April 14], created in our midst, on its arrival here by telegraph on Wednesday evening last, the most profound sensation. The

fate of the "Union" is now sealed. Reconstruction is an obsolete word, in this connection. The temporizing, vacillating policy of the Border States has been checked—and the question has been brought home to them in such a manner that they can no longer shirk or evade it. They must now strike for

honor, interest—or be basely dragged at the chariot wheels of the great North. It is for themselves to decide.

Before long the same question will press itself on us here in California. Let us consider well our position. Let us look our affairs fairly and squarely in the face—coolly and calmly discuss our resources, capabilities—the revenue paid by us in Boston, New York, Philadelphia or New Orleans, as well as in San Francisco—and on a calm review of our circumstances, take our stand. Shall we, too, strike for independence—or, like whipped spaniels, crawl at the feet of either a Southern or a Northern Confederacy? To this we come, and that, too, ere long.

A View of the Star:

Anti-Republican on the State Level

In the January 17, 1863, issue, the same edition that announced the revocation of the exclusion order, the *Star* lambasted Republican Governor Leland Stanford's message to the California legislature. The *Star* called Stanford a demagogue, which is an "inherent quality of an abolitionist."

About the governor's message, the *Star* wrote:

It is a lengthy document, reviewing the conditions of the State's affairs, but there is nothing of real benefit to the people suggested throughout the tedious review.

According to the *Star*, the governor wanted the legislature "to pass a law by which the votes of the soldiery shall be recorded in our coming elections, the express prohibitions of the Constitution to the contrary notwithstanding."

The *Star* continued:

All he would have to do in this county, for instance, to vest in himself the election of our county officers next fall, would be to send down a few more troops, vote them at Camp Drum [the military post at Wilmington], choose the men

whom the Blacks [Black Republicans, those who sided with black causes] would dictate, and ship off his voters by return of steamer.

Of this proposal, the *Star* said:

To entertain the least particle of respect for the Constitution, or the supremacy of law, is an idea so antiquated and absurd, that it could not be expected to find place among the recommendations of an abolition functionary. And so, in the plottings of the enemies of good government, it has appeared that the Constitutional provisions stand in their way.

Two years earlier, in the March 23, 1861, issue, the *Star* criticized the election by the state legislature of General Jim McDougall, a Douglas Democrat, as senator to replace William McKendree Gwin, whose activities later concerned the Federal government.

The article said:

The bargains made in Washington by Mr. [Stephen A.] Douglas to elect [Edward D.] Baker in Oregon, the Blacks [pro-Black, white Republicans] of California to reciprocate by voting for "Jim McDougall," has been carried out to the letter. For decency sake, there was a show of resistance, but the mandate was obligatory, and the plans of the leader of the Douglas branch of the Republican party have matured in the production of the motley and speckled representatives we now have for the Pacific States.

(Senator Baker, a friend of President Lincoln, later resigned as senator to recruit and command the First California Regiment. He was killed at the battle of Ball's Bluff, Virginia, October 21, 1861 [Harper 1951, 129].)

The *Star* copied a piece March 30, 1861, from the Sacramento correspondent of the *Alta* on the election of General McDougall. The *Alta* correspondent wrote:

We perceive the election of Mr. McDougall is

hailed as a triumph of the extreme "purity" party. He is lauded as a "Union" man; insinuating that his opponents were in favor of dissolution. This is only one of the plans by which the enemies of the good old Democratic party endeavor to assail it and misrepresent its members. There are no men in the State but are devoted to the perpetuity of the Union; they are, too, equally devoted to justice, and equality in the Union; these must be maintained in the Union, or out of it."

In the July 18, 1863, edition, the *Star* reported on the California state Democratic convention, which nominated former Governor John G. Downey for governor. (Downey was later defeated by Republican Frederick F. Low.) The lead column on page 2 of the *Star* listed the candidates that the convention had nominated.

The *Star* commented on the convention in glowing terms:

With that good feeling and abnegation of self which characterizes Democrats, all misunderstandings were easily reconciled, and a unanimity and good feeling prevailed, highly creditable to the members of the party.

Apparently no one from the *Star* attended the convention, since the *Star* received the names of potential nominees by telegraph.

The *Star* said that "the proceedings were characterized by a spirit of forbearance; and the ticket presented to the people is one which meets favor from everyone who claims to be a Democrat—of every one who is opposed to the policy and principles of the present Abolition Administration."

Despite the glowing description of the convention the *Star* claimed a certain degree of objectivity.

We are not disposed to indulge in indiscriminate praise of the ticket presented by the convention. We do not lose sight of the fact, that a compromise had to be effected, and that, consequently, names were not taken up which would have adorned the list of candidates. But we assert, nevertheless,

that the Convention has presented a list of names which, on the whole, will commend itself to the people, and our candidates will rally around them the unterrified Democracy throughout the length and breadth of the State.

The *Star* approved the resolutions adopted by the convention:

Attachment to the Constitution, the equality of states in the Union, without which it is not the Union of the Constitution—obedience to the law-

The platform, according to the *Star*, opposed “the fanatical attempt to place the negro on a social and political equality with the white race.”

ful authority, but resistance to arbitrary power and despotism at all risks, the maintenance of the freedom of speech, the freedom of the press, and the protection of the citizen from illegal arrests, the supremacy of civil over military power, and a strong protest against test oaths, as a qualification for the enjoyment of the common rights and privileges guaranteed by the Constitution.

The platform, according to the *Star*, opposed “the fanatical attempt to place the negro on a social and political equality with the white race.” The convention resolved to “denounce and unqualifiedly condemn the Emancipation Proclamation . . . as tending to protract indefinitely civil war, incite servile insurrection, and inevitably close the door forever to a restoration of the union of these States.”

The convention demanded as inalienable rights, freedom of thought, freedom of speech, and freedom of the press, and declared that government agents should be held accountable to the people, and that all errors of such agents should be liable to full and free discussion for the purpose of correction at the ballot box.

The *Star* commented that “the day is not far distant, when the people of this State will begin to realize that they live under a constitutional government, and the Executive of the State is not unmindful of his obligation to defend and maintain the Constitution, nor afraid to stretch forth his arm to protect the humblest citizen from the tyranny of a military despotism.”

The July 18, 1863, *Star* quoted from former Governor Downey, the unsuccessful Democratic nominee for governor in 1863, about arbitrary arrests, which the *Star’s* editor had suffered that year:

It will be a proud moment for me to say for what purpose has a citizen of the State been incarcerated? [Applause and cheers.] Has he been confronted with his accusers? Has he had a trial by jury, as is guaranteed to him by the Constitution and the Bill of Rights? If the answer is in the negative, then it will be the duty of the Executive, as it is now and should be, to see that these provisions of the Constitution are complied with. [Cheers and applause.] . . . While I shall consider this as my duty, I also regard it as an evidence of the highest loyalty to the Government, for there are none so disloyal as those who disregard the Constitution and the laws made in accordance therewith.

The *Star* again quoted Downey in the September 5, 1863, issue. While elaborating on the Democratic platform, he gave a synopsis of what California had gone through in the Civil War up to that time, including some actions taken against the *Star* and Henry Hamilton:

But while California has furnished the most gratifying evidence of an ardent and unselfish attachment to the Union, yet her citizens must have witnessed with apprehension and abhorrence repeated acts of tyranny, usurpation and corruption practiced by the Republican Administration and Congress at Washington City, and their officials, civil and military, throughout the United States.

We have seen martial law proclaimed and the writ

of habeas corpus suspended, the right of trial by jury denied, the sanctity of the mails violated, contributions levied on whole communities by irresponsible military subordinates, imprisonment, banishment or death inflicted on citizens accused of no crime and tried before tribunals unknown to the laws, and a system of espionage and secret police established which finds a parallel only in the annals of Asiatic despotism.

We have seen martial law proclaimed and the writ of habeas corpus suspended, the right of trial by jury denied, the sanctity of the mails violated.

Newspapers which ventured to complain of these outrages have been forcibly suppressed by order of government, or refused all mail facilities, and meetings of the people called to consider and peacefully petition for a redress of grievances have been dispersed at the point of the bayonet. Bear in mind that these wrongs have not been perpetrated alone in sections of the country where rebellion prevailed, but in loyal States of the North; not by lawless and irresponsible mobs, but publicly and shamelessly by the express order of the administration.

Under the heading of "Away With the Constitution!" the July 18, 1863, *Star* reprinted comments made in a speech by John B. Harmon, a prominent Republican lawyer of Sacramento, in which he denounced the Constitution.

This is no time to inquire into the constitutionality of any measure proposed by the government for the arrest of the rebellion. What are Constitutions? Documents that may be made and destroyed at will. Away with the Constitution—push on the war. [Great applause.]

This war has, by the force of circumstances, resolved itself into an abolition war, and the time has arrived when every man must acknowledge himself either an abolitionist or an enemy of his government. I, therefore avow myself an abolitionist, and am in favor of continuing the war until the last slave upon the American continent has been emancipated. [Tremendous applause.]

The July 18, 1863, *Star* also quoted from a speech given by former Democratic governor John B. Weller (1858-1860) in Petaluma, who commented on the government's policy of arbitrary arrests:

Fellow citizens, for the expression of these sentiments I may be seized by a military guard, as others have been, dragged away from my wife and children, and incarcerated in prison. Well, if indeed I have outlived the liberties of the people, it is a matter of very little importance where an old National Democrat spends his few remaining years. And if, in the Providence of God, it should be my destiny to terminate my days in a dungeon, I ask kind friends (for I trust I will leave some behind,) to raise a simple slab to my memory, and inscribe these words upon it:

"Here lies the body of an American who forfeited his Liberty, and Died in Prison, for refusing to aid in Slaughtering Nine Million Men, Women and Children of his own blood, in order to give Freedom to four million of the African race."

The editorial stance exhibited in the above articles led to the suppression of the *Star*.

The Suppression of the Star

The government suppressed several newspapers in the West about the same time it excluded the *Los Angeles Star* from the mails.

Under the heading, “The Freedom of the Press,” the March 1, 1862, *Star* published the announcement of its own suppression order:

WASHINGTON, Feb. 15th—Orders have been issued for the suppression of the *Oregon Democrat*, *Los Angeles Star*, and *California Star* (?) from the mail, on the ground that they have been used for the purpose of overthrowing the Government, giving aid and comfort to the enemy now at war with the United States Government.

Though the announcement is datelined Washington, it is not clear from this statement who originated this order. However, a letter written nine days later would indicate that regional military authorities asked regional postal authorities to carry out such orders. The regional postal authorities then contacted local postal authorities and mail contractors to implement the exclusion orders. This process would not appear to involve President Lincoln directly, but he must have been aware of it. Later in his presidency he stepped in to overrule some such orders.

On February 24, 1861, Brigadier-General B. Wright, commanding the U.S. Army of the Pacific, wrote to S.H. Parker, postmaster at San Francisco and acting postal agent for the Pacific coast:

There is a paper published at Jacksonville, Oreg., called the *Southern Oregon Gazette*, incendiary in its character, abusive of the Government of the United States, and treason, open or lurking, in its leading articles. Under these circumstances I deem it my duty to request that you will give orders prohibiting the transmission of the above named paper in the United States mails or their being received at any post-office for distribution (*Official Records 1897*, 1:50:1, 895-6).

Parker replied two days later that the “postmasters and mail contractors in the vicinity of its publication have been notified to prevent its transmission through the U.S. mails” (*Official Records 1897*, 1:50:1, 895-6).

On February 28, 1862, Wright wrote to Lieutenant Colonel Albemarle Cady, commanding the District of Oregon, at Fort Vancouver, in Washington Territory:

Colonel: There are several newspapers published within this department which are filled with abuse of the President and Government of the United States. It is quite enough that these libelers should be permitted to print their traitorous sheets without receiving the aid of the U.S. mails to send them abroad. I will thank you to scrutinize the papers published within your district, and if you find them disloyal and treasonable send me copies, and I will have their circulation through the mails and post-offices prohibited (*Official Records 1897*, 1:50:1, 897).

The *Star's* response to the exclusion order indicates, and the articles referred to in this chapter show, that the exclusion order had no effect on the content of the *Star*. It continued to heap verbal abuse on President Lincoln and the Union cause in the war.

In fact, as Horace Greeley's *New York Tribune* (a pro-Union paper) reported July 23, 1864, the Copperhead journals seemed to take delight in such actions:

The Copperhead journals are never so happy as when they are miserable. An act of the military power which affords grounds of complaint is a boon to them. Arbitrary arrests never fail to cause spasms of delight. A good case of newspaper suppression is food for a fortnight of miserable exultation (Harper 1951, 127).

In response to the exclusion order, the *Star* called freedom of speech and the press “mere shams,” and said that the order would interfere little with general circulation,

The *Star* continued to heap verbal abuse on President Lincoln and the Union cause in the war.

since the paper circulated primarily in the four Southern counties. Those readers would have their papers supplied by private carriers. Readers in northern California, the Atlantic States, Canada and Europe, however, would no longer be able to receive the *Star*.

We look upon this use of authority, as a very weak effort of a 'strong government.' ”

“As to the allegations made,” the *Star* replied, “they are entirely groundless. To no such use has ever the *Star* been perverted.

“From the beginning of the war, we, of our own volition, discontinued our long list of subscribers in the Southern States; since then, no paper has been sent but to the loyal

States. We look upon this use of authority, as a very weak effort of a 'strong government.' ”

The September 20, 1862, *Star* published an order from Secretary of War Stanton dated August 8. In it Stanton directed authorities to “arrest and imprison any person or persons who may be engaged, by act, speech or writing, in discouraging volunteer enlistments, or in any way giving aid and comfort to the enemy, or in any other disloyal practice against the United States.”

The next month, on October 17, 1862, Hamilton was arrested by the United States marshal, put into a carriage and taken to San Pedro.

A statement written by foreman J.A. Talbott appeared in the November 1, 1862, *Star*, under the title, “Arrest of the Editor”:

A little after 4 o'clock yesterday afternoon, the Editor of this paper, Mr. HENRY HAMILTON, was arrested by the Deputy United States Marshal, hurried into a carriage that was before the door, and conveyed away in the direction of San Pedro, giving him no time to make any arrangements for the continuance of the *Star*. The *Star*, however, will be continued until further orders. We publish it this week, without adding or diminishing [a] line which Mr. Hamilton intended to publish.

In San Pedro, Hamilton was placed on a ship bound for the prison at Alcatraz, according to the October 22 *Los Angeles News*. Hamilton was released ten days after his arrest (he hadn't been incarcerated at Alcatraz, but was placed in the hands of the provost marshal. Two weeks later he was back in Los Angeles and continued printing his invectives against the government (William Rice 1947, 239).

On the front page of the October 18, 1862, edition (the same issue that reported Hamilton's arrest) the *Star* copied a report highly critical of the administration's policy of arbitrary arrests from the *New York World* titled “The Government and the Press.” The administration's threats against that paper caused it to turn (in its own view) from a pro-administration paper to one that would show no restraint in attacking the president. The *World* was especially disturbed at the administration's policy of arbitrary arrests.

Citing its previous policy of unquestioned support of the government, the *World* said:

In this spirit we have shut our eyes to much that, in our sober judgment, was worthy of blame—believing that almost any evil was less injurious than distrust, and hoping that time would amend all errors. Time did not amend them. It aggravated them. When it at last brought the arbitrary arrest of loyal men, we could hold our peace no longer.

From this time forth, we shall do our whole duty in respect to this administration. We shall criticize without reserve—approving and condemning, applauding and denouncing, as freely as in days of peace. The conviction has been forced upon us that so only can we fitly discharge our duty to the

From this time forth, we shall . . . criticize without reserve—approving and condemning, applauding and denouncing, as freely as in days of peace.

country in its awful perils. . . . Public opinion must develop and consolidate itself, and take a shape so formidable that no living man or set of men, in Washington or out of it, will dare defy it.

The *World* called on the press, “as the chief organ of public opinion, [to] no longer shrink from its duty in expressing and enforcing that opinion.”

The *World* said:

President Lincoln and his chosen advisers must be less tenderly dealt with. They must be held more sternly to their responsibilities. They must be made

A major Union defeat at the second battle of Bull Run caused many newspapers to cast off all restraint in criticizing Lincoln.

to feel something of the dreadful earnestness which surcharges the heart of the people. They must learn to respect the rights of the people, and to treat the people as their masters and not as their servants. They must tolerate freedom of loyal speech, and renounce all ideas of intimidating the loyal press.

A major Union defeat at the second battle of Bull Run caused many newspapers to cast off all restraint in criticizing Lincoln.

That defeat, according to an article on freedom of the press copied from the *San Francisco Monitor* in the October 25, 1862, *Star*, “was the avalanche that swept away the puny barriers which for a year or more prevented the flow of free speech; and suppressed just criticism. The New York papers now speak out upon all topics connected with the war, with a boldness which is in striking contrast with the timidity of the past.”

The *Monitor* said that the government, by suppressing dissent in the press, had “deprived itself of the benefit of the suggestions of a thousand busy pens—ever and ever rattling over the fair page, sometimes it is true splashing and spat-

tering; but often throwing off advice which those who fill high places might with advantage to the nation adopt.”

The *Monitor* encouraged the government “to learn to distinguish between friendly and unfriendly criticism—between articles written for the purpose of pointing out to it the true path, and articles published with the object of bringing it into contempt. . . . Far better, however, would it be if the administration should throw itself upon the common sense of the people and give full scope to all either to approve or condemn. . . .

“By so doing, the *Monitor* advised, “it will get many a valuable hint and suggestion hid away through the fear of the military prisons which surround us at every turn. No cause is good which will not stand just criticism.

It is interesting that Hamilton was arrested after the Union defeat at the second battle of Bull Run, when some Eastern papers toppled the barriers of criticism. However, maybe it was in this new spirit of allowing press criticism that the government released him so quickly.

Though the *Star* often told Lincoln how to run the government and how to wage (or not to wage) the war, it would be hard to imagine that Hamilton would consider all of the *Star's* criticisms helpful. How helpful can it be to call someone a despot, an imbecile and distempered?

Also in the October 25, 1862, issue the *Star* commented on the approaching congressional elections. It condemned the Republican Party, which it said, “recognizes no loyalty but party loyalty, no constitution but a party platform, no laws but party dogmas.”

In this light the *Star* reprinted part of a speech by E.G. Ryan, a Democrat from Wisconsin. Mr. Ryan said:

We claim the right, as free and loyal American citizens, to discuss the conduct of the administration, and to censure it when we deem it worthy of censure. Our fathers won and established this right, and we will not surrender it.

There are some grave acts of the executive and legislative departments of the government for which we hold the Republican party responsible,

and for which we arraign it at the bar of public opinion. We deny the power of the executive to trammel the freedom of the press by the suppression of newspapers.

Ryan gave the President the benefit of the doubt. "We believe," he said, "that the executive acts of which we complain, were done rather in inadvertence by subordinate officers [some incidences of newspaper suppression are examples of this], than in the deliberate purpose of subverting the constitution, or with the sanction of the President. The stretch of power, however, is too great and too dangerous to the liberties of the people, to pass without the protest of the free and loyal democracy."

Gov. Horatio Seymour of New York denounced Lincoln for his Emancipation Proclamation freeing the slaves.

On November 1, 1862, the same issue in which it announced the release of Hamilton, the *Star* printed a speech by Gov. Horatio Seymour of New York, highly critical of Lincoln and the Republican Party. Among other things, Governor Seymour denounced Lincoln for his Emancipation Proclamation freeing the slaves. Despite being excluded from the mails and having its editor arrested, the *Star* continued to publish stories heaping verbal abuse on President Lincoln.

Said the *Star*:

We give, in to day's issue, a few extracts from Gov. Seymour's speech, delivered in Albany, New York, Sept. 19th, before the Democratic State Convention, on receiving the nomination for Governor. The speech is one of the most able documents of the day, and is such a one as is demanded by the American people at the present time.

The Governor takes up the position of our country as it is, and shows to the people and the world that Mr. Lincoln and his cabinet are not the men

to carry out the expressed wishes of a majority of the American people, but was merely placed in power to carry out the fiendish designs of a political clique who would sooner see our country sold to a foreign power or laid in waste, than for it to sustain that dignity and respect which it has ever done before the nations of the earth.

Gov. Seymour falls back on the old and tried principles of the true Democratic party, as the only relief for saving our national honor and our Union. We hope every thinking and well meaning man will give it a careful perusal, and then pass the document on to others, that all may have it indelibly stamped upon their minds.

Hamilton Released: Criticism Continues

In the November 8, 1862, issue the *Star* published the following about the release of Hamilton: "We expected Mr. Hamilton down on this trip of the *Senator*, but was disappointed, business having detained him. He will be down on the text trip of the steamer."

That edition of the paper showed no let-up in its anti-Lincoln and anti-Republican invectives. The *Star* published a poem by John Critchley Prince on page 1 of that issue titled "The Pen and the Press." The final stanza reads:

The PEN and the PRESS, blest alliance! combined
To soften the heart, and enlighten the mind;
For that to the treasures of knowledge gave birth,
And this sent them forth to the ends of the earth;
Their battles for truth were triumphant indeed,
And the rod of the tyrant was snapped like a reed;
They were made to exalt us, to teach us, to bless,
Those invincible brothers—the PEN and the PRESS!

The *Star* also copied an item about treason in that issue from the *San Joaquin Republican*. Among other things, the article called on the Administration to issue written proclamations of what may or may not be published. Apparently, at least some Civil War editors felt that the guidelines were

not spelled out, and were unsure of what they could publish without risking government intervention. However, the articles researched for this book indicate that Henry Hamilton was not fearful to print anything critical of the government, regardless of guidelines.

In the November 8, 1862 issue, under the heading of “Disunion Government” the *Star* commented that “it is notorious that most of the soldiers in the rank and file of the army are Democrats, not agreeing with the Republicans, nor President Lincoln and his cabinet.” The soldiers, the *Star* said, went to war to preserve the Union, but now, with the announcement of the Emancipation Proclamation, were in a war to abolish slavery.

In that issue the *Star* also clipped an item about freedom of speech from the *San Joaquin Republican*, in which a reader condemned the *Republican* for not being more outspoken.

The reader accused the *Republican* of being “intimidated by threats” and being fearful of a popular outcry, and described California:

A State with peace throughout its entire borders, remote from the scenes of war and of strife, in which there is not a whisper of insurrection or rebellion—in a State eminently loyal, and where by no possibility could any successful forcible resistance be made to the government, citizens are arrested by the military power for giving utterance to their opinions on public affairs and the conduct of the administration, or for expressing their sympathies in a contest in which their fathers, brothers, and all to whom they are bound by nature’s holy ties are engaged on different sides, and without any formal charge disclosed, forced hundreds of miles from their homes and families in degrading custody, and without form of law or any examination or inquiry, shut up in the cells of a dungeon, denied the right of appeal to the tribunals of their country’s justice and withdrawn from the defence of

its protecting aegis, to be brought to trial only when it suits the pleasure of him who orders the arrest, and then to be tried by a military board whose rules of proceedings are unknown and undefined, for acts not pronounced by the law to be offenses—and the staunchest advocate of common rights condemns these inexplicable outrages only on the score that the victims are too humble or worthless to be the object of licentious power!

The *Star* replied that “there is something deeply humiliating in the accusation,” and defended itself by saying that it had “patiently borne the taunt and threats of ruffians in power, and felt the hot breath of the rabble, instigated by fanatic hate, hissing upon our cheeks, unmoved.” However, when criticized by a friend, “then we feel that we have either greatly overrated our own qualities or are greatly underrated by others.”

Though Lincoln is known today for his communication skills, he was often criticized for his lack of communication skills during his day. In the December 13, 1862, edition the *Star* lambasted President Lincoln’s annual message, calling it “the sorriest document which has ever emanated from an occupant of the eminent position. It is without merit of any kind. . . . Even the friends of Mr. Lincoln’s administration blush for the failure of their chief.”

Lincoln was often criticized for his lack of communication skills during his day.

William Howard Russell, the *London Times* correspondent who covered the early part of the Civil War, commented on Lincoln’s annual message the year before in *My Diary North and South*:

Somehow or other there is not such anxiety and eagerness to hear what Mr. Lincoln has to say as one could expect on such a momentous occasion.

The President has, it is said, written much of it in his own fashion . . . and a good deal of pure Lincolnism goes down to Congress.

Russell noted that the galleries were not more than three-fourths filled, and the senators did not appear much interested in what Lincoln had to say, and referred to their use of spittoons, reading newspapers and writing letters (Russell 1954, 191-2).

Russell also ridiculed Lincoln's military ability:

This poor President! He is to be pitied . . . trying with all his might to understand strategy, naval warfare, big guns, the movements of troops, military maps, reconnaissances, occupations, interior and exterior lines, and all the technical details of the art of slaying (Russell 1954, 256).

Mails Reopened to Star: Criticism of Lincoln Continues

In January 1863 the mails were reopened to the *Star* and all other Western newspapers that had been excluded:

The orders heretofore made by the military authority of the United States prohibiting the circulation, through the U.S. Mails and Expresses, of certain newspapers published in the States of California and Oregon on account of certain alleged treasonable publications, having been revoked, Postmasters and others employed in the care and conveyance of U.S. Mails will govern themselves accordingly. By order. S.H. Parker, Postmaster of San Francisco.

The *Star's* response was bitter and caustic: "There is no act of tyranny more odious than that which strikes at the liberty of the press—the freedom of thought and speech." The *Star* said that "for all time to come, history will point back to the reign of Abraham Lincoln, as having displayed a timidity most ludicrous, a terror most abject, a despo-

tism most foul and hideous, a tyranny utterly regardless of all moral considerations, trampling under foot all the guarantees of a written Constitution, which he solemnly swore before God and the world, to maintain, revere, and support."

The *Star* condemned Lincoln for trying to silence a country newspaper "away out here, on the very verge of civilization," and compared Lincoln's actions to "the frenzy of a dis-tempered brain, which shrinks from a shadow on the wall."

The *Star* refused to thank Lincoln for revoking the order. It instead thanked Democratic voters in New York, Pennsylvania and elsewhere and those who defended Constitutional rights.

The *Star* compared Lincoln's actions to "the frenzy of a dis-tempered brain, which shrinks from a shadow on the wall."

A View of the Star on the Emancipation Proclamation

As items in the January 17, 1863 *Star* (the same issue that carried the revocation of the exclusion order) show, the *Star* did not relent in its attacks on Lincoln after it had been punished by the administration.

On January 1 of that year Lincoln issued his Emancipation Proclamation, freeing "all slaves in areas still in rebellion." The *Star* quoted what it called a "very able article" from the *Louisville Journal*, which "show[ed] the utter folly and wickedness of this abolition proclamation." George Prentice was editor and part owner of the *Journal*, and despite the fact that he had two sons in the Confederate Army, he hated the Confederacy second only to hating the Lincoln administration (Skidmore 1939, 349).

In the March 7, 1863, issue the *Star* published several articles derogatory of Lincoln and the Union cause. The *Star* copied an article from the *Chicago Times* (a paper that

was temporarily suppressed June 1, 1863) that it headlined “The Test of Loyalty.”

The *Times* warned that “when the people of any Government are prepared to receive the dogma that loyalty is due to men rather than principles they are fit instruments for slavery.” It referred to the British axiom that the king can do no wrong, but said that, unlike the Lincoln administration, “the haughty pride of the British Ministry has learned to bow humbly before a free people that hold the counsellors of the sovereign responsible for all wrong committed in the name of the crown.”

The article went on to criticize the “fanatical press and pulpit of the country.”

The *Star*, like other opposition newspapers, copied articles from the London press, such as one from the Dec. 12, 1862, *London Times* that suggested mockingly that Abolitionist crusaders should gather the crowds who listen to them preach extermination and criticize timid military commanders and lead them in an attack on the Confederate capital at Richmond. This, the *Times* said, would be “something worthy of them, and their humanity and their courage.”

The *Star* copied an account from the *Pittsburgh Post* about a fight between Secretary of War Edwin Stanton and General Henry W. Halleck, Lincoln’s military adviser (who also served as California secretary of state under the military government during the Mexican War [1846-48] and helped frame the state constitution, hence, maybe why the *Star* would publish this piece).

The *Post* said that, during a Cabinet meeting discussing the Union disaster at Fredericksburg, Stanton denied having anything to do in advising it. Halleck replied that, had Stanton not ordered the advance, it would not have been made. Stanton called him a liar.

“Old Halleck immediately shot out his left fist at the frontispiece of Stanton,” the *Post* said, “handing him one on the left eye, which felled the burly Secretary to the floor, frescoping the left side of his ‘human face divine’ in a most artistic manner. . . . Old Abe himself had to interfere, by threatening to thrash both parties if they didn’t behave themselves.”

In the same issue, March 7, 1863, the *Star* published an

article titled “When Shall We Have Peace?” addressed to the attention of “those who are so free with their charges of treason against every Democrat who speaks of peace.” The *Star* quoted from the *Portland Advertiser*, the leading Republican paper in Maine:

We answer, when Congress shall be persuaded that reason, not force, is the divinity of the age in which we live. When Congress shall be persuaded that history furnishes no example of six millions of people, educated, free and independent, being subjugated to captivity and ruled against their consent. When Congress shall be persuaded that no nation on earth have proved themselves powerful enough in arms, or in wealth, to establish and maintain, indefinitely, a military despotism over six millions of white men accustomed to freedom, and to a representative government.”

From the *New York World* the *Star* copied an article that spoke of the advantage the Southern army had of fighting under a military President who has given them the unity of command that is essential to military success. By contrast, the Northern officers have fought in handcuffs and fetters. “No General has gone into the field,” the *World* said, “over whom did not impend . . . the awful incubus of Washington, with its intrigues, its vanity, its imbecility, its political plots, and its strategic imaginations.”

Mrs. Lincoln Not Spared

Even Mrs. Lincoln was not spared in the March 7, 1863, *Star*.

Somebody who saw Old Abe and wife at church is impudent enough to write:

There was a sleepy expression of the eye, which reminded me of the lions I used to see in the menagerie which needed a thorough punching to make them roar soundly, and remind one that they were lions. The President will never impress one with his position from mere observation. During the sermon he seemed exceedingly restless and weary. When

the plate was passed to him in taking up the collection, he modestly contributed his "greenback." Mrs. Lincoln smiled complacently, and after the benediction chatted with a few friends, and quietly withdrew. Mrs. Lincoln dresses in deep mourning, is a short dumpy woman with a good natured face, and is not considered handsome.

Mrs. Lincoln was ridiculed about a trip she made to New York City in an article clipped and published in the November 21, 1863, *Star*: The article said that "no one chronicled her coming. Not a newspaper of all the crowd of courtly admirers, who fawn around the royal table, even so much as lisped the presence of Mrs. Lincoln."

The article said that the President's wife was once simply the wife of the President, now she is the wife of "the Government."

"We feel relieved," the article said, "that 'the Government' and his wife are both in Washington. What a terrible state of affairs it would be if 'the Government' should ever become a widower!"

The July 18, 1863, *Star* published the following poem about the Wide-Awakes, a group that supported Lincoln in the election of 1860. In it, a Wide-Awake realizes the mistake he now felt he made, in supporting Lincoln two years previously.

The Drafted Wide-Awake

I was a glorious Wide-Awake,
 All marching in a row;
 And wore a shiny oil cloth cape,
 About two years ago.
 Our torches flared with turpentine,
 And filled the streets with smoke;
 And we were sure, what'er might come,
 Secession was a joke.
 O, if I then had only dreamed
 The things that now I know,
 I ne'er had been a Wide-Awake
 About two years ago.

I said the South would never dare
 To strike a single blow;
 I thought that they were cowards then,
 About two years ago.
 And so I marched behind a rail,
 Armed with a wedge and maul;
 With honest Abe upon a flag
 A boatman gaunt and tall.
 O, if I then had only dreamed
 The things that now I know,
 I ne'er had been a Wide-Awake
 About two years ago.

My work was good, my wages high;
 And bread and coal was low;
 The silver jingled in my purse
 About two years ago.
 In peace my wife and children dwelt,
 Happy the live-long day.
 And war was but the tearful curse
 Of countries far away.
 O, if I then had only dreamed
 The things that now I know,
 I ne'er had been a Wide-Awake
 About two years ago.

My wife sits pale and weeping now,
 My children crying low;
 I did not think to go to war
 About two years ago.
 And no one now will earn their food,
 No one will be their shield;
 God help them when I lie in death
 Upon the bloody field!
 O, if I then had only dreamed
 The things that now I know,
 I ne'er had been a Wide-Awake
 About two years ago.

One brother's bones buried lie

Near the Antietam's flow;
 He was a merry, happy lad
 About two years ago.
 And where the Chickahominy
 Moves slow toward the sea,
 Was let another's wasted corpse—
 I am the last of three.
 O, if I then had only dreamed
 The things that now I know,
 I ne'er had been a Wide-Awake
 About two years ago.

Just now I saw my torch and cape,
 Which once made such a show:
 They are not now what once they seemed
 About two years ago.
 I thought I carried Freedom's light,
 In that smoky, flaming brand;
 I've learned I bore destruction's torch—
 That wedge has split the land.
 O, if I then had only dreamed
 The things that now I know,
 I ne'er had been a Wide-Awake
 About two years ago.

Under the heading of "Republican Mismanagement" the *Star* reprinted an item July 18, 1863, from the *New York World* that questioned the constitutionality of some of Lincoln's acts. About the Lincoln administration's policy of arbitrary arrests, the *World* commented: "Arbitrary arrests never took a man from the enemy, but they outraged and insulted every man in this community."

The *World* said that the South still respected the Constitution, but that respect had died out of the Northern heart. "Therefore the first great principle of this war," the *World* advised, "should have been to prove to them the mistake; but instead of that the epithets of Traitor and Copperhead are applied to Northerners who recognize laws as their sole rulers, and are party men only to compel obedience to it."

Honest Abe Not So Honest?

In the November 7, 1863, *Star* even Abraham Lincoln's honesty was called into question. Under the heading of "Honest Abe" the *Star* took to task those who believed that "Old Abe is honest, if nothing else." Said the *Star*, "No greater fallacy than this ever found lodgment in the brains of sensible men."

The *Star* said that every act from when he left Springfield was filled with deception, and it confessed ignorance of "a single honest action" since he became president. Even though "Lincoln had a reputation for honesty before he became intoxicated with the maddening cup of power, which was not fictitious . . . since his advent to high position, the tyrant has developed itself in his nature to an alarming extent."

Slavery Not All that Bad?

The November 28, 1863, *Star* reprinted comments on slavery in America from the *Church and State Review* from England indicating that it felt that slavery in America wasn't that bad.

The *Church and State Review* said that although the name *slave* is abhorrent, it asked why the slaves had not welcomed the Northern armies, but, for the most part, fled when they approached. It noted that although the Emancipation Proclamation had been published, the slaves and not risen to claim their freedom. The slave had tended to his master's interests, while he was away fighting those who sought to set him free.

Was the nature of the slaves "so angelic—nay, so Divine—as to repay such evil with such good?" the *Church and State Review* asked. It admitted that it was not so. The truth, it said, was that the slave "is not a struggling and down-trodden serf writhing under the lash of a cruel task-master, stretching chained hands to heaven in agonized prayers for deliverance. Rather is he a simple-hearted, docile, affectionate child; impatient of work; needing guidance, and even correction, and conscious of his need; capable, no doubt of being trained to a higher and nobler life, but, for the present at least, best and happiest, and, in truth, most contented, as he is."

The *Church and State Review* said that “it is in very sadness that we are compelled to point the moral of Southern gallantry and chivalrous devotion by contrast with the sordid meanness, the uncivilized barbarity, the bitter, blood-thirsty unchristianity of the abolition party at the North.”

The December 5, 1863, *Star* ran a piece from one of its Eastern exchanges on the cause of the war. The article compared the North’s interference with the South’s “peculiar institution” with the South’s noninterference with the North’s “peculiar institution” of what it referred to as slavery in its factories. “The slaveholders of the Southern States,” the article said, “were quietly pursuing the even tenor of their way, cultivating their lands by dependant labor, without intermeddling with the peculiar institutions of their Northern compatriots.”

The *Star* said that many of the slaveholders were concerned about workers in Northern factories, who, they felt, were “mere serfs, deprived of all independence in the expression of opinion, either religious or political, working on starvation wages, and embargoed to purchase by tickets from stores, kept by the owners of the factories.”

In contrast, the slaveholders “looked complacently on their own slaves, lightly worked and kindly treated, well fed, cared for in sickness.” The Southerners, however, did not interfere. They held that “these institutions were peculiar to the State in that section . . . and were to be governed by the respective laws of those States.”

The article said that “the northern politicians were no more justifiable in their interferences with the institutions of the South than Virginia would have been in intermeddling with those of Massachusetts.”

The article blamed the Civil War on the North:

Yet they could not forbear. They not only proclaimed their determination to effect the universal freedom of the negro; but they prompted the attack on Sumter, when they were offered compromises which would have averted the murderous conflict now raging they refused to listen to them. They provoked the war, they precipitated the war, and since its commencement they have put into opera-

tion every project their ingenuity could devise for the prolongation of the war.

On Leave From Newspaper Business, but Still Criticizing

Hamilton was elected to the state Senate on September 2, 1863. Hamilton’s vote total was the lowest of any Democrat in the Los Angeles precinct with the exception of the con-stable. In the September 5 lead editorial discussing the election, the *Star* did not refer to Hamilton’s victory, nor his next-to-lowest vote total.

The *Star’s* suppression and Hamilton’s arrest did him no insurmountable harm in the election, and quite possibly, gave him some prominence that helped him win the election.

In late November he left for Sacramento, but for another nine months he was still listed as editor. One week after he left Los Angeles, the December 5 *Star* continued heaping its venom on Lincoln as it compared him with Oliver Cromwell, who led a revolt against Charles I in England in the 1600s.

In an editorial titled: “Has President Lincoln a Predecessor?” the *Star* wrote:

The President’s encroaching on the legislative powers of this government—his depriving the citizen of his absolute rights—is as much the exercise of tyrannical power, as any of those acts in the history of the Usurper to whom we allude.

The August 27, 1864, issue was the final *Los Angeles Star* to have Henry Hamilton listed as editor. In that issue the *Star* indicated how doubtful it was that Lincoln would be reelected. “The prospect of the election of Mr. Lincoln becomes more clouded every week,” the *Star’s* editorial began. “His incompetency is forcing itself painfully upon the mere casual observer. . . . The people are becoming disgusted with such incompetency, such vast, prolonged, and objectless slaughter, and it is more than probable that they will yet rally, turn the funny old joker out of office, and bring this cruel war to a termination.”

Also in Hamilton’s final issue, the *Star* copied an article from the *New York Herald* that said Lincoln needed “the relief

of a great victory or two over the armies of the rebellion” to help the financial situation caused by the costly war. (Only days later, General William Tecumseh Sherman provided a major victory when he captured Atlanta September 1.) The *Herald* did not offer much hope, because of “the stupid neglect and blundering incapacity of the Administration,” which “defeated or seriously delayed and embarrassed” the plans of General Ulysses S. Grant. “One would suppose,” the *Herald* said, “that a man of the commonest intellect in Mr. Lincoln’s place would have learned something, in three years, of military wisdom.”

The *Herald* said that “the administration seems to be as utterly incompetent to meet the plainest necessities of the hour as in the beginning of the war.” The only hope “to escape these never-ending but still recurring blunders,” according to the *Herald*, would be to elect a new president.

New Editor

A.C. Russell’s name first appears as editor in the September 3, 1864, issue. The *Star* continued its Democratic stance under Russell’s short-lived editorship, backing George McClellan for the presidency.

End of the Star

In Hamilton’s final issue, a single sheet edition October 1, 1864, the *Star* announced that it had been sold.

The present is the last number of the *Los Angeles Star*, and is issued merely to complete the publication of certain legal advertisements.

Those subscribers who have paid their subscriptions for the year 1864, will have the balance due them returned, on applying at this office.

Delinquents will please settle their accounts forthwith.

H. Hamilton

Proprietor L.A. Star.

Editor A.C. Russell added an explanatory note:

To prevent misapprehension, and in justice to myself, I will explain briefly the suspension of the *Star*. When I assumed control of its columns,

I took the establishment under lease only, the Proprietor reserving the right to sell to third parties. Purchasers offering, he sold. As soon as printing materials can reach here from San Francisco, a new Democratic paper will be issued under the auspices of an incorporated Company.

A.C. Russell

To the end, Henry Hamilton and the *Star* attacked Abraham Lincoln. Lincoln’s restrictions on freedom of the press—suppressing of the *Star* and jailing Hamilton—did nothing to lessen those attacks.

Conclusions

This book found that the *Star*’s area of freedom contracted and the enforcement of restraints against it increased when, in the face of military defeats early in the Civil War, the Lincoln government faced instability and the structure of society was threatened.

This study also found that the heterogenous society of Los Angeles in the early 1860s allowed the *Star* freedom to express its views against the Lincoln administration.

By showing that Los Angeles of Civil War days was a heterogenous community, this book demonstrated that, although the *Star* was excluded from the mails and editor Henry Hamilton arrested and held in custody for 10 days, the heterogenous society allowed the *Star* full freedom of expression during the exclusion period. Based on election returns during the suppression period, the *Star* actually expressed the majority view.

This study showed that although Abraham Lincoln suppressed the *Los Angeles Star* during the Civil War for a short period of time, the *Star* continued its anti-Lincoln editorial stances. Although editor Henry Hamilton was arrested, he was soon released and continued to criticize Lincoln through the columns of the *Star*. The present study, like studies about Lincoln’s press controls conducted by Mott (1962) and Randall (1918, 1926), showed those controls, although troublesome in regards to the Constitution, to be ineffective.

Shaw and Brauer noted that “sometimes stress brings more determination and zeal in an editor to use his freedom to the maximum” (Shaw and Brauer 1969, 243). The present study found that Hamilton’s criticism of Lincoln did not diminish in spite of the actions taken against him.

Though Lincoln’s actions against the *Star* and other newspapers pose worrying constitutional problems, those actions appear to have had little effect, and the *Star* and other papers continued to oppose him throughout the war.

Appendix

Los Angeles Star Articles Used for This Book

Henry Hamilton’s first editorial (June 14, 1856) after acquiring the *Star* explaining that the paper would continue to support the Democratic Party.

“Who Defeated the Crittenden Compromise,” *Star*, November 8, 1862 (copied from the *Philadelphia Constitutional Union*)

“Why the Word Slaves Is Not Used in the Constitution,” from a speech by Congressman John Millson, in Congress, January 21, 1861, published in the *Star*, March 23, 1861.

Comments made by the *Star*, March 16, 1861, about the inaugural address given by Jefferson Davis, president of the Confederate States of America.

Inaugural address of Jefferson Davis February 18, 1861, as reported by the *Star*, March 16.

The *Star’s* comments March 23, 1861, on Lincoln’s first inaugural address.

What led to the Civil War. From the *Star*, April 20, 1861.

Comments on the California state Democratic Convention as reported in the July 18, 1863 *Star*.

The *Star’s* response March 1, 1862, to the announcement that it would be excluded from the mails.

Article titled “The Government and the Press” copied from the *New York World* in the October 18, 1862, *Star*.

Article on freedom of the press copied from the *San Francisco Monitor* in the October 25, 1862, *Star*.

Speech by E.G. Ryan, a Democrat from Wisconsin, reprinted in the *Star*, October 25, 1862.

Excerpts from a speech by Gov. Horatio Seymour of New York, delivered in Albany, September 19, 1862, printed in the November 1, 1862, *Star*.

Article about treason, copied from the *San Joaquin Republican*, that appeared in the November 8, 1862, *Star*.

Article titled “Disunion Government” that appeared in the November 8, 1862, *Star*.

Article about freedom of speech copied from the *San Joaquin Republican* that appeared in the November 8, 1862, *Star*.

Comments on President Lincoln’s annual message in the December 13, 1862, *Star*.

The *Star*’s response to the revocation of the order excluding it from the mails—January 17, 1863, issue.

Louisville Journal article condemning Lincoln’s Emancipation Proclamation copied in the *Star*, January 17, 1863.

Article titled “The Test of Loyalty” from the March 7, 1863, *Star*, copied from the *Chicago Times*.

Article from the *London Times* copied in the *Star*, Dec. 12, 1862, suggesting that those who criticize the army for not moving quickly should lead the attack themselves.

November 7, 1863, *Star* article questioning Abraham Lincoln’s honesty.

Comments on slavery in America from the *Church and State Review* from England, reprinted in the November 28, 1863, *Star*.

December 5, 1863, *Star* article comparing the North’s interference with the South’s “peculiar institution” with the South’s noninterference with the North’s “peculiar institution” of slavery in its factories.

Article comparing Lincoln to Oliver Cromwell in the December 5, 1863, *Star*, titled: “Has President Lincoln a Predecessor?”

Lincoln’s doubtful prospects for reelection, from the *Star*, August 27, 1864.

Comments on the chances for Abraham Lincoln to be reelected. From the *New York Herald*, copied in the *Star* August 27, 1864.

Subjects of *Star*’s lead editorial for each issue during suppression period February 1862 to January 1863.

March 1—Suppression order of Feb. 15 is announced and condemned.

March 8—Comments by the Lincoln administration that the war is waged in support of the Union and the Constitution are criticized.

March 15—Comments on why the government seized control of the telegraph lines and that the government, on threat of exclusion from the mails, will allow nothing to be published except that which has government sanction.

March 22—Comments on contradictory government dispatches.

March 29—Corruption in the Lincoln administration.

April 5—Criticism of the Lincoln government for limiting press freedoms.

April 12—Comments on the suppression order from the *Jacksonville, Oregon, Gazette*, suppressed at the same time as the *Star*.

April 19—Comments on suppression of newspapers and arrest of editors.

April 26—request for military intervention against Indian attacks; comments on the establishment of a government censorship office.

May 3—comments on proposition by Abolitionists that at the end of the war the seceded states will be treated as territories.

May 10—horse sales in Los Angeles County.

May 17—criticism of the military order to confiscate property of people engaged in rebellion against the government.

May 24—news about Federal victories.

May 31—criticism of Gen. Hunter's manifesto declaring the slaves in Georgia, Florida and South Carolina to be free.

June 7—criticism of labor problem created by slaves fleeing to North.

June 14—comments on Colorado gold mines.

June 21—address by Democratic members of Congress to the people of the United States.

June 28—Mexican war news.

July 5—Fourth of July message about deplorable state of affairs in the country.

July 12—criticism of General Butler's order allowing soldiers insulted by the women of New Orleans to treat them as prostitutes.

July 19—criticism of Horace Greeley's political views and editorial policies.

July 26—criticism of taxes levied to support the war.

Aug. 2—criticism of taxes levied to support the war.

Aug. 9—criticism of taxes levied to support the war.

Aug. 16—praise for proceedings of the Democratic state convention.

Aug. 23—praise for the Democratic platform.

Aug. 30—proceedings of the Democratic County Central Committee announcing candidates for local elections.

Sept. 6—news of Union military defeats and election returns.

Sept. 13—criticism of General McClellan.

Sept. 20—effect of war on New York City; criticism of order by Edwin M. Stanton, secretary of war, to "arrest and imprison any person or persons who may be engaged, by act, speech or writing, in discouraging volunteer enlistments, or in any way giving aid and comfort to the enemy,

or in any other disloyal practice against the United States.

Sept. 27—comments on the area wool trade.

Oct. 4—criticism of the Emancipation Proclamation.

Oct. 11—comments on peace rumors.

Oct. 18—*Star* foreman announces arrest of Hamilton and vows to continue Hamilton's editorial stance.

Oct. 25—article copied from the *San Francisco Monitor* praising Union papers for speaking out against Lincoln after Union defeat at the second battle of Bull Run.

Nov. 1—Hamilton released. Excerpts from speech given by Gov. Seymour of New York saying that "Mr. Lincoln and his cabinet are not the men to carry out the expressed wishes of a majority of the American people."

Nov. 8—disappointment expressed that Hamilton still had not returned to Los Angeles after his arrest. Democrats serving as Union soldiers were "cruelly deceived" by Lincoln as to the reason for the war.

Nov. 15—unclear original.

Nov. 22—criticism of the removal of Union generals.

Nov. 29—news of Californians who resettled in the South.

Dec. 6—praise for Democratic election victories.

Dec. 13—Lincoln's annual message "the sorriest document which has ever emanated" from a U.S. president.

Dec. 20—news of Union forces attacking Fredericksburg.

Dec. 27—massacre of Union forces at Fredericksburg.

Jan. 3—criticism of those who support the Lincoln government because they have no choice.

Jan. 10—unconstitutional nature of the Lincoln government.

Jan. 17—revocation of exclusion ordered announced, and condemnation of original order.

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- C. Secretary of War Simon Cameron's order giving a military commander the authority to suppress a newspaper in his area.
- D. Lincoln's order to Major General John A. Dix, commanding at New York, to suppress the *New York World* and *Journal of Commerce*.
- E. "Who Defeated the Crittenden Compromise," *Los Angeles Star*, November 8, 1862 (copied from the *Philadelphia Constitutional Union*).
- F. 1861 Election returns.
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- L. The *Star's* comments March 23, 1861, on Lincoln's first inaugural address.

- M. First inaugural address of Abraham Lincoln—March 4, 1861.
- N. What led to the Civil War. From the *Star*, April 20, 1861.
- O. Comments on the California state Democratic Convention as reported in the July 18, 1863 *Star*.
- P. *Los Angeles Star's* response March 1, 1862, to the announcement that it would be excluded from the mails.
- Q. Article titled "The Government and the Press" copied from the *New York World* in the October 18, 1862, *Los Angeles Star*.
- R. Article on freedom of the press copied from the *San Francisco Monitor* in the October 25, 1862, *Star*.
- S. Speech by E.G. Ryan, a Democrat from Wisconsin, reprinted in the *Star*, October 25, 1862.
- T. Excerpts from a speech by Gov. Horatio Seymour of New York, delivered in Albany, September 19, 1862, printed in the November 1, 1862, *Star*.
- U. Article about treason, copied from the *San Joaquin Republican*, that appeared in the November 8, 1862, *Star*.
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- W. Portion of an article about freedom of speech copied from the *San Joaquin Republican* that appeared in the November 8, 1862, *Star*.
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AF. Article comparing Lincoln to Oliver Cromwell in the December 5, 1863, *Star*, titled: "Has President Lincoln a Predecessor?"

AG. Lincoln's doubtful prospects for reelection, from the *Los Angeles Star*, August 27, 1864.

AH. Comments on the chances for Abraham Lincoln to be reelected. From the *New York Herald*, copied in the *Los Angeles Star*, August 27, 1864.

APPENDIX A

Henry Hamilton's first editorial (June 14, 1856 issue) after acquiring the *Los Angeles Star* explaining that the paper would continue to support the Democratic Party.

Salutatory.

Custom has made it a rule, that the person assuming the position of a public journalist should give an intimation of the course intended to be pursued, and the principles by which he is to be guided. In our case this is very easily done. The course has been plainly marked for us by our predecessors—to devote ourselves to the promotion of the interests not only of this county, but of the Southern country at large—to point out her wants, and advocate her claims,—to make the public familiar with her vast natural advantages and capabilities—her agricultural, manufacturing and mineral resources. In short, to advocate all measures which shall tend to promote the general welfare—to be the friend of reform and the opponent of extravagance, corruption and vice—so to conduct our paper, that it shall be a welcome visitor to the family circle.

We have no desire to make a parade of high sounding promises on this occasion. We are anxious to be of service to the community, and are willing to abide by their verdict, from their experience of our course.

Our political principles are referred to elsewhere.

Correspondence.

To enable us to carry out our views as to the utility of a local press, it is necessary that the friends of the undertaking should co-operate with us. It is not possible for us, without their assistance, to be informed of passing events, in remote parts of the country. We therefore solicit correspondence from those interested in their various localities; but, to secure attention to such, they must be authenticated by the name of the writer not necessarily for publication, but as a guarantee for their truthfulness. This district is rich in matters of public interest. Historical facts and reminiscences—experiments in agriculture, horticulture, and in the various branches of the delightful science of pomology

—the later being of paramount interest in this vicinity—the progress made in developing the mineral resources of our gulches and mountains—facts in natural history—and numerous other subjects which will suggest themselves to the intelligent and enterprising citizen, are respectfully solicited, and will always command a ready place in our columns. If our friends will co-operate with us in this matter, we may entertain the hope of being able to present an interesting miscellany to our readers, and to make our locality known to and sought after by the inhabitants of the less favored districts of our State.

TO ADVERTISERS.—We beg to direct the attention of professional and business men to the fact, that the *Los Angeles Star* has an extensive circulation throughout the entire Southern country, and therefore affords the best medium for making known their several claims to public patronage and support. Send along, then, your cards and notices. No business suffers by publicity, but many princely fortunes have been made by judicious advertising.

TO SUBSCRIBERS.—We continue to forward a copy of the *Star* to all whose names we find on the books. Should any one desire to discontinue in consequence of the change of proprietors, they will please forward directions to the office. Our Agents in the various localities will please attend to this matter. We shall take an early opportunity of paying our respects in person to our friends throughout the county.

JOB PRINTING.—We beg to remind our friends and the public in general, that we have attached to our Office, a complete Book and Job Printing Establishment, and that we are now prepared to execute all kinds of work in that line. Send along your orders and the cash, and we will execute the work, neatly, cheaply, and quickly.

A Village Press.

Perhaps there may be those in our midst who regard it as a matter of very little moment whether a newspaper be published in the locality or not. There are men in this world,

and business men, too—who think it all very well to have a newspaper, but who don't think they are called upon to do anything towards rendering it support.—They wish to see a newspaper, but don't think it necessary to subscribe for a copy; they will borrow it, and be the loudest in condemning it as “stale, flat and unprofitable”—forgetting the while, that its faults and failings are in no small measure attributable to their own neglect and unreasonable conduct. If, then, you want to have a prosperous journal, support the printer, so that he may be enable to offer inducements to men of talent to contribute to his columns. Subscribe for his paper, insert your advertisements, and have your business proclaimed over the country by placard and circular, the expenditure for which will be returned to you a thousand fold in the popularity you shall secure, and the notoriety you shall gain for your trade and location. The following on this subject, from the *N. Y. Tribune*, is worthy of consideration:

A VILLAGE PRESS.—Perhaps no one establishment is of more advantage to a community than that of a newspaper press. A newspaper in a village advances the interests of all trades, professions and callings, by drawing to its vicinity much business that would otherwise be diverted into other channels, and giving prominence and notoriety abroad to the business capabilities and other advantages of such village. The press is, as it were, the special counsel of the citizens of the town wherein it is located—pleading in many cases without fee or reward, and in some instances conveying light and heat to establishments which otherwise “drag their slow length along” in utter obscurity.

EL CLAMOR PUBLICO.—To the polite and accomplished gentleman, Sr. F.P. Ramirez, editor of the above paper, we beg to return our thanks for the cordial welcome extended to us, and the kind wishes expressed for our success, in his last publication; and we beg to assure him, that we most heartily reciprocate the compliment.

Our Position

We place at the head of our columns to-day the name of JAMES BUCHANAN, as our first choice for the Presidency.

That is the banner under which we enter the political arena. It is our pride to be found contending, humbly but zealously, among the rank and file for the great truths of Democracy—the sacred principles of civil and religious liberty—the charter of equal rights and equal privileges. Factions may rise, flourish and wane; the advocates of the people’s cause, enticed by flattering prospects, may betray their trust; the cohesive power of the spoils may attract disjointed and warring elements, and organize a formidable opposition; but the march of human freedom cannot be stayed; the popular principle, at once the basis and the guardian of our institutions, will make itself felt, for “truth is great and it shall prevail.”

In making our bow to the people of this district, it is well, we think, to be thus explicit in defining our position. It will prevent mistakes, and may possibly strengthen the hands of the friends of the good cause to do battle in its behalf; in the struggle which is approaching, we are desirous that our trumpet shall give no uncertain sound.

Of our own motion have we assumed the position which we now occupy. By the suggestion of no friend did we seek this locality; by the aid of no man’s purse have we been placed here, a hireling or a puppet, to do a master’s bidding, or dance as the wires may be pulled. We are here, in the pursuit of a legitimate, an honest, and an honorable calling. We ask no eleemosynary aid for our undertaking. But we do ask, and expect to receive, the assistance and co-operation of an intelligent public—the business man as well as the private citizen. For this, they will receive their *quid pro quo*—aye, and more than that.

It will, then, at once be perceived, that we are free from the influence of cliques and factions. They cannot influence us. We are superior to them, because we are independent of them. And while our voice shall ever be heard advocating the cause of progress and reform—the principles of pure Democracy, it ever shall be regardless of men, or as they shall be recognized as the standard bearers of the party.

The Presidency.

While we are writing, the proceedings of the Democratic National Convention, which assembled at Cincinnati on

the first Monday in this month are winging their way throughout the length and breadth of the land. From Maine to Texas has the news sped, swift as the lightning’s flash. That Convention nominated the future President, and the echo of their voice is resounding from hill to hill, giving joyful note of preparation to the waiting masses. As elsewhere stated, our preferences are for Buchanan. He is a National Democrat, free from all taint of cliques or parties,—a profound statesman, intimately acquainted with the requirements of the lofty position, which he is so capable of occupying. Pure in his attachment to his country, he would permit no foreign foe to desecrate the temple of freedom. In every respect in which he may be viewed, in his public career, as in his private life, he is eminently qualified to guide the destinies of this mighty Republic.

But while we thus feel in regard to Mr. Buchanan, we must not hide it from ourselves, that the Representatives of the people may not be able to concentrate their votes on him. Each man has his partiality and his prejudices, and of course will stand by his friend. But of this we are sure, no man unfit for the position can receive the nomination of that Convention. There are plenty of good men to choose from, and the successful candidate shall receive our humble but hearty support, without variableness or shadow of turning.

APPENDIX B

House Judiciary Committee report on telegraphic censorship.

On March 20, 1862, the Judiciary Committee reported:

First: A telegraphic censorship has been established in this city.

Second: The censorship existing at the time the investigation was directed by the House, was originally established upon the basis of the agreement between representatives of the press and Gen. McClellan, but was enlarged in its scope by the Secretary of State.

Third: At the time the inquiry was directed by the House, and for some months prior to that time, and until the 25th of February last, the censorship was controlled by the Secretary of State.

Fourth: The original design was to prevent the publication of military information which might be of advantage to the rebel authorities.

Fifth: Despatches [1860s spelling], almost numberless, of a political, personal, and general character, have been suppressed by the censor, and correspondents have been deterred from preparing others because they knew they could not send them to their papers by telegraph.

The telegraph has become a most important auxiliary to the press of the country, and should be left as free from government interference as may be consistent with the necessities of the government in time of war. These necessities cannot extend beyond what may be legitimately connected with the military or naval affairs of the nation, and to these should the government interference with the transmission of intelligence be confined, for it is this character of information alone which can be of importance to the enemy, and which may be properly withheld from the press and the public in order that it may not reach the enemy. The committee, therefore, recommends the adoption of the following resolution by the House:

Resolved, That the government shall not interfere with free transmission of intelligence by telegraph, when the same will not aid the enemy in his military or naval operations, or give him information concerning such operations on the part of the government, except when it may become necessary for the government, under the authority of Congress, to assume exclusive control of the telegraph for its own legitimate purpose, or to assert the right of priority in the transmission of its own despatches.

APPENDIX C

Secretary of War Simon Cameron's order giving a military commander the authority to suppress a newspaper in his area.

By the fifty-seventh article of the Act of Congress entitled "An act for establishing rules and articles for the government of the armies of the United States," approved April 10, 1866, holding correspondence with, or giving intelligence to, the enemy, either directly or indirectly, is made punish-

able by death, or such other punishment as shall be ordered by the sentence of a court-martial. Public safety requires strict enforcement of this article.

It is therefore ordered that all correspondence and communication, verbally, or by writing, printing, or telegraphing, respecting operations of the Army or military movements on land or water, or respecting the troops, camps, arsenals, entrenchments, or military affairs within the several military districts, by which intelligence shall be directly or indirectly given to the enemy without the authority and sanction of the major-general in command, be, and the same are, absolutely prohibited, and from and after the date of this order persons violating the same will be proceeded against under the Fifty-seventh Article of War.

APPENDIX D

Lincoln's order to Major General John A. Dix, commanding at New York, to suppress the *New York World* and *Journal of Commerce*.

Whereas there has been wickedly and traitorously printed and published this morning in the New York "World" and New York "Journal of Commerce," newspapers printed in New York, a false and spurious proclamation, purporting to be signed by the President and to be countersigned by the Secretary of State, which publication is of a treasonable nature designed to give aid and comfort to the enemies of the United States and to the rebels now at war against the government, and their aiders and abettors: you are therefore hereby commanded forthwith to arrest and imprison, in any fort or military prison in your command, the editors, proprietors, and publishers of the aforesaid newspapers, and all such persons as, after public notice has been given of the falsehood of said publication, print and publish the same with intent to give aid and comfort to the enemy; and you will hold the persons so arrested in close custody until they can be brought to trial before a military commission for their offense. You will also take possession, by military force, of the printing establishments of the New York "World" and "Journal of Commerce," and hold the same until further orders, and prevent any further publication therefrom.

APPENDIX E

“Who Defeated the Crittenden Compromise?” *Los Angeles Star*, November 8, 1862 (copied from the *Philadelphia Constitutional Union*).

This is a most important question at the present time, for it is now conceded that if the Crittenden Compromise had been adopted by Congress, and submitted to the people, the desolating war in which the country is now engaged would have been avoided. But the Republican party, its leaders and its representatives in Congress were determined that *no compromise* should be submitted to the people. They voted against the Crittenden Compromise measures in Congress and defeated them, and they are responsible for the failure of this patriotic and humane effort to prevent a bloody conflict in this country. In proof of this position the evidence is so full and unmistakable, the facts so plain and apparent that all must be convinced who will look at the official record on the subject.

Here is the vote by which the Crittenden Resolutions were defeated. It will be seen that every Republican in the Senate voted against them:

Yeas—Messrs. Bayard, Bigler, Bright, Crittenden, Douglas, Gwin [Democrat, California], Hunter, Johnson of Tennessee, Kennedy, Lane, Latham [Democrat, California], Mason, Nicholson, Polk, Pugh, Rice, Sebastian, Thompson and Wigfall—19.

Nays—Messrs. Anthony, Bingham, Chandler, Clark, Dixon, Doolittle, Durkee, Fessenden, Foot, Foster, Grimes, Harlan, King, Morrill, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson and Wilson—20.

In order that the loyal and patriotic men of this section may understand the importance of these resolutions, and what would have been the effect of their ready and honest adoption by the representatives from the Northern States, we call attention to the following extracts from the speeches of Senator Pugh of Ohio, and Senator Douglas of Illinois, delivered on the occasion.

Senator Pugh said: “The Crittenden proposition has been endorsed by the almost unanimous vote of the legislature of Kentucky. It has been endorsed by the legislature of the

noble old Commonwealth of Virginia. It has been endorsed by a larger number of electors of the United States, than any proposition that was ever before Congress. I believe in my heart, to-day, that it would carry an overwhelming majority of the people in my State; ay, sir, of nearly every State in the Union. Before the Senators from the State of Mississippi left this chamber, I heard one of them [Jefferson Davis], who now assumes at least to be President of the Southern Confederacy, propose to accept it and maintain the Union, if that proposition could receive the vote it ought to receive from the other side of this chamber. Therefore, of all your propositions, of all your amendments, knowing as I do, and knowing that the historian will write it down, at any time before the first of January, a two-thirds vote for the Crittenden resolutions in the chamber would have saved every State in the Union but South Carolina. Georgia would be here by her representatives, and Louisiana also—those two great States which at least would have broken the whole column of secession.”—(p. 1380, *Globe*). [The page number is in error. It was actually page 1,390]

On the same subject Senator Douglas spoke as follows: “The Senator (Mr. Pugh) has said that if the Crittenden proposition could have been passed early in the session it would have saved all the States except South Carolina. I firmly believe it would. While the Crittenden compromise was not in accordance with my cherished views, I avowed my readiness and eagerness to accept it in order to save the Union, if we could unite upon it. I can confirm the Senator’s declaration that Senator Davis himself, when on that Committee of Thirteen, was ready, at all times, to compromise on the Crittenden proposition. I will go further and say that Mr. [Robert] Toombs [of Georgia] was also.”—(p. 1381, *Globe*). [Actually, page 1,391]

From these facts two important positions are fully sustained; first that the Crittenden Compromise was defeated by Republican votes, and second, that the adoption of those Compromise Resolutions would have saved the Union, every Southern State with perhaps the single exception of South Carolina. This the Republican Senators were told, this they knew, and yet because they were pledged to the

Chicago platform and opposed to slavery, they said 'let the Union slide,' and of their action on that occasion is before the country written in characters of blood, and the people at the coming election will hold them responsible for this willful sacrifice of all the best interests of the country on the altar of partisan hate and political rancor. The Crittenden Compromise was defeated by Republican votes, and by this act they proved that to them the supposed welfare of a few negroes was of more importance than the Union, the Constitution and the peace, happiness and prosperity of thirty millions of white men. By their own acts let them be judged."

Appendix F 1861 Election Returns

From the September 7, 1861, *Star*

Los Angeles County (except Tehachapi)
Bold face indicates Democrats

Senator

Vineyard 1239
Stearns 570

Assembly

Morrison 1189
Watson 1197
Mallard 632
Lewis 120
Sepulveda 508

County Clerk

John W. Shore 1271
Workman 575

Sheriff

Sanchez 1228
Allen 605

Treasurer

Kremer 1190
Keating 199
Childs 437

District Attorney

Drown 954
Thom 894

Assessor

McManus 1030
Cohen 239
Reed 244
Twitchell 264
Sepulveda 17

Appendix G 1862 Election Returns

From the September 6, 1862, *Star*

Los Angeles County (except Tehachapi)
Bold face indicates Democrats

Superintendent of Public Instruction

Swett 586
Stevenson 103
Fitzgerald 554
Scattering 3

For Assembly

Watson 718
Kewen 701
Hayes 680
Johnson 670
Scattering 2

For Assessor

Mix 797
Lewis 602

For Surveyor
McDonald 770
 Leighton 623

For Supervisors
 Wilson 802
Gibson 738
Aguilar 795
Morris 790
Lugo 755
 Fisher 597
 Barker 641
 Hoover 606
 Toflemier 592
 Forster 657
 Scattering 3

Appendix H

1863 Election Returns
 From the September 5, 1863, *Star*
 Democrats in bold face

Los Angeles Precinct

For Governor
John G. Downey 426
 Frederick F. Low 332
 Jose Rubio 2

For Lieutenant Governor
E.W. McKinstry 423
 T.N. Machin 339

For Members of Congress
 John B. Weller 421
John Bigler 421
N.E. Whitesides 421
 T.B. Shannon 340
 W. Higby 340
 C. Cole 340

For Secretary of State
Samuel M. Bishop 421
 B.B. Redding 341

For State Treasurer
Thomas Findley 420
 Romualdo Pacheco 343

For State Controller
R.O. Cravens 421
 G.B. Oulton 340

For Attorney General
L.C. Granger 413
 J.G. McCullough 314

Clerk of Supreme Court
A.C. Bradford 422
 D.W. Harriman 340

For State Printer
Beriah Brown 421
 O.M. Claves 340

For Surveyor General
Presley Dunlap 422
 J.F. Houghton 337

For Harbor Commissioner
Michael Hayes 422
 C.L. Taylor 340

For Senator
Henry Hamilton 391
 F.P. Ramirez 344
 For Assembly
 Ignacio Sepulveda 429
E.J.C. Kewen 410
 Manuel Garfias 315
 David Lewis 303

| | |
|--------------------------------------|------------|
| For County Clerk | |
| Thomas D. Mott | 425 |
| Oscar Macy | 304 |
| For Sheriff | |
| Tomas A. Sanchez | 420 |
| Andres Pico | 311 |
| For District Attorney | |
| Volney E. Howard | 411 |
| James H. Lander | 323 |
| For County Treasurer | |
| M. Kremer | 394 |
| J.M. Griffith | 341 |
| For Assessor | |
| G.L. Mix | 410 |
| John Evertsen | 327 |
| For Coroner | |
| John S. Griffin | 411 |
| Michael Whisler | 323 |
| For Public Administrator | |
| George Carson | 409 |
| William Wolfskill | 326 |
| For Surveyor | |
| George Hansen | 407 |
| For Superintendent of Schools | |
| A.B. Chapman | 412 |
| H.D. Barrows | 308 |
| For Supervisors | |
| A. Ellis | 393 |
| B.D. Wilson | 393 |
| J.L. Morris | 393 |
| Cristobal Aguilar | 393 |

| | |
|-----------------------|------------|
| P. Sichel | 395 |
| Vincent Hoover | 323 |
| Homer Chase | 325 |
| F.P.F. Temple | 327 |
| John Fischer | 325 |
| Dolores Sepulveda | 323 |
| For Constables | |
| Chas. R. Ayers | 360 |
| Jose Carrillo | 331 |
| Wm. C. Warren | 323 |
| Jose A. Sanchez | 196 |
| R.A. Hester | 77 |

APPENDIX I

“Why the Word *Slaves* Is Not Used in the Constitution,” from a speech by Congressman John Millson, in Congress, January 21, 1861, published in the *Los Angeles Star*, March 23, 1861.

I have heard it said by members of the Republican party that the framers of the Constitution refused to use any terms that would indicate a recognition of the right of property in man; that they excluded the word *slave*, or *slavery*, from the Constitution, because of their reluctance to disclose the fact that there was any such personal relation acknowledged or established by the laws of any of our States.

Sir, such an argument does great injustice to the framers of the Constitution. They were moved by no such sentimentalism. It is a reproach to them to say that they were so intensely hypocritical that they were not ashamed to do what they were ashamed to talk about.

It is an aspersion upon them to suppose that they were so intensely hypocritical as to consent to the continuance of the slave trade for twenty years, with all its attendant horrors and atrocities, and yet, like timid maidens, to shrink from the word “slave” and “slavery,” as recognizing property in human beings.

No sir; they had stronger and better reasons for the adoption of the language they put in the Constitution. They knew—and the gentleman from Ohio (Mr. Corwin) has relieved

me from much of the discussion by the able and lucid manner in which he has illustrated this subject today—they knew the word *slave*, or *slavery*, was a word of vague and indefinite signification, having a variety of meanings.

Had they used the word *slave*, it would have led to infinite cavil and dispute as to the precise meaning intended. Some Abolitionists might have argued that it did not apply to Africans held to servitude under the laws of Virginia and Maryland; that a negro servant, escaping from his master, was not such a slave as the Constitution required to be delivered up, because the master had not the power of life and death over him, as under the Roman law, which authorized the master to take the life of his slave.

They might have argued, moreover, that the word *slave*, in the Constitution, was one, and to be taken in one sense alone, that is, that two different interpretations could not be given to it; and therefore, if the laws of domestic servitude in South Carolina differed from those in Virginia, the word *slavery* might be applied to one or the other of them, but it could not be applied to both, because you could not give different interpretations to the same word.

They said “persons held to service or labor under the laws of any State.” It embraces every kind of servitude. It comprehends the servant of Virginia, of North Carolina, of South Carolina, of Georgia, and of all the States. It excluded all cavil and all doubt. But they were guilty of no such miserable hypocrisy as that sometimes attributed to them—that they were unwilling to introduce into the Constitution any phrase which might imply that there could be no property in man.

To insist that they are persons, as well as property, is to take the highest position on which the South can rest her claims. To say that they are property, and nothing but property, is not true in any sense of the word. It is not true in physics; it is not true in morals; it is not true in religion; it is not true in politics. A slave is a man. He is a responsible man; responsible to our laws, responsible to God. He is a person; a person held to service; and it is because he is a person that the position of the South before this Congress, and in the Constitution, is impregnable.

I say it is because he is a person that gentlemen of the Republican party are forbidden to pass a law prohibiting his emigration into the territories. As mere property, you might set up a plausible claim to exclude him. Ay, as mere property, there would be a color of argument in favor of his exclusion; but as a person, a person held in service, a man holding personal relation to another, a member of the household, a part of the family, you have no more right to exclude him from the privilege of going into the territories with his master than you have to exclude a wife from going into the territories with her husband. The wife, too, by law, owes service and labor to the husband. The relation existing between husband and wife is the relation established by the laws of the States, and the gentleman from Ohio cannot say that these are laws which are local, and do not extend beyond the limits of the States where they were enacted; because the same argument would force him to the conclusion that it is within the power of Congress to exclude from a territory a wife bound to her husband under the laws of any State, and that a husband cannot carry a wife occupying that relation with him into the territories, because the law under which that relation was established or recognized, does not extend beyond the territory of the State in which it was enacted.

And permit me, sir, to say that, if they were property, and nothing but property, they would not be represented in Congress, for there is no description of property represented in Congress as property—neither lands nor money, nor stocks, nor any other kind of property. If they were property, and nothing but property, then we deprive ourselves of the right of representation of three-fifths of their whole number, except upon the condition that an equal representation be given to property of an equal value in other States of the Union.

APPENDIX J

Comments made by the *Star*, March 16, 1861, about the inaugural address given by Jefferson Davis, president of the Confederate States of America.

It is a calm, and able document. The confederacy is a fixed fact; a Provisional Government has been formed. The

separation from the Union is complete. . . . For long years the South has protested against the action of the North; every contest has ended in a "compromise," disastrous to her interests and subversive of her policy; her appeals to the Constitution, as her great bulwark of right, were laughed at; her entreaties to be let alone, and her solemn and oft-repeated warnings of the inevitable result of this injustice and oppression; were unheeded. At last, the evil day has come. Patience has ceased to be a virtue. The fanaticism of the North has effected what the combined powers of the world could not accomplish. Much as we deplore the disruption of the Union, we cannot but admit that the South, if she could not have her rights in it, is justified in maintaining them out of it.

All the Southern statesmen assert, they are acting merely in self-defence, out of the principles promulgated by the Revolution, and that they are only carrying out the American idea, "the right of the people to alter and abolish governments whenever they become destructive of the ends for which they were formed."

They could not be secured in the enjoyment of their rights and property while in the Union, so they seek protection under a government of their own framing.

How this will be looked on at Washington, by the Administration of Mr. Lincoln, is the all important question at present. How will he regard the Congress, the President and people of the Confederate States of America? He finds an independent government in existence, will he at once acknowledge it, or endeavor to overturn it by coercion of physical force?

APPENDIX K

Inaugural address of Jefferson Davis, February 18, 1861, as reported by the *Star*, March 16.

I enter upon the duties of the office to which I have been chosen, with the hope that the beginning of our career as a Confederacy may not be obstructed by hostile opposition to our enjoyment of the separate existence and independence. With the blessing of Providence we intend to maintain our present condition. Achieved in a manner unprecedented in

the history of nations, it illustrates the American idea that government rests upon the consent of the governed, and that it is the right of the people to alter and abolish governments whenever they become destructive of the ends for which they were established.

The declared compact of the Union, from which we have withdrawn, was to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure blessings of liberty to ourselves and our posterity. And when in the judgment of the sovereign States now comprising this Confederacy it has been perverted from the purposes for which it was ordained, and ceased to answer the ends for which it was established, a peaceful appeal to the ballot box declared that, so far as they were concerned, the Government created by that compact should cease to exist.

In this they merely asserted the right which the Declaration of Independence of 1776 defined to be inalienable of the time and occasion of its exercise. . . . The impartial, enlightened verdict of mankind will vindicate the rectitude of our conduct, and He who knows the minds of men will judge the sincerity with which we labored to preserve the Government of our fathers in its spirit.

APPENDIX L

The *Star's* comments March 23, 1861, on Lincoln's first inaugural address.

On the whole, we think the inaugural address of Mr. Lincoln a great failure. It gives aid and comfort to his opponents, while it throws a wet blanket on the hopes and aspirations of his friends. It must be highly pleasing to those who so lately were loud mouthed in denouncing the seceding States, who were rejoicing over the marching of armed thousands to coerce the South, and were listening for the booming of the cannon which were consigning their fellows to a bloody grave.

The declarations it contains are so contradictory, that while some construed them as threatening and coercive, others considered them as merely harmless gasconade [bravado, boasting], and that Mr. Lincoln would not attempt to

carry into effect one tittle of what he threatened.

When he says that “power will be used to both occupy and possess government property,” he means in those States where no resistance is made—and his other statements are to be taken with equally great allowance. In this view we are confirmed by a more recent dispatch, in which he is represented as his own commentator, wherein he declares his policy to be a peace policy.

We may be allowed to refer to other statements of the President. He places himself on the Chicago platform, he says, which, in itself, is antagonistic to his next position. It is fiercely opposed to countenancing or protecting slavery in the States or Territories, and denies the doctrine of secession.

And whilst Mr. Lincoln declares the Union unbroken, and also denies the right of secession, we are now informed that he will take no steps to recover the seceding States, which will involve the shedding of blood.

His coercion policy was merely announced to please the more ultra of his party, while its peaceful commentary, and amicable spirit, were announced in obedience to the conservative sentiments of Mr. Seward and the Southern men in his Cabinet.

Thus, in his very first document Mr. Lincoln attempts to please both parties, and indicates a policy which will soon alienate from him the support of the very party who so lately lauded him as the representative of their anti-slavery, coercive policy.

Again we are informed, Mr. Lincoln asserts the Supreme Court cannot fix the policy of government irrevocably. What he means by “fixing the policy of the government irrevocably,” we do not know. The Supreme Court, we believe, does not assume to direct national legislation, nor to dictate the home nor foreign policy; but if he means that the Supreme Court cannot decide what is law under the Constitution, and that the law may not be executed according to the construction put upon it by the Supreme Bench, then Mr. Lincoln has made a statement equally void of reason and common sense.

But as he has not been called on to explain the statement,

we may, perhaps, judge of it by that which he has explained, and consider that it means nothing, and was put in to please the more fanatical of his party, who consider it their conscientious duty to resist the decrees of the Supreme Court, as promulgated in the Dred Scott decision.

APPENDIX M

First inaugural address of Abraham Lincoln—March 4, 1861. From the March 30, 1861, issue of the *Star*:

Fellow citizens of the United States:—

In compliance with a custom as old as the Government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States, to be taken by the President before he enters on the execution of his office.

I do not consider it necessary, at present, for me to discuss those matters of administration about which their is no special excitement. The apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration, their prosperity and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension; indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you.

I do but quote from one of these speeches when I declare that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so. I have no inclination to do so. Those who nominated and elected me, did so with the full knowledge that I had made this and many similar declarations, and have never recanted them; and, more than this, they placed in the platform for my acceptance as a law to themselves and to me, the clear and emphatic resolution which I now read: “Resolved, That the maintenance inviolate of the right of the States, and especially the rights of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power in which the perfection and endur-

ance of our political fabric depend, and we denounce the lawless invasion by the armed force of the Government of any State or Territory, no matter under what pretext, as among the greatest of crimes.”

I now repeat these sentiments. In doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible—that the prosperity, peace and security of no section are to be in anywise endangered by the now incoming Administration. I add, too, that all the protection, which consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another.

There is much controversy about the delivery of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of the provisions: “No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service of labor may be due.”

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves, and the intention of the law given is the law. All members of Congress swear their support to the whole Constitution—to this portion as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause shall be delivered up, their oaths are unanimous.

Now, if they would make the effort in good temper, could they not with nearly unanimity, frame and pass a law by means of which they will make good that unanimous oath? There is some difference of opinion whether these clauses should be enforced by National or State authority, but surely that difference is not a very material difficulty. If the slave is to be surrendered, it can be of but little consequence to him or to others by which authority it is done; nor should any one in any case be discontent if his oath is to be kept, on a merely unsubstantial controversy as to how it shall be kept.

Again, in any law upon this subject, ought not all the safeguards of liberty known in all civilized and human jurisprudence be introduced, so that a freeman may not in any case be surrendered as a slave. And might it not be well at the same time, to provide by law for the enforcement of that clause in the Constitution, which guarantees that the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States?

I take the official oath today with no mental reservations, and no purpose to construe the Constitution and laws by any private rules; and while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for men, both in official and private stations, to conform to and abide by all those acts which stand unrepealed, than to violate any of them trusting to find security in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have in succession administered the executive branch of the Government; they have conducted the country through many perils, generally with great success. Yet with all this before me, I now enter upon the same task for the brief constitutional term of four years under great and peculiar difficulties. Disruption of the Federal Union—heretofore only menaced—is now formidably attempted.

I hold that, in contemplation of universal law and the Constitution of the Union of the States, perpetuity is implied, if not expressed, in the fundamental law of all National Governments. It is safe to assert that the Government proper had no provision in its organic law for its own termination. If we continue to execute all the express provisions of our National Constitution, the Union will endure forever, it being impossible to destroy it except by some action not provided for in the instrument itself.

Again, if the United States be not a government proper, but an association of States, in the nature of a contract merely, can it, as a contract, be peaceably unmade, unless by all the parties who made it? One party to a contract may

violate it, so to speak; but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that in legal contemplation the Union is perpetual, confirmed by history itself. The Union is much older than the Constitution; It was formed, in fact, by the Articles of Association in 1774; It was matured and continued by the Declaration of Independence in 1776; It was further matured on the faith of all the then Thirteen States, expressly pledged and engaged, that it should be perpetuated by the articles of Confederation in 1778; and finally, in 1787 one of the declared objects for the ordaining and establishment of a Constitution was to frame a more perfect Union.

If the Union can be dissolved by one, or by a part only of the States, by any lawful mode possible, the Union is less perfect than before, the Constitution having lost the vital element of perpetuity. It follows from these views that no State, upon its own mere motion, can lawfully get out of the Union; that resolves and ordinances to that effect are legally void; and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary, according to the circumstances.

I therefore consider, that in view of the Constitution and laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins, that the laws of the Union be faithfully executed in all the States. In doing this I deem it to be only a simple duty on my part, and I shall perform it so far as practicable, unless my rightful master, the American People, shall withhold the requisite means, or in some authoritative manner direct to the contrary. I trust this will not be regarded as a menace, but only as a declared purpose of maintaining the Union under the Constitution, which will then only defend and maintain itself.

In doing this there need be no bloodshed or violence—and there shall be none unless it be forced upon the National authority. The power confided to me will be used to hold, to occupy, and possess the property and places belonging to the Government; and to collect duties on imports; but beyond what may be necessary for these objects, there

will be no using of force against or among the people anywhere.

Where hostility to the United States in any interior location shall be so great and so universal as to prevent competent resident citizens from holding federal offices, there will be no attempt to force obnoxious strangers among the people with that object. While the strict legal right may exist in the Government to enforce the appointment of these offices, the attempt to do so would be so irritating and so nearly impracticable withal, that I deem it better to forego for a time the use of such offices. The mails, unless repelled, will continue to be furnished in all parts of the Union, so far as possible. The people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection.

The course herein dictated will be followed, unless current events and experience shall show a modification or change to be proper; and in every case and exigency my best discretion shall be exercised according to circumstances actually existing, and with a view and a hope of a peaceful solution of the National troubles, and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events, and are glad of any pretext to do it, I will neither affirm nor deny; but if there be such, I need address no word to them. To those, however, who rely on the Union do I speak. Before entering on so grave a matter as the destruction of our National fabric with all its benefits and hopes, would it not be better to ascertain previously how the matter really stands before hazarding so desperate a step as destroying the Union? Will you, while the certain ills you fly from, risk the commission of so fearful a mistake?

All profess to be content in the Union, if all the Constitutional rights can be maintained. Now, is it true that any right plainly written in the Constitution has been denied? I think not. Happily the human mind is so constituted that no party can reach to the audacity of doing this thing. If you can offer a single instance in which a plainly written provision of the Constitution has ever been denied;

if, by the mere force of numbers, a majority shall deprive a minority of any clearly written constitutional right, it might, in a moral point of view justify a secession. It certainly would if such a right were a vital one.

But such is not our case. All the vital rights of minorities and individuals are so plainly assumed by the affirmations and legislative guarantees and propositions in the Constitution, that such a controversy never arises concerning them. But no organic law can be framed with a provision specially applicable to every question which may occur in practical administration, no foresight can anticipate, nor any document of reasonable length contain express provisions of all possible questions.

Shall fugitives from labor be surrendered up by National or State authority? The Constitution does not expressly say. May Congress prohibit slavery in the Territories? The Constitution does not expressly say. Must Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our controversies, and we will divide upon them into majorities and minorities. Must the minority rule, or the Government cease? There is no other alternative for continuing the Government, but acquiescence on the one side or the other. If a minority in one case will secede rather than acquiesce, they make a precedent which, in turn, will divide and ruin them. For instance: Why may not a portion of a new confederacy, a year or two hence, arbitrarily secede again, precisely as portions of the present Union claim to secede from it?

All who cherish Disunion sentiments are now being educated to the exact temper of doing this. Is there such an identity in the interests of the States to compose a new Union as to produce harmony only, and prevent renewed secession?—Plainly the central idea of Secession is the essence of anarchy. A majority held in restraint by Constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy and despotism. Unanimity is impossible. The will of a minority as

a permanent arrangement is wholly inadmissible, so that in rejecting the will of the majority principle, anarchy and despotism in some form is all that is left.

I do not forget the position assumed by some, that Constitutional questions are to be decided by the Supreme Court; nor do I deny that such decisions are binding in any case upon the parties to a suit, as to the object of that suit, while they are also entitled to a very high degree of respect and consideration in a parallel case in all other departments of the Government. And while it is obviously possible that each decision may be erroneous in any given case, still the evil effects following it being limited to that peculiar case, and never becoming a precedent for other cases, can better be borne than could the evils of a different practice.

At the same time, candid citizens must confess, that if the Government, upon vital questions affecting the whole people, is to be irrevocably fixed by the decision of the Supreme Court, the instant they are made in ordinary litigation, between parties in personal action, the people have ceased to be their own rulers having to that extent practically resigned their government into the hands of that tribunal. In this view there is no assault on the Supreme Court of Judges. It is a duty from which they may not shrink to decide cases properly brought before them, and it is not a fault of theirs if others seek to turn their decisions into political purposes.

One section of our country believes slavery is right, and ought to be extended; while the other believes it is wrong and ought not to be extended. This is the only substantial dispute, for the fugitive slave clause of the Constitution and the laws for the suppression of the slave trade are just as well enforced, as any can ever be in a community where the moral sense of the people supports the law itself. The great body of the people abide by the legal obligations in both cases. In the separation of the two sections the foreign slave trade, now imperfectly suppressed, would be ultimately revived without restrictions in one section, while fugitive slaves, only partially surrendered, would not be surrendered at all by the other.

Physically speaking, we cannot separate—cannot remove

our respective sections from each other, nor build an impassable wall between them. The husband and wife may be divorced, and depart from the presence or beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face, and an intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make the intercourse more advantageous or satisfactory after separating than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws among friends? Suppose you go to war—you cannot fight always; and when, after much loss on both sides, (there will be no gain on either,) the old identical questions as to the terms of intercourse are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right to dismember or overthrow it. We cannot be ignorant of the fact that many worthy patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject to be exercised in either of the modes prescribed in the document itself, and I should, under existing circumstances favor rather than oppose fair opportunity being offered the people to act upon it.

I will venture to add that the Constitutional mode seems preferable, in as much as it allows the amendments to originate with the people themselves, instead only of permitting them to take or reject a proposition originated by others not specially chosen for the purpose and which might not be prepared in such a manner as they would wish to either refuse or reject.

I understand that a proposed amendment to the Constitution—which amendment, however I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid a misperception of what I have said, I depart from my purpose to speak of particular amendments, so far as

to say that, holding implied constitutional law, I have no objection to its being made express and irrevocable.

The Chief Magistrate derives all his authority from the people; and they have conferred none upon him to fix forms for the separation of the States. The people themselves can do this, if they choose; but the Executive, as such, has nothing to do with it. His duty is to administer and preserve the Government as it came to his hand, and transmit it unimpaired by him to his successor. Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world in our present differences? Is either party without faith or hope in preventing differences, being in sight of the Almighty Ruler of nations with His eternal truth and justice on every side? If on the North, or on yours of the South, that truth and justice will surely prevail by the judgment of that great tribunal. The American people, by the form of the government under which we live—this same people have wisely given their public servants but little power for mischief, and have with equal wisdom provided for the disposal of that little from their hands at very short intervals. While the people retain their virtue and vigilance, no Administration in an extreme of wickedness can very seriously injure the Government in the short space of four years.

My countrymen, one and all—Think favorably and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired; and, on the most sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either.

If it were admitted that you who are dissatisfied should have the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance in Him who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulties. In your hands, my

dissatisfied countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in Heaven to destroy the government; while I have the most solemn oath to preserve, protect and defend it.

I am loath to close. We are not enemies but friends. We must not be enemies. Though passion may have strained it must not sever the bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot's grave to every loving heart and hearts all over this broad land, will yet swell the chords of the Union when again touched, as surely they will be, by the better angels of our nature.

APPENDIX N

What led to the Civil War. From the *Star*, April 20, 1861.

In looking over the history of our country for the past twenty-five years, we can see from what an insignificant beginning the present terrible crisis in our national history first sprung. In the year 1835 John Q. Adams [who returned to Congress after serving as president] presented a petition for the consideration of the House of Representatives for the abolition of slavery in the District of Columbia, accompanying it with one of the most able speeches on the sacred privilege of the right of petition. From this practical assumption of an abstract right, which no man denied, though all conservative men deplored its effect, may be dated the first jar to the most perfect political structure ever formed by man.

This has been improved upon, year after year, until now we have its legitimate offspring in the form of the Republican party, which first took definite shape in 1856; since which time it has swept the Northern States as an avalanche, and as each succeeding State has come under abolition sway, it has engrafted upon its statute books laws in direct violation of the Federal compact, and hostile to the fundamental interests of nearly one-half the Federal Union. This system of encroachment on the Federal constitution

and the dearest rights of a large portion of the confederacy, has been steadily and persistently pursued not only in violation of law, but the plainest principles of justice, equity, and right. . . .

The great American heart is slowly awakening to a full sense of the danger that hangs like a black pall over the country; and as will be seen by our telegraphic dispatches, the people are beginning to cast oil upon the troubled waters, by recanting their heretical doctrines, alike as undignified to the North as unjust to the South, and whose only result must be the wreck of our hope of the stability, the solidarity, and the perpetuity of the government.

But is it not too late? Has not the patience of the South ceased, in their eyes, to be a virtue? Have not the indignities, wrongs and outrages of sectionalism so worked upon their honor, as to smother their love of union, and cause them to rise in the majesty of an outraged people, and assert, by force, if needs be, their just and legitimate rights? This course they have adopted. Seven States have declared themselves absolved from all allegiance to the Union, and endowed with absolute sovereignty.

Can they, by coercion, under the Federal Constitution, be brought back to loyalty to the Union? Assuredly not, for the power cannot be claimed upon any other hypothesis than implied, and as one of the provisions of that instrument is, that all powers not expressly granted, are reserved to the States and the people, the implied power must fail, there being no express power delegated. But even suppose the power existed, would it be wise, would it be politic, to enforce it? Would you subjugate a sovereign State, abrogate her constitution, or hold her in vassalage, by stationing a military force within her bounds, awing her to obedience, and closing her ports by blockade? The attempt will be attended by consequences as direful as the world has ever witnessed. To obviate even the most remote possibility of such an event, is the wish of all conservative men. Is concession, is compromise too late? It is idle to flatter ourselves that "glorious memories," or "hallowed associations" can quell the tempest. It requires action, prompt and just; else, adieu to the experiment of popular government. It must be

pronounced a failure, if found incapable of accomplishing the end for which it was formed.

APPENDIX O

Comments on the California state Democratic Convention as reported in the July 18, 1863, *Star*.

With that good feeling and abnegation of self which characterizes Democrats, all misunderstandings were easily reconciled, and a unanimity and good feeling prevailed, highly creditable to the members of the party.

The Convention, it is stated, was the most numerous and respectable which was ever convened in the State. The proceedings were characterized by a spirit of forbearance; and the ticket presented to the people is one which meets favor from everyone who claims to be a Democrat—of every one who is opposed to the policy and principles of the present Abolition Administration.

We observe, there is quite a change in the names from the list as received last week by telegraph. . . .

We are not disposed to indulge in indiscriminate praise of the ticket presented by the convention. We do not lose sight of the fact, that a compromise had to be effected, and that, consequently, names were not taken up which would have adorned the list of candidates. But we assert, nevertheless, that the Convention has presented a list of names which, on the whole, will commend itself to the people and our candidates will rally around them the unterrified Democracy throughout the length and breadth of the State.

Of the resolutions adopted . . . we may merely say, they are such as will be cordially adopted by the California Democracy. Attachment to the Constitution, the equality of States in the Union, without which it is not the Union of the Constitution—obedience to the lawful authority, but resistance to arbitrary power and despotism at all risks, the maintenance of the freedom of speech, the freedom of the press, and the protection of the citizen from illegal arrests, the supremacy of civil over military power, and a strong protest against test oaths, as a qualification for the enjoyment of the common rights and privileges guaranteed by the Constitution. These and similar propositions are embraced

in the platform adopted by the Convention, and will be unequivocally endorsed by every Democrat in the State.

APPENDIX P

The *Los Angeles Star's* response March 1, 1862, to the announcement that the paper would be excluded from the mails.

The foregoing order we find in the telegraphic dispatches, and intimation of the issuance of the order has been given us by the Postmaster of this city, and also by the Express of Wells, Fargo & Co. By neither, will the *Star* be carried hereafter.

As this paper circulates principally in the four Southern counties, our friends will have their papers supplied them, as heretofore; the parcels will be carried to the different localities by private conveyance.

Those friends for whom we have been forwarding papers to the Northern portion of this State and the Atlantic States, as also to Canada and Europe, will perceive that they are debarred the use of the mail facilities, extended to all others.

From the foregoing order, it will be perceived how full a measure of freedom is vouchsafed [granted or furnished often in a gracious or condescending manner] in this much boasted free and enlightened nation. . . . Under these circumstances, the liberty of speech and of the press, are mere shams.

As to the allegations made, they are entirely groundless. To no such use has ever the *Star* been perverted. From the beginning of the war, we, of our own volition, discontinued our long list of subscribers in the Southern States; since then, no paper has been sent but to the loyal States. We look upon this use of authority, as a very weak effort of a "strong government." However, it interferes very little with the general circulation of the *Star*.

APPENDIX Q

Article titled "The Government and the Press" copied from the *New York World* in the October 18, 1862, *Los Angeles Star*.

Our free strictures upon arbitrary arrests have drawn out intimations from certain high quarters in Washington that

if we continue this sort of comment it will be at our peril.

We can believe that much folly rules there, but this seems almost incredible. It cannot be that any branch of our government seriously intends to open a war upon the loyal press—least of all to begin by assailing one which, from the outset, has labored with peculiar zeal to uphold the President, and inspire confidence. If there is a press in the country which can fearlessly appeal to its record for proof of thorough fidelity to the principle of this war, as originally set forth by the administration, it is this journal. To the utmost of our power we have quickened the people to a sense of the vital character and infinite issues of the contest—have repelled all suggestions of surrender or compromise—have combatted faction, and every disorganizing influence—have cheered in adversity, and admonished in prosperity—and, in every way possible, have endeavored to sustain and strengthen our rulers under their mighty responsibilities.

We have conscientiously believed that the support of the administration involved the support of the cause, and have been almost as reluctant to reflect upon the one as upon the other.

In this spirit we have shut our eyes to much that, in our sober judgment, was worthy of blame—believing that almost any evil was less injurious than distrust, and hoping that time would amend all errors.

Time did not amend them. It aggravated them. When it at last brought the arbitrary arrest of loyal men, we could hold our peace no longer. Faithfulness to the cause forbade it. To our mind, such a violation of the law and justice was contrary to every principle this war seeks to vindicate. It was robbing loyal minds of their highest ideas, and loyal hearts of their holiest supports.

It was arming the rebels with new arguments. It was providing foreigners with new sneers. It tended to nothing but discouragement, disgrace and ruin. We protested against it. We shall continue to protest against it. We shall protest against all things like it. From this time forth we shall do our whole duty in respect to this administration. We shall criticise without reserve—approving and condemning,

applauding and denouncing, as freely as in days of peace. The conviction has been forced upon us that so only can we fitly discharge our duty to the country in its awful perils.

The people are now realizing the bitter consequences of undue confidence in the management of the administration. The abandonment of free criticism, which followed the disaster at Bull Run, and the disposition to trust everything to the discretion of the President, have terminated in an accumulation of disaster and disgrace that appalls and sickens every heart. Magnificent armies beaten, incomputable treasure wasted, two hundred thousand lives sacrificed, the capital still beleaguered, the border states lost, loyal states menaced with invasion—all this, too, when the enemy started with an almost absolute destitution of every war-necessity, and is still imperfectly equipped, ragged, and half famished—it is enough to drive even calm men mad. Considering the available means and the actual results, it is the most disgraceful failure recorded against any government in modern history.

And this is the requital of the people's confidence. This is the fruit of deferential silence when ABRAHAM LINCOLN chose to relieve his subordinates by making haste to assume responsibility. It is high time that this passiveness were ended. The people are lost if they do not henceforth form their own conclusions, and make them respected. They have got to exercise a constant vigilance, an unsparing criticism, and an untiring pressure. Public opinion must develop and consolidate itself, and take a shape so formidable that no living man or set of men, in Washington or out of it, will dare defy it.

This is more necessary because, contrary to every precedent in a responsible government, whether monarchical or republican, Mr. Lincoln makes no change in his cabinet. There is not a ministry in Europe which could hold power a day after such a period of disasters as has befallen our present rule. There is not a throne that is stable enough to bolster up incompetency so palpably demonstrated. Aberdeen and Newcastle [of Britain] had to resign for mismanagement in the Crimea not a hundredth part so gross, or so damaging. In all such cases, it is not only the need of securing able

men that prompts the change, but the importance of giving the nation a substantial pledge of a new policy. President Lincoln disregards all such considerations. He keeps those in his highest administrative trusts who have utterly forfeited the confidence of the people. We say, then, that this strange persistency in retaining men who have been tried and found wanting, imposes a still higher obligation upon the public mind to be watchful and outspoken.

The press, as the chief organ of public opinion, can no longer shrink from its duty in expressing and enforcing that opinion. We believe that if it will faithfully and fearlessly do its appropriate work, it will be morally impossible for inefficiency to keep its ground.

Everyone familiar with the history of the rebel confederacy, knows that it was the rebel press mainly which compelled President Davis to change his Secretary of War after the rebel disasters of the spring, and forced upon him the aggressive policy which is now developing itself with such wonderful success and prestige. That press used no blandishments, and practiced no reserve. It was thoroughly penetrated with the feeling that its cause was lost unless there were a change, and it thundered its denunciations. . . .

There is no mistake about it, President Lincoln and his chosen advisers must be less tenderly dealt with. They must be held more sternly to their responsibilities. They must be made to feel something of the dreadful earnestness which surcharges the heart of the people. They must learn to respect the rights of the people, and to treat the people as their masters and not as their servants. They must tolerate freedom of loyal speech, and renounce all ideas of intimidating the loyal press.

APPENDIX R

Article on freedom of the press copied from the *San Francisco Monitor* in the October 25, 1862, *Star*.

It is not wise to do evil that good may come. The great Apostle has held that doctrine up to the reprobation of mankind; yet it is true that out of disaster advantage often arises.

The rolling up of [John] Pope's Army by [Robert E.] Lee

and [Stonewall] Jackson [August 29 and 30, 1862, at the second battle of Bull Run] has produced a change for the better in a quarter few would suspect. It has broken up completely the system of repression which the government has for so long a time pursued. The defeat of Pope in front of Washington was the avalanche that swept away the puny barriers which for a year or more prevented the flow of free speech; and suppressed just criticism. The New York papers now speak out upon all topics connected with the war, with a boldness which is in striking contrast with the timidity of the past.

It is agreed on all hands, that in time of war the publication of intelligence which might be of advantage to the enemy should not be permitted. For instance, it would be neither wise nor patriotic to let the enemy know the strength of the army and its intended movements; but does any one suppose that the right to suppress the publication of what may be termed contraband news, also implies the right to crush out just criticism upon the action of government and force all men in all cases either to be silent or applaud?

To this policy the government to some extent owes many of its late disasters. For a year or more it has heard no voice but that of its flatterers. Every incumbent . . . proclaimed, that to doubt for a moment, the wisdom of any act of the Administration was treason—rank and foul crying to Heaven and demanding instant and condign [deserved] punishment—treason in a double sense—treason to the government which fed him and treason to him and his family who were being fed; and so the Secretary wrote and ordered.

In a word, the government has been proceeding upon the old and exploded monarchical idea that those in authority can do nothing wrong, and by so doing, deprived itself of the benefit of the suggestions of a thousand busy pens—ever and ever rattling over the fair page, sometimes it is true splashing and spattering; but often throwing off advice which those who fill high places might with advantage to the nation adopt.

From Bull Run the first to Bull Run the second, there has been but one set of ideas in circulation in the National

Capital and the atmosphere surrounding it—viz: the wisdom, excellence and sagacity of the Administration in all things, great and small, and every office holder from the portly head of a bureau with deep bass to the inferior clerk with piping treble, at morning, noon and “dewey eve,” sang out “amen.” These are the very class of men however, whom the Administration should have distrusted for they are prepared to dance to any tune. We do not hazard much when we assert than nine-tenths of them to-day would hurrah as loudly for the downfall of Mr. Lincoln, as they now do for his elevation almost to the rank of the demigods, provided that in it they found continuance in office and much profit.

At first, criticism of all kinds was suppressed, on the ground of giving aid and comfort to the enemy. To such harsh lengths was the rule extended that the citizens found safety in nothing but uproarious cheering whenever the signal was made by those in authority. When that was worked out, the discouragement of enlistment was made the pretext for many an arbitrary act, but the end has at length been reached.

In Vermont—loyal Vermont—some difficulties already have occurred on the subject of arbitrary arrests. In that State the Judiciary denies that the President has the power to suspend the writ of habeas corpus without the authority of Congress. In New Jersey, a State that has furnished more than the number of soldiers for the war required under the calls of the President, refuses to allow arrests unless in accordance with law. The Governor very recently declared he would summon the militia to prevent the deportation of a citizen ordered by one of the departments. The man was not deprived of his liberty. Iowa, far away in the northwest, protests against the practice. Mr. Mahoney, editor of a Dubuque paper, while in prison, was unanimously nominated for Congress. The Governor of Illinois, in a letter written in reply, says he had nothing to do with some of the arrests made recently on the charge of treason—that he was not consulted in relation to them, and that in his opinion, persons should not be deprived of liberty except for words and acts calculated to create insurrection.

The New York Press has burst the bonds by which it has

been for so long a time bound, and journals everywhere will follow the example of their Metropolitan contemporaries.

For the future, if the Government thinks it is necessary to continue the policy of repression, it ought at least to learn to distinguish between friendly and unfriendly criticism—between articles written for the purpose of pointing out to it the true path, and articles published with the object of bringing it into contempt—between comments dictated by sensitive loyalty, and those whose object is treason. Far better, however, would it be if the administration should throw itself upon the common sense of the people and give full scope to all either to approve or condemn, provided no effort is made to enter upon the realms of contraband literature—that is to say, the literature calculated to inform the enemy of points about which he ought to be kept in ignorance.

By so doing, it will get many a valuable hint and suggestion hid away through the fear of the military prisons which surround us at every turn. No cause is good which will not stand just criticism.

APPENDIX S

Speech by E.G. Ryan, a Democrat from Wisconsin, reprinted in the *Star*, October 25, 1862.

We claim the right, as free and loyal American citizens, to discuss the conduct of the administration, and to censure it when we deem it worthy of censure. Our fathers won and established this right, and we will not surrender it. We utterly deny to the executive of the United States the power assumed by Congress in the sedition act of 1798 to suppress opposition to the administration, or restrict the full freedom of political discussion in the loyal States.

This would be to assume a power above the constitution. The administration has no more power to suspend the constitution, than have the people. The child must not reject the authority of the parent, nor the servant usurp the rights of the master. The constitution and the laws give the administration ample power to protect itself and enforce its authority in the loyal States; and it would at this day be an evil example pregnant with anarchy and disorder, to

disregard the constitutional rights of the loyal States and their people.

We cannot bring ourselves to the belief that such a reign of terror is impending over us. We respect the administration too much for such an apprehension. But if such times are upon us, we must play our parts like men, and not disavow our principles and opinions like cowards. Loyal to the core to the constitution and government of the United States, the democracy has nothing to fear from the assertion of its principle, and the discussions of its political views.

Allowing much of minor evil to pass unnoticed, in view of the difficult part which the administration has had to play, there are some grave acts of the executive and legislative departments of the government for which we hold the Republican party responsible, and for which we arraign it at the bar of public opinion. . . .

We deny the power of the executive to trammel the freedom of the press by the suppression of newspapers. The press is judicially responsible for abuses; but the freedom of the press, subject to judicial remedies, is essential to the freedom of the people. And we protest against the manifest partiality with which this new and dangerous power is exercised.

We believe that the executive acts of which we complain, were done rather in inadvertence by subordinate officers, than in the deliberate purpose of subverting the constitution, or with the sanction of the President. The stretch of power, however, is too great and too dangerous to the liberties of the people, to pass without the protest of the free and loyal democracy. If done as part of a full and deliberate policy, they strike at the root of American liberty, and we are drifting from the safe anchorage of the constitution into an unknown wilderness of cruel waters.

APPENDIX T

Excerpts from a speech by Gov. Horatio Seymour of New York, delivered in Albany, September 19, printed in the November 1, 1862, *Star*.

The very character of the Republican organization makes it incapable of conducting the affairs of Government. For a

series of years it has practised a system of coalition with men differing in principle until it can have no distinctive policy. In such chaotic masses the violent have most control.

They have been educating their followers for years, through the press, not to obey laws which did not accord with their views. How can they demand submission from whole communities, while they contend that individuals may oppose laws opposed to their consciences? They are higher-law men. They insist that the contest in which we are engaged is an irrepressible one, and that therefore the South could not avoid it unless they were willing at the outset to surrender all the abolitionists demanded. To declare that this contest is irrepressible declares that our fathers formed a government which could not stand.

Are such men the proper guardians of Governments? Have not their speeches and acts given strength to the rebellion; and have they not also enabled its leader to prove to their deluded followers that the contest was an irrepressible one?

But their leaders have not only asserted that this contest was irrepressible unless the South would give up what extreme Republicans demanded, (their local institution,) but those in power have done much to justify this rebellion in the eyes of the world. The guilt of the rebellion is determined by the character of the government against which it is arrayed. The right of revolution, in the language of President Lincoln, is a sacred right when exerted against a bad government.

Our government and its administration are different things; but in the eyes of the civilized world, abuses, weakness, or folly, in the conduct of affairs go far to justify resistance. . . . Those who stand up to testify to the incompetency of these representatives of a discordant party to conduct the affairs of our government are politically opposed to us.

Bear in mind that the embarrassments of President Lincoln grow out of the conflicting views of his political friends, and their habits and principle of insubordination. His hands would be strengthened by a Democratic victory, and if his private prayers are answered we will relieve him from the pressure of philanthropists who thirst for blood,

and who call for the extermination of the men, women and children of the South. The brutal and bloody language of partisan editors and political preachers have lost us the sympathy of the civilized world in a contest where all mankind should be on one side.

Turning to the legislative departments of our government, what do we see? In the history of the decline and fall of nations there are no more striking displays of madness and folly. The assemblage of Congress throws gloom over the nation; its continuance in session is more disastrous than defeat on the battle field. It excites alike alarm and disgust. The public are disappointed in the result of the war. This is owing to the differing objects of the people on the one hand, and fanatical agitators in and out of Congress on the other.

In the army, the Union men of the North and South battle side by side, under one flag, to put down rebellion and uphold the Union and constitution. In Congress a fanatical majority make war on the Union men of the South and strengthen the hands of the secessionists by words and acts which enable them to keep alive the flames of civil war. What is done on the battle field by the blood and treasure of the people is undone by Senators. Half of the time is spent in factious measures designed to destroy all confidence in the government at the South, and the rest in annoying our army, in meddling with its operations, embarrassing our generals, and in publishing undigested and unfounded scandal.

One party is seeking to bring about peace, the other to keep alive hatred and bitterness by interference. They prove the wisdom of Solomon when he said: "It is an honor for a man to cease from strife, but every fool will be meddling."

The war cannot be brought to a successful conclusion or our country restored to an honorable peace, under the Republican leaders, for another reason. Our disasters are mainly due to the fact that they have not dared to tell the truth to the community. A system of misrepresentation had been practiced so long and so successfully that when the war burst upon us they feared to let the people know its full proportions, and they persisted in assuring their friends it was a passing excitement. They still asserted that the South

was unable to maintain and carry on a war. They denounced as a traitor every man who tried to tell the truth and to warn our people of the magnitude of the contest.

Now, my Republican friends, you know that the misapprehensions of the North with regard to the South has drenched the land with blood. Was this ignorance accidental? I appeal to you, Republicans, if for years past, through the press and in publications which have been urged upon your attention by the leaders of your party, you have not been taught to despise the power and resources of the South? I appeal to you to answer if those who tried to teach truths now admitted have not been denounced. I appeal to you, if a book, beyond all others false, bloody and treasonable, was not sent out with the endorsement of all your managers; and is it not true that now, when men blush to own they believed its statement, that its author is honored by an official station?

It is now freely confessed by you all that you have been deceived with respect to the South. Who deceived you? Who by false teachings, instilled contempt and hate into the minds of our people? Who stained our land with blood? Who caused ruin and distress? All these things are within your knowledge. Are their authors the leaders to rescue us from our calamities? They shrink back appalled from the mischief they have wrought and tell you it is an irresistible conflict. That reason is as good for Jefferson Davis as for them. They attempt to drown reflections by new excitements and new appeals to our passions. Having already, in legislation, gone far beyond the limits at which, by their resolutions, they were pledged to stop, they now ask to adopt measures which they have heretofore denounced as unjust and unconstitutional. For this reason they cannot save our country.

The Republican party cannot save the country, because through its powerful press it teaches the contempt for the laws, Constitution and constituted authorities. They are not only destroying the Union, but they are shaking and weakening the whole structures of States as well as national government, by denunciations of every law and of all authority that stands in the way of their passion or their purposes.

They have not only carried discord into our churches and legislative halls, but into our armies. Every general who agrees with them upon the subject of slavery is upheld in every act of insubordination and sustained against the clearest proofs of incompetence, if not corruption. On the other hand, every commander who differs from their views upon this single point of slavery is denounced, not only for incompetency, but constantly deprecated in every act.

No man is allowed to be a christian; no man is regarded as a statesman; is suffered unmolested to do his duty as a soldier unless he supports measures which no one dared to urge eighteen months since. They insist that martial law is superior to constitutional law, that the wills of generals in the field are above all restraints; but they demand for themselves the right to direct and control these generals. They claim an influence higher than that they will allow to the laws of the land. Are these displays of insubordination and violence safe at this time?

As our national calamities thicken upon us, an attempt is made by their authors to avoid their responsibilities by insisting that our failures are due to the fact that their measures are not carried out, although government has already gone far beyond its pledges. The demands of these men will never cease, simply because they hope to save themselves from condemnation by having unsatisfied demands.

At the last session Congress not only abolished slavery in the District of Columbia, but to quiet clamorous men, an act of confiscation and emancipation was passed, which, in the opinion of leading Republicans, was unconstitutional and unjust. By this act the rebels have no property, not even their own lives, and they own no slaves. But to the astonishment and disgust of those who believe in the policy of statutes and proclamations, these rebels still live and fight and hold their slaves. These measures seem to have reanimated them. They have a careless and reckless way of appropriating their lives and property, which by act of Congress belong to us, in support of their cause.

But these fanatical men have learned that it is necessary to win a victory before they divide the spoil; and what do they now propose? As they cannot take the property of reb-

els beyond their reach they will take the property of loyal men of the border States. The violent men of this party as you know from experience, my conservative Republican friend, in the end have their way. They now demand that the President shall issue a proclamation of immediate and universal emancipation! Against whom is this to be directed? Not against those in rebellion, for they came within the scope of the act of Congress. It can only be applied to those who have been true to our Union and our flag. They are to be punished for their loyalty. When we consider their sufferings and their cruel wrongs at the hands of the secessionists, their reliance upon our faith, is not this proposal black with ingratitude?

The scheme for an immediate emancipation and general arming of the slaves throughout the South is a proposal for the butchery of women and children, for scenes of lust and rapine, of arson and murder unparalleled in the history of the world. The horrors of the French Revolution would become tame in comparison. Its effect would not be confined to the walls of cities, but there would be a wide spread scene of horror over the vast expanse of great States, involving alike the loyal and seditious. Such malignity and cowardice would invoke the interference of civilized Europe. . . .

A proclamation of general and armed emancipation at this time would be a cruel wrong to the African. It is now officially declared in Presidential addresses, which are fortified by congressional action, that the negro cannot live in the enjoyment of the full privilege of life among the white race. It is now admitted, after our loss of infinite blood and treasure, that the great problem we have to settle is not the slavery, but the negro question.

It is discovered at this late day in Republican Illinois, that it is right to drive him from its soil. It is discovered by a Republican Congress, after convulsing our country with declarations of equal rights and asserting that he was merely the victim of unjust law, that he should be sent away from our land. This issue is now changed. The South holds that the African is fit to live here as a slave. Our Republican Government denies that he is fit to live here at all.

APPENDIX U

Article about treason, copied from the *San Joaquin Republican*, that appeared in the November 8, 1862, *Star*.

The Scotchman's definition of orthodoxy—"Orthodoxy is my doxy; all others are heterodox"—answers well for the Republican idea of treason, making it a vagrant offence, dependent upon popular sentiment and public exigencies. Senator [Benjamin] Wade [Radical Republican from Ohio] declared in his place in the Senate, that "any man who would quote the Constitution of the United States at this time is a traitor."

Gen. Cassius M. Clay recently announced in a public speech that "any man, North, South, East and West, who did not stand by Abraham Lincoln and his proclamation, was a traitor."

Attorney General Pixley, in an official opinion, defines treason to be refusal to give currency to "green-backs" [paper money backed only by the government]. All these are high authority in the Government, which has the power to enforce its dogmas. Then we have other definitions as varied and as numerous as the factions and isms of which the ruling party is composed. To question the equality of the negro is treason; to vote against the Black Republican ticket is treason; and we are told that a man was threatened with Alcatraz a few days since, for questioning the immaculate character of the itinerant lecturer, Starr King.

The mode and measure of punishment is also a vagrant power, without a local habitation or a name in the written constitutions and laws of the country. We hear of men being arrested for talking treason. The only kinds of treason known to the written laws are overt and covert—the act or the plotting. A friend suggests that you could as well talk murder, arson or rape, as to talk treason.

Arrested how—by what form of writ? Nothing that has ever before been heard of or known in criminal jurisprudence. A military officer sends a civil Marshal or Constable not legally under his control, with a telegraphic communication from one of the President's clerks—a Cabinet Minister, invested by law with neither military or civil

authority—to seize and convey to a government fort, an individual charged with an imaginary offence, which in itself is a moral absurdity. All the public know of the matter is, that the thing is done—the prisoner suffers—but for what offence, or by what authority, or under what rule, regulation or general direction, is all a matter of speculation.

We have a sincere desire to obey the laws and honor all in authority over us, and a special aversion to Alcatraz. A constrained residence there would neither be pleasant nor convenient to us, besides involving the Government in an unnecessary expenditure for our support, which we should be unwilling to impose upon it at the present time. What we want to know is, "how to enjoy and how to avoid," as the lecturer says. If our rulers will give us an authoritative definition of treason now, and then issue a bulletin from day to day, as circumstances may require changes, together with the precise mode and measure of punishment, we will, for the sake of our own safety and the public peace, try to conform; or if we fail in that, we shall at least know what the consequences are. Our necessities require that we should write—upon our daily labor depends our daily bread—hence our personal interest in knowing what we may write—to put it upon no higher ground.

An English poet once said—

"Enough for the rabble to know of their lords,
Is what the dim light of taxation affords."

This would do very well—for every man will soon have as much experience in that line as will command his constant attention—if it were not that ignorance endangers our personal safety. We may be committing treason all unconscious of any offence, and what may be the highest evidence of patriotism to-day may be treason to-morrow.

For instance—for saying that emancipation was to be made one of the objects of the war, a few months since, we were denounced as a traitor; if we should question the policy of emancipation now, we would be sure to be accused of treason. The practice of the ancient tyrant posting his decrees where the people could not read them, that he might

have a pretense for punishment, in which he delighted, has, until quite recently, been regarded as an unworthy device; but perhaps Nero thought it was the best way to preserve the Union and in that view he was undoubtedly justifiable.

APPENDIX V

Article titled "Disunion Government" that appeared in the November 8, 1862, *Star*.

Whatever Southern men may affect to think of the utility of the Union to Southern interests, there can be no doubt of its great benefit and advantage to all the free States. Hence the great exertions of those States to preserve it. It is notorious that most of the soldiers in the rank and file of the army are Democrats, not agreeing with the Republicans, nor President Lincoln and his cabinet in their views of slavery or free soil, but anxious to uphold the "Union as it was and the Constitution as it is."

They have rallied to the support of the Administration, believing, that its policy was to preserve the Union and maintain the laws. In this, they have been cruelly deceived by the President and his cabinet, and outside controllers. The proclamation of the President to abolish slavery in the Confederate States in rebellion, without any distinction between the guilty and the innocent, between Union men, and disunionists, has opened the eyes of the Democrats in the Eastern and Western United States that this has now become a war for the abolition of slavery, and as such is equally subversive of the Constitution and the Union. There could be no more pertinent proof of a general belief in the truth of this position, than the voting in the recent elections in the Atlantic States.

Indeed, it is now sufficiently apparent, that the abolitionists, who have at length obtained the supreme control of the President and his measures, do not desire the reconstruction of the Union; or its preservation in any shape with the States partly free and partly slave. They no longer desire the Union "as it was and the Constitution as it is." They aim at a new Constitution and a new Union, in which there shall be no slave States. When the contest first began, the abolitionists said, "let the Union slide," and "let the South go

in peace." It was only when they saw that the war could be made an instrument in favor of abolition of slavery, and that they could get the direction of the Administration, that they came to the support of the one or the other. It is now more than a year since the *New York Tribune* openly proclaimed that it did not desire a reconstruction of the Union with the "dead corpse of slavery." Such, ever since, has been the policy of the Republican party in all the States.

If we take the recent proclamation of the President in connection with his message to Congress on emancipation, and his address to the members of Congress of the border States, we cannot be at a loss for the designs of the cabinet. They are seeking a permanent dissolution of the Union, which shall preserve the border States to the North after slavery shall have been abolished in Maryland, Delaware, Kentucky and Missouri by force of arms, or the influence of the war. The Black Republicans do not desire that the Gulf States shall be retained in the Union, with slavery as it has heretofore existed under the Constitution of the United States. Their last desperate resource [is] the cotton States. In the success of this contest, which is to be a general conflagration, murder of men and rape of women, the leaders have no confidence. They know that it can be effected only when the Federal armies proceed. They have inaugurated this policy only to render a restoration of the Union impossible. They are now fighting for a dissolution of the Union, and a line on the border of the Gulf States with the abolition of slavery on the north of it.

The Northern Democracy has been aroused to a full appreciation of this conspiracy. It was plainly indicated in the great speech of Horatio Seymour, in which it was demonstrated, that there could be no abolition of slavery by the Federal Government without an overthrow of the Constitution, and a disruption of the Union. The abolition press raised the howl of treason with a view to the arrest of Seymour and the leading Democrats in New York. But the Administration could venture no further in the suppression of the liberty of speech and the press without the danger of civil war in the Atlantic States. A formidable party demanded the restoration of the Constitution, and the

rights of American freemen. They repudiated and overruled the tyrant's plea of necessity, that placed the liberty of every man at the absolute disposition of a military despotism. And now the ultimate success of the party of the Constitution and the rights of the citizen is no longer a problem.

APPENDIX W

Portion of an article about freedom of speech copied from the *San Joaquin Republican* and printed in the November 8, 1862, *Star*.

A friend in whose loyalty, patriotism, integrity and judgment we have unwavering confidence excepts to our notice of and comments upon the arrest of Major Gillis. We regret that the state of the country and of public sentiment is such that we are restrained by prudential motives from giving more of the communication of our friend than is necessary to the explanation of our own position and the vindication of our course from the accusations brought against us as follows:

"Have you been intimidated by threats or awed by power? Do you quail before a popular outcry through fear and join in with the folly and madness of the hour? Are the principles of civil liberty, to the support of which you are pledged, of so little worth as to be treated with the indifference here manifested? Or is the cause of liberty of speech and of person which you have said you have sworn to maintain and that you will not perjure your soul to be defended by such an argument, or its violations rebuked with such reasons as you have given herein?

"In a State with peace throughout its entire borders, remote from the scenes of war and of strife, in which there is not a whisper of insurrection or rebellion—in a State eminently loyal, and where by no possibility could any successful forcible resistance be made to the government, citizens are arrested by the military power for giving utterance to their opinions on public affairs and the conduct of the administration, or for expressing their sympathies in a contest in which their fathers, brothers, and all to whom they are bound by nature's holy ties are engaged on different sides, and without any formal charge disclosed, forced

hundreds of miles from their homes and families in degrading custody, and without form of law or any examination or inquiry, shut up in the cells of a dungeon, denied the right of appeal to the tribunals of their country's justice and withdrawn from the defence of its protecting aegis, to be brought to trial only when it suits the pleasure of him who orders the arrest, and then to be tried by a military board whose rules of proceedings are unknown and undefined, for acts not pronounced by the law to be offenses—and the staunchest advocate of common rights condemns these inexplicable outrages only on the score that the victims are too humble or worthless to be the object of licentious power!"

Under the circumstances and in the condition in which we are placed, there is something deeply humiliating in the accusation implied by this catechism. We have patiently borne the taunt and threats of ruffians in power, and felt the hot breath of the rabble, instigated by fanatic hate, hissing upon our cheeks, unmoved; but when one eminent for ability, generosity and all the noble qualities which adorn manhood, actuated by no trivial motives, deems it necessary to ask if we are coward; if we have parted with our manhood or bartered our birthright of liberty for the poor privilege of animal existence—then we feel that we have either greatly overrated our own qualities or are greatly underrated by others.

APPENDIX X

Comments on President Lincoln's annual message in the December 13, 1862, *Star*.

The message, on the whole, is the sorriest document which has ever emanated from an occupant of the eminent position. It is without merit of any kind. We have given its most important portion. That consists of a new method to accomplish emancipation, in contradistinction to the late immediate abolition proclamation, which was to take effect on the first of January, 1863. The new plan, which is the feature of the message, provides for general emancipation in 1900. In arguing this question Mr. Lincoln gets the subject twisted up into such a snarl, that he is not only obscure but contradictory. The whole attention of the government is now devoted to the means of effecting the abolition of

slavery. How his proclamation or his plan will work remains yet to be seen.

It is very unfortunate, that, at a time like this, the Executive has no more feasible plan of promoting peace, than by stealing and destroying the private property of the citizens of the revolted States, just because it is private property, and not subject to seizure and confiscation in war. The arguments of Mr. Lincoln; such as they are, we have given elsewhere. They speak for themselves. Even the friends of Mr. Lincoln's administration blush for the failure of their chief.

APPENDIX Y

The *Star's* response to the revocation of the order excluding it from the mails, January 17, 1863, issue.

There is no act of tyranny more odious than that which strikes at the liberty of the press—the freedom of thought and speech. And there never has, in the world's history, been an inception of despotism, that has not exhibited itself, in its first pulsations, by the removal from its path of all and every one who were likely to disapprove of the coming acts of self-will.

Heretofore certain European governments have been looked upon as the very incarnation of the worst passions which can actuate irresponsible power in its conduct towards the helpless masses. But this can be alleged no longer. For all time to come, history will point back to the reign of Abraham Lincoln, as having displayed a timidity most ludicrous, a terror most abject, a despotism most foul and hideous, a tyranny utterly regardless of all moral considerations, trampling under foot all the guarantees of a written Constitution, which he solemnly swore before God and the world, to maintain, revere, and support.

Lincoln's abject cowardice compelled him to silence the voice of the people, tangible through their publications, their newspapers. The red and bloody hand of power reached to the utmost limits of Lincoln's empire. Even away out here, on the very verge of civilization—where the light of republican institutions was to reflect its glorious lustre back to the "benighted" nations of the East, guiding them in their return to their ancient literature and refinement—away out

here, on the westerly boundary of the great model republic, the central power at Washington made itself felt, by stopping the circulation of a country newspaper, lest thereby the "Government" should be overthrown.

Lame and impotent conclusion!

The frenzy of a distempered brain, which shrinks from a shadow on the wall, as from a hideous, all-devouring monster, could conjure up nothing more piteously humiliating, than this spectacle of the head of a nation forbidding the circulation of a local newspaper, lest it should overturn his administration! Surrounded by a million of bayonets, he yet dreaded the expression of public opinion on his unjust and unconstitutional acts.

By now, it seems, he has repented him of his rashness, of his timidity. And the tabooed papers are to be graciously permitted to circulate through his mails. For our part, as the prohibition was impotent, so do we despise this proffered sop. Cerberus was propitiated by no such droppings.

Not to Abraham Lincoln, or his cabinet, do we attribute this action. But to those Democrats, whose votes in New York, Pennsylvania, and elsewhere, and to those stalwart arms whose blows in defence of Constitutional right, appall the tyrant and make him tremble in his palace at Washington. These are the men who have opened the mails to the champions of the people's rights—to them we give thanks.

APPENDIX Z

***Louisville Journal* article condemning Lincoln's Emancipation Proclamation copied in the *Star*, January 17, 1863.**

The more we consider the proclamation of emancipation, the more strongly we are inclined to think the President will abandon it, the opinion of the radicals to the contrary notwithstanding. Nay, we are persuaded that he will abandon it. The truth is, the reasons against the President's adhering to this extraordinary measure are so unspeakably weighty, and the reasons alleged for his adhering to it are so plainly irrational, that we confess we do not see how the President, as a rational being and as the official head of a great nation whose very

existence the measure affects, can hesitate to abandon it.

So deeply anxious is our conviction on this . . . that we cannot forbear to add a further word of remonstrance while the question is still in suspense. Be it observed, however, that, in what we are about to say of the proclamation, as in what we have said of it heretofore, we deal with it rather in its logical relations than in its actual ones, for we look upon it as so absurd and monstrous in itself that the President in any event will not seriously attempt to carry it into effect, or if he should, would at once signally miscarry. But this view certainly does not diminish the intrinsic odiousness of the proclamation. Nor does it deprive the measure at best of very formidable power for evil.

In the first place, the policy announced, in the proclamation, not merely violates the constitution, but assumes a principle which abolishes the constitution altogether, and substitutes therefore the uncontrolled will of the President. President Lincoln, as we feel assured, could not have been conscious of this fact when he consented to issue the proclamation, but the fact is nevertheless there.

We several days ago demonstrated that the proclamation is not legitimately an act of military necessity. We need not now repeat this demonstration. No man both sane and intelligent will gainsay the conclusion. If, however, the proclamation is not legitimately an act of military necessity, it must depend for justification on the broad principle that the President has right to do whatever in his discretion may best preserve the nation, regardless of the constitution and of the laws. And this is in fact the principle, on which the radicals seek to justify the proclamation.

Yet what is this principle but the principle of dictatorship? Nothing less. It is the principle of a dictatorship of the most absolute description. It clothes the President with an authority more absolute than that of Cincinnatus [Roman statesman who gained fame for his selfless devotion to the republic in times of crisis and for giving up the reins of power when the crisis was over]. It clothes him with an authority as absolute as that of Caesar or of Sulla. In plain terms, it makes his uncontrolled will the supreme law of the land. There is no possible escape from this conclusion.

APPENDIX AA

Article titled "The Test of Loyalty" from the March 7, 1863, *Star*, copied from the *Chicago Times*.

The debauchment of public opinion by the fanatical teachers of the day is swiftly leading to civil war in the loyal States. When the people of any Government are prepared to receive the dogma that loyalty is due to men rather than principles they are fit instruments for slavery.

It is amusing that the doctrines taught by the first Charles of England should now be reviewed and inculcated by the entire press supporting President Lincoln's administration. The despotism claimed for the President is more absolute than the assertion of kingly power by Charles I at the commencement of his reign; and the test of loyalty submitted by the insolence of abolitionism rests upon precisely the same base as the allegiance claimed by Charles before his first open rupture with Parliament.

He asserted himself to be the government—the source of authority and power. The doctrine that the King could do no wrong covered not only himself but his Ministers. He was the Judge of the necessities that might suspend the action of Judges, determine the imposition of taxes, the prorogation of parliaments, the suspension of habeas corpus, the arbitrary imprisonment of citizens, and farming of the revenues of the realm.

It is now an axiom of the British Government that the King can do no wrong, but the haughty pride of the British Ministry has learned to bow humbly before a free people that hold the counsellors of the sovereign responsible for all wrong committed in the name of the crown.

The rule of loyalty now sought to be imposed by the Administration and the fanatical press and pulpit of the country ignores the Government entirely, and substitutes obedience to those temporarily charged with its conduct. The democratic rule has ever been, and ever will be, "Our country, right or wrong." Those who can perceive no difference between the country and the Administration may be unable to understand the distinction—may be unable to understand that it is possible to denounce a weak and wicked administration without being disloyal. If, after our

practical experience in the workings of this government, it is necessary to assert that there is and can be no such thing as disloyalty to an administration, we had best follow the example of Greece, and invite some beggarly scion of royal stock to come and rule over us.

If Reverend [Henry Ward] Beecher's traitorous sentiment, that "the constitution is only a dead sheepskin parchment, and the President, Cabinet and Congress are the Government," is attempted to be enforced, those who make the attempt had best adjust their earthly business preparatory to a start on a long journey.

If the constitution is but a "dead sheepskin parchment," the wealth of a millionaire is but a piece of white paper written upon, and the executors may determine for themselves, after having been invested with possession, the disposition of the property.

Under the constitution the administration has been invested with the possession of the government—but is their government, and are they, at liberty to trample under foot the solemn restrictions of the fathers, and filch from the people rights "tied by letters patent" and sealed with blood?

The traitors in the loyal States are not those who have steadfastly endeavored to keep before the minds of the people the great principles upon which the government rests—are not those who have taught that the constitution was a living, active, all-pervading, all essential principle, possessing form and power, without which the government could not live, any more than man can live after the annihilation of both soul and body—any more than christianity could live after the record of the Savior's life had been obliterated from the world and his memory and teachings from the minds of men—but those who have taught that the constitution is a "dead sheepskin parchment"—a "rotten festering corruption"—who hailed our flag as a "flaunting lie"—who have made obedience to the administration rather than to the constitution a test of loyalty—who have said that the Union as it was "should never curse an honest people or blot the page of history again"—these are the traitors!

These are they who have made the blood of the covenant

(the covenant of the constitution, purchased with the blood of the fathers) an unholy thing, and have brought disgrace, defeat and death to the nation.

True loyalty will submit to no such tests as are required by such teachers, and persistence in offering and demanding them can only lead to great and more terrible complications than to-day threaten the existence of the government itself.

APPENDIX AB

Article from the *London Times* copied in the *Star*, Dec. 12, 1862, suggesting that those who criticize the army for not moving quickly should lead the attack themselves.

America is, however, so fond of asking advice, and accepting the counsels of us English that we will venture a suggestion as to how this difficulty in getting some one to attempt the conquest of Richmond may be overcome.

At an early stage of European history a similar difficulty occurred. In those days the problem was how to get somebody to go forth in arms and recover the Holy Sepulchre. At first no one could be found, all sorts of natural jealousies and financial difficulties interfered; and moreover, there was then, as now, a deficiency of boats. But Peter the Hermit was a sincere man and a brave man, as well as an eloquent man. He scorned to preach a crusade which he was afraid to head. He led the vast multitude whom he had converted overland toward the object of his desires.

Now, if Mr. Beecher Stow [husband of Harriet Beecher Stow, author of *Uncle Tom's Cabin*] and Mr. Wendell Phillips [Abolitionist crusader] would follow the example of Peter the Hermit, we think we see a way for them out of their present difficulties. If they would gather together under one banner all the crowds who go to hear and applaud them when they preach extermination, and call for servile war, and chide the sloth of military commanders; and if they would lead those multitudes themselves across the Potomac, and head them in a rush upon Richmond, then we think we can see with certainty that something great would happen—something worthy of them, and their humanity and their courage.

Lacking, however, some testimony of zeal such as this, we are afraid we must wait, with whatever impatience, while the tedious game of war is being worked out by the slow technicalities of military art. It is much to be feared that, unless the fiery apostles of extermination go themselves to the front, whatever the Northern press may write, or the Northern pulpits may fulminate, General Burnside and General Lee will fight their battle at Fredericksburg when it shall please them, and how it shall please them, or not at all if it shall so please them, and there is nothing left to the American public but the old alternative of abusing and continuing the General in command, or in removing him and substituting another, who will continue to stand still in his footsteps.

APPENDIX AC

November 7, 1863, *Star* article on Abraham Lincoln's honesty.

We hear it stated continually by those misguided men who "believe in God and Abraham Lincoln," that, "Old Abe is honest, if nothing else," and there are some men who plume themselves upon their Democracy who prate continually of Lincoln's honesty. No greater fallacy than this ever found lodgment in the brains of sensible men.

Abe Lincoln honest! Why his every act, from the hour of his departure from Springfield to Washington to begin his saturnalia of blood, till the present day, has been replete with gross and palpable deception. If a single honest action has characterized his Administrative policy since he assumed the reins of power, we confess to an entire ignorance of it.

Lincoln had a reputation for honesty before he became intoxicated with the maddening cup of power, which was not fictitious; but since his advent to high position, the tyrant has developed itself in his nature to an alarming extent. When an obscure, fourth-rate lawyer at the Illinois capital, pettifogging for a livelihood and retailing stale jokes and anecdotes for pastime, he was, probably, "Honest Abe"—at any rate, he acquired that soubriquet during those peaceful days of "auld lang syne." But association with corruption has changed the man.

When Lincoln left his home at Springfield and journeyed toward Washington "jesting as he went," to assume control of national affairs, the country was in a blaze of excitement. The storm of war was gathering in the South, and patriotic men everywhere held their breath in an agony of fear. Murmurs of angry discontent came up from the Southern people; meetings were being held in South Carolina and elsewhere favoring a dissolution of the Union; sectional flags were flying to Southern breezes, and everything indicated that the country would be drenched in fraternal blood, if no expedient was adopted to calm the fierce tempest of passion.

At such a momentous crisis what said the honest Chief Magistrate elect? He told the country that the excitement down South was fictitious and that "nobody was hurt," when he knew too, that falsehood was upon every word he uttered, and that war, bloody war, was coming with all its horrors.

Was there honesty in sending the *Star of the West* to Fort Sumter, when Commissioners from the South in Washington were assured that no occasion would be given by the government authorities whereby hostilities might be inaugurated? Or, rather, was not that affair, which opened this horrible carnival of blood and desolation, the very acme of duplicity, treachery and double-dealing?

When [John C.] Fremont was in command in Missouri, he issued a proclamation, which provided for the freeing of every slave in Missouri. Abolitionism was in ecstasies and the "Pathfinder" was the hero of the hour. The wily, cunning President knew that the country was not educated up to that radical point yet, and with a show of conservative patriotism he threw a wet blanket over Fremont's silly proclamation in the shape of an Executive decree, rendering it null and void.

When Gen. [David] Hunter commanded the Department of the South, he was violently attacked with the proclamation mania, and declared all the slaves in his department free. Hunter was also squelched, and his proclamation shared the fate of Fremont's manifesto. When a deputation of Abolition preachers from Chicago, called at the White

House and tried to induce the President to issue a proclamation of emancipation, every one knows how Lincoln argued against the measure. The country was induced to believe that the proclamation would not be issued. But it was issued in the very teeth of his hypocritical statement to the Chicago preachers.

And yet, Lincoln is honest! He whose unholy ambition has stricken down the safeguards of liberty, and who has shackled the once free limbs of Americans with chains, in the name of Union; he who said that hostilities should not be inaugurated if he could avoid it, and while the falsehood was trembling upon his lips, he knew that a ship had gone down to Charleston for the express purpose of having the rebels fire on her; he who declaimed against emancipation, and issued a proclamation of freedom in the same week. If such a man is honest, then the very word is a mockery and a sham.

APPENDIX AD

Comments on slavery in America from the *Church and State Review* from England reprinted in the November 28, 1863, *Star*.

There are some subjects upon which we cannot enter but with a reluctance amounting almost to pain. Just such a question is that now before us. If there be a name more abhorrent than another to our English ear, it is that of "slave." There needs no eloquence of denunciation, no artful paintings of individual horrors, to rouse against it our warmest and strongest feelings. But the truth has to be spoken, and we must needs give the subject, painful as it is, a fair and patient investigation.

Let us then at once admit that, whatever may be the reality of American slavery, our preconceived notions of it have proved as yet very far from the truth. It was, indeed, almost inevitable that it should be so. A matter of which we could have no personal knowledge, and of which, therefore, our ideas must necessarily be taken only at second-hand, could hardly fail to be understood; whilst, in this instance, misconception was undoubtedly aggravated by the directly hostile nature of the only source from which even this

second hand information was derived. How serious this misconception has been, the events of the last few years have, in some measure, shown; and we shall do well, before entering into the question, to consider briefly the nature and extent of the error thus proved in the outset against our calculations.

If here was, then, a point on which all, whether here or in the United States, had confidently reckoned, it was on the hostility of the slaves to their masters. How, indeed could it be otherwise? Were one tithe of the statements currently reported of their condition founded upon truth, this hostility was as inevitable as oppression and cruel wrong could make it.

Yet what has the event shown? The armies of the North have marched and countermarched over many hundred miles of Southern soil; but the negroes, instead of welcoming them, have, for the most part, fled at their approach. The proclamation of freedom has been boldly reprinted in Southern newspapers, and circulated from white to black and from black to white throughout the Confederacy, but not a plantation has risen to claim the boon. The planters have fearlessly entrusted their dearest interests to the slaves whose vengeance they were supposed to abjectly to dread. The negroes, thirsting to wash out in their master's blood the memory of their wrongs, have tilled his fields, and watched over his home, and tended his wife and little ones while he was far away fighting against the friends who were to set them free.

Is all this natural—is it even credible? If the relation of master and slave in the Southern States were really as we have deemed it, is the negro nature so angelic—nay, so Divine—as to repay such evil with such good? We would gladly think it, even at the cost of an enforced tribute of admiration for a system that could nurture such a frame of mind. But we know that it is not so; that it is not our deduction but our premises, that have been at fault. The position of the slave is not as we have pictured it. He is not a struggling and down-trodden serf writhing under the lash of a cruel task-master, stretching chained hands to heaven in agonized prayers for deliverance. Rather is he a simple-

hearted, docile, affectionate child; impatient of work; needing guidance, and even correction, and conscious of his need; capable, no doubt of being trained to a higher and nobler life, but, for the present at least, best and happiest, and, in truth, most contented, as he his.

Nor, if thus mistaken in our estimate of the slave, have we been much nearer the truth in our portrait of his master. The two errors have, indeed gone hand in hand. The hideous cruelty which oppressed the one must needs, as we rightly supposed, have “demoralized” the other. A bully is inevitably a ruffian and a coward, and such we confidently expected the “Southern chivalry” to prove. On this point, at least, our misapprehensions have been effectually cleared away; and, whatever may yet be our knowledge of the institution itself we have learned something of the real character of its supporters. Not of theirs alone. We have no unkindly feeling towards the North—no wish to exaggerate her defects, or gloss over her difficulties. Far from it. It is in very sadness that we are compelled to point the moral of Southern gallantry and chivalrous devotion by contrast with the sordid meanness, the uncivilized barbarity, the bitter, bloodthirsty unchristianity of the abolition party at the North. If the tree may indeed be known by its fruit—If the test of results in character and conduct may indeed be followed as confidently as applied—we have here a lesson which, however sorely against the grain, it would ill become us any longer to neglect.

APPENDIX AE

December 5, 1863, *Star* article comparing the North’s interference with the South’s “peculiar institution” with the South’s noninterference with the North’s “peculiar institution” of slavery in its factories.

It is a reiterated and favorite declaration of the Abolitionists, that the present war raging between the North and South sprung from slavery; but little observation is required, however, to determine unhesitatingly that it is the genuine offspring of abolitionism. The slaveholders of the Southern States were quietly pursuing the even tenor of their way, cultivating their lands by dependant labor,

without intermeddling with the peculiar institutions of their Northern compatriots.

A large number of them, indeed, were impressed with the idea that the operatives in the Northern factories were mere serfs, deprived of all independence in the expression of opinion, either religious or political, working on starvation wages, and embargoed to purchase by tickets from stores, kept by the owners of the factories. They looked complacently on their own slaves, lightly worked and kindly treated, well fed, cared for in sickness, pets even, when superannuated, and could not but make a comparison by no means favorable to the Northern serf shops, with the operatives heavily worked, small wages, no pay or attention when sick, no holidays without forfeiture of pay, and no provision for age and decrepitude.

The Southerners with all their prejudices against the factory system prevalent at the North, never assayed to agitate in Congress or through the country the question of a reform in the treatment of the laborers suffering under the petty tyranny of task masters in the Northern factories.

These institutions were peculiar to the State in that section, and as the South held, were to be governed by the respective laws of those States. Suppose some Southern agitator had harassed Congress daily with petitions for a reform in the mode of governing the Northern factories, regulating the wages of the men and women working in them, protecting them from the obligation of dealing in factory shops, what indignation would have been aroused by this impudent interference with the peculiar institution of the North, and at the invasion of State rights. To attempt the emancipation of the serfs at the North would have been deemed criminal; but to upset the whole social system at the South is a virtue.

The North, long employed in preparing the ground, at length succeeded in sowing the serpent’s teeth, from which this country derives its present iron harvest. The northern politicians were no more justifiable in their interferences with the institutions of the South than Virginia would have been in intermeddling with those of Massachusetts.

Yet they could not forbear. They not only proclaimed

their determination to effect the universal freedom of the negro; but they prompted the attack on Sumter, when they were offered compromises which would have averted the murderous conflict now raging they refused to listen to them. They provoked the war, they precipitated the war, and since its commencement they have put into operation every project their ingenuity could devise for the prolongation of the war.

APPENDIX AF

Article comparing Lincoln to Oliver Cromwell in the December 5, 1863, *Star*, titled: "Has President Lincoln a Predecessor?"

Yes. In referring to the history of the Puritan Protector, of England, it is not difficult to trace a strong resemblance between him and President Lincoln in his present position. The President's encroaching on the legislative powers of this government—his depriving the citizen of his absolute rights—is as much the exercise of tyrannical power, as any of those acts in the history of the Usurper to whom we allude.

Cromwell, who fearing the vengeance of those he had illegally restrained of their liberties, and those he had despoiled, found it necessary from the growing discontent, to resort to harsher measures so as to strike terror into the hearts of his increasing enemies, and to restrain them from wreaking their vengeance. He played with the army, for he found that without it, he could not have existed a day. By this dexterous management, by systematic caution, and by the terror which belonged to his name, he managed to retain his grasp upon power, until death suddenly summoned him away.

President Lincoln in company with his Cabinet, is acting in a precisely similar way to-day. Alarmed at the popular symptoms of distrust and doubt everywhere visible—at a time when, according to the statements of the Republican journals, the rebellion itself is on the wane, at a time when the public safety never less required it than now, he resorts to a general suspension of the writ of habeas corpus, and places the liberty of every citizen within the despotic grasp

of every military satrap to whom he chooses to telegraph his will.

President Lincoln, too, is endeavoring to play with the army, and through the means of flattery, trying to win the good graces of the half million of rank and file that now alone support his power. He has drunk deep the dregs of a besotted fanaticism, but comprehends nothing of reason or philosophy. Cromwell had a certain degree of coarse, good nature and affability, that covered the want of conscience, honor, and humanity. This, in a pre-eminent degree, is visible in President Lincoln.

APPENDIX AG

Lincoln's doubtful prospects for reelection, from the *Los Angeles Star*, August 27, 1864.

The Election Campaign

The prospect of the election of Mr. Lincoln becomes more clouded every week. His incompetency is forcing itself painfully upon the mere casual observer, whilst to those used [to] looking beyond the passing events, a cloud, yet, it is true, small as a man's hand, is looming up on the horizon of Lincolnism. A gigantic war, begun by the present Administration, carried on without a single decisive battle during its weary existence, bids fair to be similarly conducted throughout their proposed prolonged career. But this very nursing of war, by which the present incumbents hope to prolong their hold upon the treasure of the country, is likely to become their stumbling block and grave. The people are becoming disgusted with such incompetency, such vast, prolonged, and objectless slaughter, and it is more than probable that they will yet rally, turn the funny old joker out of office, and bring this cruel war to a termination.

It is full time the people were awaking to the full distresses of the country, and we hope at the coming election they will give heed to the frightful emergencies of the occasion, and unite in placing a man in power who will call around him those capable of appreciating our great extremity, and who will have the sense and the firmness to come fully up to its requirements, and stop the ravages of war.

APPENDIX AH

Comments on the chances for Abraham Lincoln to be reelected. From the *New York Herald*, copied in the *Los Angeles Star*, August 27, 1864.

The Presidential Question**Will Mr. Lincoln be Re-Elected?**

The late events on the military chess board have given a new aspect to the Presidential question. While there was a hope that in energetically supporting General Grant in the present campaign, the Administration would redeem its military blunders of 1861, '62 and '63, there was a prospect that the presidential election would go by default from the discords and divisions among the opposition elements. But at this crisis, when a rebel success becomes a National disaster, the late disgraceful rebel raid into Maryland—disgraceful to the Administration beyond any other of its military blunders—is producing a remarkable reaction in the public mind. The idea has received a new and powerful impulse that under the “powers that be” the rebellion never will be suppressed, but that the war, dragging along from bad to worse, will go on even through another Presidential term of four years under Abraham Lincoln.

With this idea suddenly revived and widely and actively diffusing itself among thinking men of all parties, we may well ask the question, will Abraham Lincoln be re-elected? Our financial difficulties are such that a successful military campaign or a sweeping political revolution can alone save the treasury, the government and the country. Mr. Secretary Fessenden has been industriously making his soundings in Wall street, and cannot touch bottom. He needs the relief of a great victory or two over the armies of the rebellion, so decisive and comprehensive as to assure our banks and capitalists that this expenditure of a thousand millions a year will shortly come to an end. We see, however, that through the stupid neglect and blundering incapacity of the Administration, the military plans and combinations of Gen. Grant, like those of his predecessors in Virginia, are defeated or seriously delayed and embarrassed at every point. One would suppose that a man of the commonest intellect in Mr.

Lincoln's place would have learned something in three years of military wisdom, from the Virginia campaigns under his supervision, of McDowell, McClellan, Pope, Burnside, Hooker and Meade. It appears, however, that even at this late day, notwithstanding the almost impregnable fortification with which Washington has been surrounded, the army of the Potomac cannot be moved to the James river without bringing the rebels on their annual foraging incursions into Maryland and to the very gates of the capital.

Gen. Grant may give abundant warning of the enemy's approach, and may make all the needful dispositions to head him off and capture and disperse his forces; but still the administration seems to be as utterly incompetent to meet the plainest necessities of the hour as in the beginning of the war. Are the men and money of the loyal States thus to be squandered away till the country is exhausted and ruined? How are we to escape these never-ending but still recurring blunders except through a new administration? A satisfactory way of escape might yet be secured through a reconstruction of the Cabinet, embracing those much needed improvements of an experienced and capable soldier in the place of the lawyer Stanton, and a tried and trusty sailor in the place of that imbecile, superannuated old man, Welles; and embracing, also the appointment of Gen. McClellan to the Department of Washington. It was hoped too, that the removal of Chase would be followed by these reforms; but we now begin to think that nothing short of some financial or military misfortune requiring an extra session of Congress will bring our easy going and incredulous President up to the mark.

Let him be admonished, however, that in securing the Baltimore nomination and in shelving Mr. Chase the Presidential election is by no means secured. Gen. Fremont, as an opposing candidate may be a mere bagatelle; the discordant fragments of the old Democratic party may be regarded with commiseration, and the disaffections in the Republican camp may be treated with contempt so long as all these elements of hostility are divided among themselves; but the moment this idea of the necessity of a new Administration begins to prevail among them the whole

face of the political campaign is changed. This is the danger which now menaces Abraham Lincoln—the fusion of all the opposition elements of the country for the common object of his defeat. This combination, too, may be effected; and Gen. Grant himself, however unwilling, may still be constrained by the pressure of public opinion to become the people's independent candidate for the succession.

From the present condition of our financial affairs, and from all the signs of the times, it is quite possible that before the end of sixty days, the defeat of Mr. Lincoln may cease to be a doubtful question. He must do something within this interval to revive his drooping fortunes, or from the difficulties of the treasury and the embarrassment of the country, a popular combination may be raised for a change at headquarters as resistless as that of 1840.

BIBLIOGRAPHY

Cheyney, Edward P. "Freedom and Restraint: a Short History." *Annals of the American Academy of Political Science*, November 1938, 1-12.

Cooney, Percival J. "Southern California in Civil War Days." *Annual Publications Historical Society of Southern California 1924*, 54-68.

Delmatier, Royce D., Clarence F. McIntosh, and Earl G. Waters. *The Rumble of California Politics: 1848-1970*. New York: John Wiley & Sons, 1970.

Gilbert, Benjamin Franklin. "The Confederate Minority in California." *California Historical Society Quarterly*, June 1941, 154-170.

Grant, Ulysses S. *Personal Memoirs of U.S. Grant*. New York: Charles L. Webster, 1886.

Harper, Robert S. *Lincoln and the Press*. McGraw-Hill: New York, 1951.

Journal of the House of Representatives of the United States. 37th Congress, Second session. Washington, D.C.: Government Printing Office, 1862.

Kennedy, Joseph C.G., superintendent. *Preliminary Report on the Eighth Census: 1860*. Washington, D.C.: Government Printing Office, 1862.

LaMont, Daniel S. *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. Washington, D.C.: Government Printing Office, 1897, 1899.

McCorkle, Julia Norton. "A History of Los Angeles Journalism." *Annual Publications Historical Society of Southern California 1915-16*, 24-35.

Milton, George Fort. *The Eve of Conflict: Stephen A. Douglas and the Needless War*. New York: Octagon, 1963.

Mott, Frank Luther. *American Journalism: A History: 1690-1960*, New York: Macmillan, 1962.

Nelson, Harold L. ed. *Freedom of the Press from Hamilton to the Warren Court*. Indianapolis: Bobbs-Merrill, 1967.

Nicolay John G., and John Hay, eds. *Complete Works of Abraham Lincoln*. Harrogate, Tenn.: Lincoln Memorial University, 1894.

Official Records. See LaMont.

O'Meara, James. "Early Editors of California." *The Overland Monthly*. November 1889, 489-99.

Olin, Spencer C. Jr. *California Politics 1846-1920: The Emerging Corporate State*. San Francisco: Boyd and Fraser, 1981.

Phillips, Donald T. *Lincoln on Leadership*. New York: Warner Books, 1992.

Randall, James G. "The Newspaper Problem in its Bearing upon Military Secrecy During the Civil War." *American Historical Review*, January 1918, 303-323.

Randall, James G. *Constitutional Problems Under Lincoln*. Champaign: University of Illinois Press, 1951.

Reston, James. "The End of the Tunnel." *New York Times*, 30 April, 1975.

Rice, Allen Thorndike, ed. *Reminiscences of Abraham Lincoln By Distinguished Men of His Time*. New York: North American Publishing, 1885.

Rice, William B. and John Walton Caughey, ed. *The Los*

Angeles Star 1851 - 1864: The Beginnings of Journalism in Southern California. Berkeley and Los Angeles: University of California Press, 1947.

Roche, John P. *Shadow and Substance: Essays on the Theory and Structure of Politics*. New York: Macmillan, 1964.

Russell, William Howard and Fletcher Pratt, ed. *My Diary North and South*. New York: Harper & Brothers, 1954.

Siebert, Fredrick Seaton. *Freedom of the Press in England: 1476-1776*. Urbana: The University of Illinois Press, 1952.

Shaw, Donald L. and Stephen W. Brauer. "Press Freedom and War Constraints: Case Testing Siebert's Proposition II." *Journalism Quarterly*. Summer 1969, 243-254.

Skidmore, Joe. "The Copperhead Press and the Civil War." *Journalism Quarterly*. December 1939, 345-55.

Sloan, William David, James G. Stovall and James D. Startt. *The Media in America: A History*. Worthington, Ohio: Publishing Horizons, 1989.

Stevens, John D. "Freedom of Expression: New Dimensions." In *Mass Media and the National Experience*. John D. Stevens and Ronald T. Ferrar. New York: Harper & Row, 1971.

Stevens, John D. "Press and Community Toleration: Wisconsin in World War I." *Journalism Quarterly*. Summer 1969, 255-9.

Telese, Gay. *The Kingdom and the Power*. New York: World, 1966.

U.S. Statutes at Large. Vol. I. Fifth Congress. Session II. 1798. Ninth Congress. Session I. Chapter 20. 1806.

Welles, Gideon, and Howard K. Beale, ed., assisted by Alan W. Brownsword. *Diary of Gideon Welles: Secretary of the Navy Under Lincoln and Johnson*. New York: W.W. Norton, 1960.

About the Author

Thomas C. Hanson was born in Evansville, Indiana, March 18, 1955, the 118th birthday of President Grover Cleveland. His mother, Betty Sue Hanson, instilled in him a love of history by reading to him about the presidents, the Revolution and the War Between the States while other moms were reading nursery rhymes to their children.



Hanson moved to Texas, went to college and got interested in journalism. After a brief stint in Alabama doing community brochures for various cities in the Southeast, he moved to California and became the editor of a denominational publication. He earned masters degrees in journalism from Cal State Fullerton and Biblical Studies from Azusa Pacific University.

Tom and his wife, Tina, and two children, Elizabeth, and Tom Jr., who is autistic. In 2006 the family moved to Greenville, South Carolina.