

# Inexcusable by Us as Soldiers: Wartime Dissent and the 1863 Keokuk Soldier Mob

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In the middle of a Thursday afternoon in February 1863, a mob of seventy-five Union soldiers marched through the streets of the river town of Keokuk, Iowa. Soldiers were a common sight in Keokuk because the town hosted a large military hospital. At first glance, the only unusual feature of the gathering might have been that they were all recuperated, due to rejoin their regiments in the coming days. However, this mass demonstration by armed and uniformed men quickly caused alarm as the soldiers made their destructive intentions clear. Halting their march at the offices of the *Constitution* newspaper, several of the soldiers who were wielding sledgehammers made their way inside. Others stationed themselves in the street to make sure no one would disturb their comrades' work. The soldiers inside proceeded to wreck the offices by smashing printing presses and dumping cases of moveable type onto the street below. Soldiers in the streets piled the broken machinery onto carts and dumped it in the nearby

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1. The author thanks his advisor Elizabeth Varon, as well as Caroline Janney and Cynthia Nicoletti. He also thanks Emily Sackett, Jake Calhoun, Gabe Steller, Brianna Kirk, Daniele Celano, Cecily Zander, Caitlin Lawrence, Marvin Bergman, Hang Nguyen, his colleagues and mentors at the Nau Center for Civil War History, Andrew Klumpp, and the anonymous reviewers for the *Annals of Iowa*. Their attention, aid, criticism, and input have made this article immeasurably stronger. This article was completed with financial support from a State Historical Society of Iowa Research Grant for Authors.

Mississippi River. In response, Lieutenant Charles J. Ball gathered twenty soldiers from the local provost guard in a failed attempt to put down the disturbance. Ball ordered the ringleaders to bring their men to order, but the mob responded by brandishing firearms and threatening to shoot Ball and his outnumbered men. The mob continued their work until satisfied with the destruction they had wrought, and then they retired in an orderly fashion. More than half a year passed before another issue of the *Constitution* appeared in print.<sup>2</sup>

Mob attacks on the Northern press during the American Civil War numbered well over one hundred.<sup>3</sup> While civilian mobs outnumbered attacks by soldiers, soldier mobs are worthy of particular attention. Not only were these perpetrators armed and paid by the government to defend those they attacked, but they also made a dangerous innovation to a long American tradition of anti-press crowd violence. Since the colonial era, Americans had used mob violence to regulate transgressing community members. In

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2. *Gate City* (Keokuk), 2/20–21/1863; *Weekly Hawk-Eye* (Burlington), 2/21/1863. The account of seventy-five soldiers participating in the mob is an estimate of the mob's size from the *Gate City*'s initial report of the attack; however, contemporary estimates of crowd sizes are not always consistent. For instance, a similar attack in Columbus, Ohio, three weeks later produced firsthand and secondhand accounts that estimated the number of soldiers involved as being as low as twenty or as high as two hundred. In Keokuk, the official army report estimated between sixty and one hundred participants. Because this is in line with the initial estimate of seventy-five, I have adopted seventy-five for narrative convenience, with the knowledge that the true number likely cannot be known. The timing of the attack is brought into question by a later army-commissioned report, which placed the attack at two o'clock in the morning. Both the *Gate City* and Keokuk *Constitution* editor Thomas Clagett reported the time of the attack as "afternoon" in statements published the day after the attack. Due to this, afternoon seems the most likely time of the attack.

3. John Nerone made a significant start to cataloguing mob violence during the Civil War. He counted 111 instances of mob violence, with soldiers participating in thirty-eight of them. At least four additional mobs in this sample seem to have had soldier involvement. If this sample is representative then soldier mobs constituted more than a third of mob attacks on newspapers during the Civil War. John Nerone, *Violence Against the Press: Policing the Public Sphere in U.S. History* (New York, 1994). Incidents of anti-press mob violence by a soldier mob include any incidents in which a group of soldiers threatened or attacked an editor or newspaper offices. Separate attacks are denoted by distinct victims rather than distinct mobs. For instance, if a single mob threatened or attacked two or more papers or editors in a single day, it has been counted as two or more attacks.

particular, printers were targeted for publications the crowd deemed seditious or harmful to the local community. Mobs often sought the participation or acquiescence of prominent community members to help cast themselves as the righteous defenders of the locality and their target as an aberrant danger.<sup>4</sup> The soldiers who carried out the attack in Keokuk, despite many (if not all) being Iowans themselves, justified their attack as a just punishment by federal soldiers.<sup>5</sup> They claimed the publisher of the *Constitution* was a traitor. As citizen-soldier defenders of the nation, they felt they had as much responsibility to attack treason on the home front as on the battlefield. By claiming that their authority to regulate a newspaper derived from their status as representatives of the national government, Northern soldiers contended that they did not need local authority to justify using mob violence. They claimed the right to protect not just Keokuk or Iowa, but also the Union as a whole from those they deemed traitors.<sup>6</sup>

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4. Leonard Richards, *Gentlemen of Property and Standing: Anti-Abolition Mobs in Jacksonian America* (New York, 1970); for specifically Southern examples, see William W. Freehling, *The Road to Disunion: Secessionists at Bay, 1776–1854* (New York, 1990), 98–118. The permission, acquiescence, or participation of local elites was also crucial to similar colonial mobs, see John Phillip Reid, “In a Defensive Rage: The Uses of the Mob, the Justification in Law, and the Coming of the American Revolution,” *New York University Law Review* 49 (1974). This focus on local regulation was not unique to mobs and informed approaches to many aspects of society in nineteenth-century America, see William J. Novak, *The People’s Welfare: Law and Regulation in Nineteenth-Century America* (Chapel Hill, NC, 1996).

5. The Keokuk hospital seems to have been a place for Iowa soldiers in particular to recuperate from battlefield wounds. A list of all soldiers then residing at the hospital published in the *Constitution* on November 27, 1862, indicates only regiment numbers and service arm (cavalry, infantry, artillery) rather than state of origin. This suggests that they may have all come from one state and that editor assumed local readers knew such information. A sampling of twenty names from the 564 in that list confirms names and regimental numbers that corresponded to Iowa soldiers. In his study of the hospital, Gerald Kennedy described the initial patients as having “participated in the Battle of Shiloh and were returning to their home state for convalescence.” Gerald Kennedy, “U.S. Army Hospital: Keokuk, 1862–1865,” *Annals of Iowa* 40 (Fall 1969), 119.

6. This description does not describe the behavior and rationales of all American mobs, but it is the tradition in which previous mass outbreaks of mob violence operated. These generalizations are drawn primarily from David Grimsted, *American Mobbing, 1828–1861: Toward Civil War* (New York, 1997), and Richards, *Gentlemen of Property and Standing*. See also, Reid, “In a Defensive Rage,”

Soldiers made these attacks to send a political message. Nearly sixty anti-press soldier mobs occurred in Northern states during the war, and research by Stephen E. Towne suggests that additional study will uncover even more. They occurred most often in midwestern states such as Indiana, Illinois, and Ohio, where loyal Americans feared the influence of the anti-war or Copperhead leaders in the Democratic Party. By early 1863, many Americans, and especially soldiers, complained that these Copperheads undermined the Union war effort by expressing sympathy for the rebel cause, discouraging enlistments, and advocating for an immediate peace. The first significant increase in soldier mob attacks occurred in early 1863 in response to a midterm election in which Democrats gained ground in the Midwest. Although truly rebel-sympathizing Democrats were only a small minority of the party, Republicans and soldiers feared the consequences of Democratic control, and they began to paint all Democrats with the Copperhead brush. The soldier mobs that attacked newspaper offices exclusively attacked those of Democratically affiliated papers. Soldiers not only felt justified in punishing home front traitors; they felt sure they knew who those traitors were.<sup>7</sup>

While its timing and geography were representative of the larger trend of soldier mob attacks, the Keokuk attack merits scrutiny because it provoked an unusual amount of public attention and controversy. This attack occurred in February 1863, as part of a rash of eight soldier mob anti-press attacks early that year. These attacks, all but one in the Midwest, took place in the span of three months, after nearly a year without any such attacks

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Richard B. Kielbowicz, "The Mob and Mob Law in Attacks on Antislavery Newspapers," *Law and History Review* 24 (2006), and Novak, *The People's Welfare*, particularly chapter two.

7. Stephen E. Towne, "Works of Indiscretion: Violence Against the Democratic Press in Indiana During the Civil War," *Journalism History* 31 (Fall 2005); Jennifer L. Weber, *Copperheads: The Rise and Fall of Lincoln's Opponents in the North* (New York, 2006), 69-70 notes significant increase in soldier hostility towards Copperheads in the wake of the 1862 midterms. Nerone has noted a shift in anti-press mob attacks following the midterms from mobs as a response to particular events to a soldier-led effort to curb anti-war sentiment. Nerone, *Violence Against the Press*, 120.

by soldiers nationwide. Unlike other such incidents, the participants published a declaration in which they admitted their complicity and justified their actions. Local leaders including the chief surgeon of the military hospital, the State Adjutant General, the commander of the Military District of Iowa, and even Governor Samuel Kirkwood issued public statements of their own in the aftermath of the attack, which offer insight into how state and military officials interpreted such violence. Their reactions demonstrate that most of these officials sympathized with the soldiers' grievances and had little interest in punishing those involved in coordinated mass violence against a civilian. The relative wealth of documentary evidence that accompanies the Keokuk incident clarifies attitudes and motivations that are only implicit in other attacks. Union soldiers perpetrated these attacks because they considered such actions not only consistent with but also demanded by their military identity. Authorities in both the military and government found the attacks regrettable but entirely excusable. The Keokuk incident not only sheds light on why Union soldiers engaged in widespread violence against the press, but also why they got away with it.<sup>8</sup>

THE TOWN OF KEOKUK stands at the confluence of the Des Moines and Mississippi Rivers in the far southeastern corner of Iowa and owes its location to the presence of the Des Moines rapids on the Mississippi just north of town. These rapids, with their low waterline and swift current, halted any upriver traffic, but proved a boon to the town. They made Keokuk a natural stopping point for the northbound river trade and therefore a significant port. It was the first port in the state that traffic from the lower Mississippi encountered, and the only one with unobstructed

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8. *Gate City*, 2/20/1863 (Soldiers' letter), 2/21/1863 (Adjutant General Nathaniel Baker's letter), and 2/23/1863 (Chief Surgeon Morse Taylor's letter); *Hawk-Eye*, 7/25/1863 (General Benjamin S. Roberts' Report), 8/17/1863 (Governor Kirkwood). The Military District of Iowa was a subdivision of the larger Department of the Northwest, which encompassed the state of Iowa and eventually portions of what are now the Dakotas. General Roberts oversaw the district from its inception on January 8, 1863, until December 4 of that year. The district was eventually abolished on November 12, 1864. John H. Eicher and David J. Eicher, *Civil War High Commands* (Stanford, 2001), 829.

access to that major artery of commerce. Believers in the new town hoped it would become a great western city, the gate to all of Iowa. Founded in 1847, mere months after Iowa itself gained admittance to the United States, Keokuk housed just under 2,500 residents when it first appeared in the census in 1850. It did not remain that small for long. The 1850s were a boom time, and Keokuk quickly swelled to 15,000 residents. These new citizens invested in a variety of amenities to make their city the metropolis they hoped it would become: graded roads, streetlights, water works, a medical college, and a posh hotel soon appeared.<sup>9</sup>

The good times proved to be brief, however. Burlington, less than forty miles upriver, established a railroad connection to Chicago in 1856. This not only brought it quicker mail delivery and telegraph service, but the connection also siphoned off much of the river commerce. Efforts to build a competing line in Keokuk failed, and things only got worse during the Panic of 1857. As credit evaporated, farmers' income disappeared as wheat prices dropped over 60 percent. Merchants surrounded by customers with little cash quickly tried to sell their inventories at almost any price. Unfortunately, 1858 and 1859 continued the downward trend, as crop failures and abnormally cold winters left farmers with no grain and dead livestock. Keokuk still managed to enter the 1860s as the third-largest city in Iowa, but its reputation had suffered a considerable blow. East of the Mississippi, Keokuk became the face of unchecked western speculation and the financial failure that followed.<sup>10</sup>

Through all of this, Keokuk also enjoyed distinction as a center of African-American life in mid-nineteenth-century Iowa. Nearly a quarter of black Iowans lived in Keokuk and surrounding Lee County. Keokuk had the most black residents of any city in Iowa

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9. U.S. Census Bureau, *The Seventh Census of the United States* (Washington, 1850), cxvii; U.S. Census Bureau, *The Eighth Census of the United States: Population Report* (Washington, 1860), 138–54. Only Dubuque (13,000) and Davenport (11,267) had more residents than Keokuk (8,136) in 1860; Michael A. Ross, "Cases of Shattered Dreams: Justice Samuel Freeman Miller and the Rise and Fall of a Mississippi River Town," *Annals of Iowa* 57 (1998), 206.

10. Ross, "Cases of Shattered Dreams," 206, 212–17, 222–26; *The History of Lee County, Iowa, containing A History of the County, its Cities, Towns, & c.* (Chicago, 1879), 624–25.

by far with 179 inhabitants. As a result of its location on Iowa's southern border, nearly 70 percent of black residents had come from Southern states. This was well above both the statewide average and the average in other significant black communities in Iowa, such as in nearby Muscatine. Keokuk's black residents built up several local institutions including an African Methodist Episcopal church, which attracted dozens of congregants, as well as Iowa's largest school for black children. Despite Keokuk's location on the border with the slave state of Missouri, black residents evidently enjoyed a certain level of security, at least enough that people like John Hiner and Flora Story could accumulate thousands of dollars' worth of property. Such success stories were the exception, however; many black residents worked on the levee as draymen, and along with the rest of the town, they were hit hard by the economic misfortune of the late 1850s.<sup>11</sup>

In the weeks after rebel South Carolinians attacked Fort Sumter in April 1861, Keokuk bustled with activity once more. It was drawn from its economic stupor by the frenzy of war. Situated on the Mississippi in the far southeastern corner of the state, it became the logical embarkation point for the thousands of Iowans who volunteered to go and fight the rebels. By the end of May, local women established a Ladies' Soldiers' Aid Society, which worked to gather and distribute supplies and care packages to Iowa soldiers in Keokuk and in the field, and the industrious widow Annie Wittenmyer served as its corresponding secretary. The army medical department established an official military hospital in Keokuk on April 17, 1862, when it notified Mayor Robert Creel to prepare to receive wounded soldiers from the recent Battle at Shiloh. Residents of Keokuk had a mere four days' notice to prepare for the arrival of the initial batch of soldiers. Within a week of the arrival of those first soldiers, the hospital population had reached nearly six hundred wounded and sick. In order to house the massive influx of suffering men, Lieutenant

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11. U.S. Census Bureau, *The Eighth Census of the United States: Population Report* (Washington, 1860), 138–54, 182. After Keokuk, Muscatine (81) and Dubuque (74) had the largest recorded populations of black Iowans in 1860; Leslie A. Schwalm, *Emancipation's Diaspora: Race and Reconstruction in the Upper Midwest* (Chapel Hill, NC, 2009), 37–41.

Ball and Mayor Creel commandeered the Estes House, the fancy hotel whose fortunes had flagged during the financial panic. The army hospital at Keokuk remained active for the rest of the war, eventually closing in September 1865. At its height, the Keokuk military hospital complex held over 1,300 patients as it sprawled over five different sites. The Estes House alone accounted for half the hospital beds in the city. The Keokuk hospital was the largest in the Department of the Northwest and one of the largest of the nearly two hundred general hospitals the army operated over the course of the war. The battered town found new life as a home for injured soldiers.<sup>12</sup>

As with most residents of Keokuk in 1861, Thomas W. Clagett, editor and publisher of the *Constitution* newspaper, came from somewhere else. He had been born well over eight hundred miles from Iowa in Prince George's County, Maryland, east of Washington, D.C. He trained in law in the hamlet of Bladensburg, became a lawyer, and served two sessions in the Maryland legislature as a Whig. He decamped to Iowa in 1850 where he settled in Keokuk and maintained a law practice and his newspaper. The demise of the Whigs led him to switch his affiliation to become a Democrat. His timing could hardly have been worse. The fortunes of the Democratic Party in the North had been at a low ebb in the wake of their party's passage of the controversial Kansas-Nebraska Act of 1854. That act, which seemed to prove to many suspicious Northerners that the Democratic Party was a tool of Southern interests, decimated Northern Democrats. In the

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12. Elizabeth D. Leonard, *Yankee Women: Gender Battles in the Civil War* (New York, 1994), 51–55; Kennedy, "U.S. Army Hospital: Keokuk, 1862–1865," 118–23, 136; Frederic C. Smith, "The Estes House Hospital" *The Palimpsest* 10 (1929), 341–50; R.J. Bickel, "The Estes House" *Annals of Iowa* 40 (Fall 1970), 427–44. The army negotiated rents for the hotel with J. Edgar Thompson who held the mortgage, agreeing to first \$160, then \$200, and eventually \$300 per month for the course of its use. The hotel seems to have been uncompleted at the time that it was transformed into a military hospital. Smith reports that the upper floors were unfinished when the Panic of 1857 halted construction and according to Bickel, Lt. Ball was obliged to spend \$1,000 to make the hotel suitable to house the wounded men. The Department of the Northwest was a military administrative unit that existed between September 1862 and June 1865, and encompassed Wisconsin, Iowa, Minnesota, and Ohio as well as portions of Nebraska, Montana, and the Dakotas. Eicher and Eicher, *Civil War High Commands*, 839.



wake of the 1854 midterms their seats in the House declined from ninety-one to twenty-five. On the eve of the Civil War six years later, they held only thirty-four seats in the House of Representatives. Their Southern comrades, virtually all of whom joined the Confederacy, dominated the party after 1854. When the Southerners could not get their way, such as when Northerners tried to nominate Stephen Douglas as the party's 1860 presidential candidate, Southern Democrats took their proverbial ball and went home. By splitting the party and running their own Southern candidate, they dramatically increased the chances of Republican Abraham Lincoln's election. When the Southern Democrats led eleven states out of the Union, Northern Democrats were swiftly catapulted from a minority faction within their own party to the primary political opposition to a Republican administration attempting to put down a treasonous insurrection. Clagett and his party were in a bind; could they balance public patriotism and partisan conflict?<sup>13</sup>

Despite these upheavals, in the 1850s, Keokuk and surrounding Lee County had tended to vote more Democratically than Iowa overall. In the presidential election of 1856, the Democrats' overall vote share in Iowa and the Northern states generally declined by ten points compared to 1852, but support in Lee County declined by only 5 percent.<sup>14</sup> In 1860, competing Democratic presidential candidates Douglas and John Breckinridge together earned less than 44 percent of the vote in Iowa, but their combined support in Lee County topped 49 percent. Unfortunately for Democrats in Lee County and elsewhere, their opposition

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13. Benjamin F. Gue, *History of Iowa: From the Earliest Times to the Beginning of the Twentieth Century*, 4 vols. (New York, 1903), 4: 48; David M. Potter, Don E. Fehrenbacher, eds., *The Impending Crisis, 1848–1861* (New York, 1976), 238–39. Adam I.P. Smith, *No Party Now: Politics in the Civil War North* (New York, 2006), 3–8.

14. Support for the Democratic presidential candidate declined from 51.46 percent (1852) to 41.48 percent (1856) in the North, from 50.02 percent (1852) to 40.66 percent (1856) in Iowa, and from 51.9 percent (1852) to 47 percent in Lee County. Michael J. Dubin, *United States Presidential Elections, 1788–1860: The Official Results by County and State* (Jefferson, NC, 2002), 115–16, 122, 135, 142, 159, 167. "North" here refers to all states that had outlawed slavery by 1850 or were admitted to the Union after that time.

had become more united over the decade. In 1852 and 1856, with help from third-party candidates who split the opposition vote, the Democratic Party had carried Lee County by large margins. In 1860, however, Douglas and Lincoln ran neck-and-neck with Douglas winning by a scant fifteen votes and the other candidates, John Bell and Breckenridge, trailing in a very distant third and fourth. Presidential elections are a crude instrument for judging political winds, but they seemed to indicate that the run of success local Democrats had enjoyed while the Whigs disintegrated would soon be ending as their rivals rallied around the new Republican Party.<sup>15</sup>

In the early months of the war, Clagett and some patriotic fellow Democrats proved willing to work with Republicans and vice versa. Clagett won election to the Iowa General Assembly in 1859 and, following the surrender of Fort Sumter, he participated in a special session to prepare the state for war. Despite being in the minority, Democrats Clagett and Nathaniel B. Baker sat as chairmen of the Federal Relations and Military Affairs committees, earning praise from the Republican *Iowa State Register*. Over the course of the first year and a half of the war, however, the difficult balancing act of opposing both secession and Republican leadership led Democrats to split into two informal camps, a War faction and a Peace faction. War Democrats wished to see the Southern traitors defeated, but found Lincoln's cure almost worse than the disease. Lincoln quickly proved willing to suspend *habeas corpus* in border states of uncertain loyalty, which provoked anger from many Democrats. Agents acting in the name of the administration, if not always on direct orders, arrested many vocal critics of the war, which included local Democratic leaders. In September 1862, Lincoln took the fateful step of announcing his intention to issue an Emancipation Proclamation, freeing by

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15. Dubin, *United States Presidential Elections*, 122, 142, 159, 167. Presidential returns in 1860 in Lee County were as follows: Douglas 2,632 (48.7 percent), Lincoln 2,617 (48.4 percent), Bell 136 (2.5 percent), Breckenridge 21 (0.4 percent). The Democratic Party had split in 1860, but this had little impact on the race in Iowa. If Breckenridge's voters had supported Douglas instead, they would have doubled his margin of victory in Lee county; however, Breckenridge's few supporters made little difference in the statewide canvass where Lincoln won with 54.9 percent.

military fiat the millions of people still enslaved by rebels. War Democrats argued that the war itself was just, but Lincoln's extreme measures proved him to be a revolutionary despot in the making. Peace Democrats, meanwhile, thought that the Confederate's justifications for secession were sound and no war was worth fighting on behalf of enslaved black Americans. If only the Republicans would cease their partisan war, they argued, peace would return to America and the antebellum Union could be restored with the racial status quo unchanged.<sup>16</sup>

Claggett remained an outspoken War Democrat throughout the conflict. He argued that the rebellion should be defeated at any cost, but objected to expanding the aims of the war beyond the restoration of the Union and Constitution to include emancipation as well. "Let every true and loyal man and woman in the loyal states say by their voices and their acts that under no circumstances whatever will they ever consent to a dissolution of the Union," he proclaimed in March 1862. Meanwhile in Dubuque, fellow editor Dennis Mahony embodied the Peace faction—so much so that his name became local slang for peace politics. Mahony suffered arrest and was imprisoned for discouraging enlistments in the war he had once characterized as "the subjugation of the South to the sentiment of partisan Republicanism." He remained in federal prison for eleven weeks between August and November 1862. Anti-war agitators like Mahony who favored an immediate peace, earned the moniker Copperheads from their Republican rivals. By branding Peace Democrats as traitorous snakes, Republicans likened their anti-war vitriol to the poison of a pit viper. While the Peace Democrats never adopted the name for themselves, they initially tried to co-opt it by wearing small liberty badges made from copper pennies that bore the head of feminine Liberty. In the early months of the war, Republicans understood a distinction between Mahony's Copperhead

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16. Hubert W. Wubben, *Civil War Iowa and the Copperhead Movement* (Ames, 1980), 33–34; Mark Neely, *The Fate of Liberty* (New York, 1991), 51–74; Weber, *Copperheads*, 16–17.

politics and Claiborne's War Democrats, but this difference evaporated in the eyes of their rivals following the 1862 elections.<sup>17</sup>

The first (and only as it turned out) midterm elections of the Civil War scared Republicans into believing they might lose the war for want of support from the home front. Although in Iowa the Republican Party gained additional seats in the state house and won new congressional seats as well, results in the rest of the country contributed to a narrative of defeat. Democrats won big elsewhere in the Midwest, taking control of the Indiana and Illinois legislatures. They gained thirty-two seats in Congress, flipping seats across eastern Indiana, southern Ohio, and central Pennsylvania. In the east, they won the governorships of New Jersey and New York and gained control of New Jersey's legislature too. While modern historians have observed that the Democratic victories were not particularly devastating midterm elections (Republicans, after all, maintained their control of Congress and gained seats in the Senate), these electoral defeats in the midst of a civil war produced panic. Republicans feared that the Democrats who had won control would not vigorously prosecute the war. New Democratic majorities in Illinois and Indiana produced resolutions that called for an armistice with peace negotiations to take place in Kentucky. Further, they sought to relocate authority over the state militia from the governor to the legislature. Meanwhile, the military situation showed little promise. In the west, Ulysses S. Grant had achieved a string of victories; however, his attempts to capture the key city of Vicksburg had come up short. In the east, recently promoted General Ambrose Burnside blundered his way into a lopsided defeat at Fredericksburg. With military fortunes at a low ebb, politicians who sought immediate peace no longer represented a curiosity to be ignored but a very real threat to the war effort.<sup>18</sup>

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17. Wubben, *Civil War Iowa and the Copperhead Movement*, 32 (quotation), 67–69, 92; *Constitution*, 3/22/1862; Weber, *Copperheads*, 2–3.

18. Iowa Republicans gained seats in the Iowa Senate and House throughout the war, increasing their majority from 51 percent to 89 percent in the Senate and from 69 percent to 92 percent in the House. Iowa State Legislature, *Party Affiliations of Legislators (1838–2020)*, Iowa Legislative Services Agency, 2020, PDF, accessed 1/29/2021, <https://www.legis.iowa.gov/legislators/legis-Info/historicalLegislatureTables>; Robert K. Nelson, LaDale Winling, and Justin

Union soldiers felt this threat more keenly than perhaps any other group in the North. As 1863 dawned, it became common opinion among midwesterners in the army that the Copperheads' anti-war politics were—at best—prolonging the war. At worst, they were a real threat to military victory. In January and February 1863, Illinois regiments began censuring their state's new Democratic lawmakers. They issued resolutions and declarations avowing that they stood ready to return home and drive out any traitors if necessary. Stationed in the Tennessee mud near Memphis, John Campbell of the 5<sup>th</sup> Iowa Infantry wrote in his diary of the gloom he felt seeing so many discouraged soldiers. Campbell declared that his anguish intensified “when I hear of traitors boldly proclaiming their hostility to our government in the legislative halls of the North.” Seneca Thrall, a surgeon in the 13<sup>th</sup> Iowa, observed, “it is a common saying here that if we are whipped, it will be by Northern votes, not Southern bullets.” Down in the Ozarks, William Clayton of the 19<sup>th</sup> Iowa complained bitterly about anti-war Copperheads. “They find little sympathy in the army and I assure you that some of them would be roughly used if they were where soldiers could get a hold of them,” he warned. “There is ten times the hatred towards the northern traitors than there is to those who are in arms against us.” Soldiers had begun to view Democratic criticism of the war as a primary cause of military misfortune. Anti-war complaints, the logic went, discouraged enlistments, encouraged desertion, and sapped morale. Angry soldiers soon took measures into their own hands.<sup>19</sup>

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Madron, “Electing the House of Representatives,” in *American Panorama*, eds. Nelson and Edward L. Ayers, accessed 1/29/2021, <https://dsl.richmond.edu/panorama/congress>; Weber, *Copperheads*, 67–71; Smith, *No Party Now*, 57–58; Allan Nevins, *The War for the Union: War Becomes Revolution 1862–1863* (New York, 1960), 391.

19. Mark E. Neely, *The Union Divided: Party Conflict in the Civil War North* (Cambridge, MA, 2002), 42–43; John Quincy Adams Campbell, *The Union Must Stand: The Civil War Diary of John Quincy Adams Campbell, Fifth Iowa Volunteer Infantry*, eds. Todd D. Miller and Mark Grimsley (Knoxville, 2000), 77–78; Thrall quoted in Weber, *Copperheads*, 69; William H.H. Clayton, *A Damned Iowa Greyhound: The Civil War Letters of William Henry Harrison Clayton*, ed. Donald C. Elder III (Iowa City, 1998), 54.



An illustration celebrating Union soldiers' hostility to Copperheads. Copperheads retreat from a Union cannon and gather around a Copperhead recently nominated for Vice President, while a serpentine Jefferson Davis retreats up a Southern palm tree. Smith & Swinney. "The soldier's song—Unionism vs. Copperheadism." 1864. Photograph. Library of Congress. <https://www.loc.gov/item/2008661826/>.

William Clayton was far from the only soldier to claim to hate his home front political enemies more than the Southern rebels. Such expressions can be found throughout the Union armies.<sup>20</sup> These surprising conclusions followed naturally from common Northern beliefs about the state of free speech and democracy in America. Many Northerners believed that Confederate soldiers had been misled into fighting to support a slaveholding oligarchy that suppressed free speech to keep poor white men in ignorance and poverty. Northerners pointed to pre-war incidents like

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20. See, for example, handwritten speech by an unknown Union Officer, quoted in Smith, *No Party Now*, 93; Orville Chamberlain, quoted in Weber, *Copperheads*, 102; James T. Miller, quoted in Timothy J. Orr, "A Viler Enemy in Our Rear: Pennsylvania Soldiers Confront the North's Antiwar Movement" in *The View From the Ground: Experience of Civil War Soldiers*, ed. Aaron Sheehan-Dean (Lexington, KY, 2007), 179; William Jefferson Helsley Papers, 8/28/1863, and Charles T. Kruse Papers, 9/10/1863, Filson Historical Society, Louisville, KY.

the infamous attack on Charles Sumner, the Congressional gag rule barring antislavery petitions, and the burning of antislavery literature in Southern towns, as proof that slaveholders would not tolerate free speech when it came to slavery. The rank and file of the rebel armies were indeed enemies, but they could be welcomed back into the fold once the slaveholders had been overthrown and common Southern men could see for themselves how they had been duped. By comparison, Northern men who enjoyed the right to free speech and expression yet still supported the Confederacy could not claim ignorance and therefore had no excuse for their retrograde views. This was at the heart of soldiers' distaste for those they called Copperheads. They saw them as men who enjoyed all the blessings of a free government but who failed to appreciate those blessings or unite in defense of that government when it faced a mortal threat.<sup>21</sup>

The months following the 1862 midterms coincided with a dramatic increase in political violence by Union soldiers. They began to target local Democratic newspapers with vigor. Mobs of soldiers increasingly threatened editors with violence or broke into their offices and destroyed the machinery inside. At the time, many local newspapers had a well-known political affiliation. It was common for many towns to host both a Democratic and a Republican daily newspaper. The editors of such papers, like Clagett himself, were often men with political ambition who held office or hoped to in the future. Their job running their party's local paper was much more analogous to that of a spin doctor than an intrepid beat reporter. Such newspapers served as the major tool for informing and organizing local partisans and so stood as a physical symbol of their party politics in the area. By attacking these Democratic papers, soldiers made their political displeasure clear.<sup>22</sup>

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21. The deluded masses theory, the idea that an unheard and misled Unionist majority existed within the Confederacy or portions of it, is a consistent theme throughout Elizabeth R. Varon's *Armies of Deliverance: A New History of the Civil War* (New York, 2019). For an overview, see pages 3–7.

22. Harold Holzer, *Lincoln and the Power of the Press: The War for Public Opinion* (New York, 2014), xix–xxi; Paul Starr, *The Creation of the Media: Political Origins of Modern Communications* (New York, 2004), 130–31; Frank Luther Mott, *American Journalism: A History of Newspapers in the United States Through 250 Years 1690*

When Union soldiers attacked newspapers as a mob, they engaged in a well-established form of community regulation through social violence. In his pioneering work on American mobs, David Grimsted charted a distinctive Northern tradition of mob violence that developed in the decades leading up to the Civil War. Northern mobs targeted property rather than people. Deaths were uncommon, and mobs drew the notice of legal authority, even if the punishments they meted out were minimal and rare. This stood in contrast to a distinct Southern tradition in which mobs targeted people (often black people, and often the enslaved) with deadly intent in incidents that local authorities at all levels ignored. The Union soldiers' anti-press mobs fit the Northern tradition. They focused on deliberate destruction of presses, the death toll across dozens of such incidents was just one, and while such behavior was not entirely ignored by army officials, they also did little to curb the behavior. As Grimsted explained, both Northerners and Southerners who engaged in mobs "carried some expectation of communal support or toleration," but in the North "the boundaries on what might be done were more tightly drawn." Accordingly, soldier mobs did not behave like some rampaging gang. They conducted themselves in relatively orderly fashion, advanced to the building they sought to attack, and then retreated afterwards without harming other property or buildings. The low death toll is especially exceptional since many of the mobbing soldiers were armed. Soldier mobs were common because this sort of violence seemed natural. The soldiers enacted a well-established script for social violence.<sup>23</sup>

The regional variants Grimsted identified were the latest iteration in a long tradition in which Americans used mob violence to curb some threat to the social order. As Grimsted defined them,

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to 1940 (New York, 1941), 253–66. For the origins of this system, see Jeffrey L. Pasley, *"The Tyranny of Printers": Newspaper Politics in the Early American Republic* (Charlottesville, VA, 2001).

23. Grimsted, *American Mobbing*, 13–16 (quotation on 14). The lone death in a soldier mob incident was an Ohio civilian killed in a large brawl that followed a soldier mob attack on the Dayton *Daily Empire* on March 4, 1864. For an examination of attempts to secure legal redress in the wake of anti-press mob attacks, see Kielbowicz, "The Law and Mob Law in Attacks on Antislavery Newspapers," 569.



mobs are “incidents where six or more people band together to enforce their will publicly by threatening or perpetrating physical injury to persons or property extralegally, ostensibly to correct problems or injustices within their society without challenging its basic structures.” Mobs saw themselves not as creating anarchy but restoring order. They encouraged this ideal by seeking the participation or approval of local elites. Mobs targeted a wide range of perceived threats to community order, such as an agent of a tyrannical government or the shabby dwellings of maligned members of the community, which the mob considered a public nuisance. They typically marched directly to the place they intended to assault or destroy and after having done their work, they either dispersed or marched back to their starting point. Such behavior showed that they were not a lawless horde but concerned citizens correcting a particular offender.<sup>24</sup> In the case of anti-press mobs, the targets were invariably those printers and publishers who promulgated sentiments so out of line with local opinion that their opponents could plausibly deem them a threat. Prior to the Civil War, abolitionists commonly suffered attacks motivated by this logic. Mobs believed that advocating for abolitionism tended to alienate the North and South and threatened to bring about the breakup of the country (or “disunion” in the parlance of the times). Therefore, abolitionist speakers and newspapers posed a threat that needed to be stamped out. Freedom of speech was a right, but when citizens used that freedom to threaten their community, such as by promulgating radical political doctrines, many nineteenth-century Americans felt that their fellow citizens had forfeited that right. Mobs championed a vision

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24. Grimsted, *American Mobbing*, xii. In the case of pre-revolution Boston mobs, John Phillip Reid contends that the mobs’ legal justification came from key local officials who understood and sympathized with them. Reid, “In a Defensive Rage.” Leonard Richards’ foundational work established the importance of leadership and participation by the community establishment in anti-abolition mobs. Richards, *Gentlemen of Property and Standing*. John Nerone categorizes a variety of mobs in the revolutionary, antebellum and Civil War eras that broadly reflect these trends. Nerone, *Violence Against the Press*, 18–127. William Novak highlights how communities enjoyed extensive regulatory powers in the early republic that could be used for a variety of social ills. Novak, *The People’s Welfare*, 51–82, 191–234, 215.

of liberty in which community order had a place of pride, and they saw themselves as a just expression of angered citizens putting the world to rights.<sup>25</sup>

The Civil War anti-press soldier mobs were the inheritors of this Northern tradition, and their attacks generally followed the pattern of violence that Grimsted identified in antebellum mobs. The soldiers did make a significant innovation in the practice. While both Civil War soldier mobs and antebellum anti-abolition mobs sought to counter disunionist rhetoric, the source of these mobs' legitimacy shifted fundamentally. Unable to justify their conduct as a defense of their local community, Union soldiers instead claimed to defend a national community. They did not require any ties to the particular locality where they perpetrated an attack because neither the crime they sought to stamp out (treason), the community they sought to defend (the Union), nor their own authority (as armed defenders of that Union) had any limits within the United States. This redefinition of the threatened community as the entire nation rather than any particular town or county was a significant revision of the standard mob playbook. While earlier mobs had invoked local authority to stamp out disunion in their town lest it spread to the nation, Union soldiers now used the widespread threat of disunion posed by the rebels to justify stamping out treason in any town. This change makes it clear that while soldiers practiced violence within the Northern mob tradition, they recognized and leveraged the unique position that their occupation as soldiers in a civil war had created.<sup>26</sup>

Union soldiers could feel confident in their right to regulate home front politics because their military service proved them to be worthy citizens. As several veteran New York soldiers put it in a series of resolutions condemning Copperheads, "our past service entitles us to an expression of opinion." This citizen-soldier ideal, as Andrew Lang explains in his work on the culture of Civil War armies, had grown from the republican ethos of the

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25. On the use of the concept of disunion to justify anti-abolition action, see Elizabeth R. Varon, *Disunion! The Coming of the American Civil War* (Chapel Hill, NC, 2008), 87–124, especially 102.

26. The most explicit statement of a mob's motivations comes from the Keokuk attacks. *Gate City*, 2/20/1863.

revolution and early national period and underpinned nineteenth-century Americans' faith in their own free government, especially in contrast with the monarchies of Europe. According to this view, standing armies were tools of tyrannical coercion, prone to corruption and governed by privilege rather than merit. Rather than trust their defense to a hireling force, the citizen-soldier ideal held that in order to protect private property, prevent venality, and ensure citizens' participation in the body politic, citizens should volunteer to temporarily take up arms in times of crisis. Military service in defense of the republic was a duty that ensured the privilege of governing one's self. Citizen-soldiers took the citizen portion seriously; they believed that their temporary service meant they gave up none of the rights and privileges of civilian life while serving in the military. The citizen-soldier ideal not only confirmed for Union soldiers both that they had proven themselves to be upstanding masculine citizens by virtue of their voluntary service, but also that the voluntary and temporary nature of their service meant they retained every right to engage in civilian affairs, which included politics.<sup>27</sup>

Union soldiers' military service, bolstered by the citizen-soldier ideal, produced several justifications for soldiers to target traitors on the home front. First, as soldiers wearing the Union blue, their loyalty was unimpeachable. Such a position of unassailable loyalty gave more weight to any accusations of treason they levied. Second, by virtue of their military service, they also

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27. Andrew F. Lang, *In the Wake of War: Military Occupation, Emancipation, and Civil War America* (Baton Rouge, LA, 2017), 3–8; *Gate City*, 5/30/1863. Masculinity to nineteenth-century American men was something that needed to be achieved through activities like participation in civic and military rituals and the defense of one's personal honor. In the words of R. Claire Snyder, the citizen-soldier "constituted a cultural and political ideal that was more important for the construction of masculine citizens than for actual military effectiveness." Although the specific activities through which one constructed masculinity varied depending on region, class, race, etc., ideals like the citizen-soldier gave Union soldiers a framework to prove their loyalty in a time rife with disloyalty, and their manliness in a time where such a thing had to be proven repeatedly through action. See R. Claire Snyder, *Citizen Soldiers and Manly Warriors: Military Service and Gender in the Civil Republican Tradition* (Lanham, MD, 1999), 2–3, 86–93 (quotation on 86); Lorien Foote, *The Gentlemen and the Roughs: Violence, Honor, and Manhood in the Union Army* (New York, 2010); Amy S. Greenberg, *Manifest Manhood and the Antebellum American Empire* (New York, 2005).

could easily portray themselves as righteous defenders of the Union. They had voluntarily braved rebel bullets; who was going to tell them they ought not tangle with home front traitors? Third, their position as citizens in service to the government meant that they could plausibly interpret any attack on themselves as an attack on the government. Criticism of soldiers or the war effort was generally a surefire way to earn the ire of any soldiers in the vicinity. These men could then plausibly argue that they were angered on behalf of the Union, not merely personally offended. Democrats recognized the strength of the soldiers' position when it came to questions of loyalty and treason. When soldiers mobbed a Democratic paper, other Democrats frequently claimed that the soldiers had not meant to do so, but that they had been the unknowing and oblivious pawns of nefarious local agitators. Embodying both the unquestionable loyalty of the volunteer soldiers and the ideal republican citizen, Union soldiers had a versatile ideological framework on which to justify their desire to regulate speech they found treasonous.<sup>28</sup>

IN FEBRUARY 1863, the military hospital at Keokuk held around five hundred patients, several dozen of whom elected to attack the *Constitution*. Though there is little extant evidence to indicate exactly what sparked the soldiers' ire, an editorial titled "Politics in the Army," published the day of the attack, may have provided the impetus. In it, Clagett reported the minutes from a recent session of the Indiana legislature in which the newly elected Democratic majority voted to reject a petition from two Indiana

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28. The two best-documented anti-press soldier mob attacks both seem to have been sparked by the offending papers' comments on the soldiery. William J. Smith, *William James Smith's Memoirs of the Second Ohio Volunteer Cavalry Company M*, ed. Robert W. Hatton (Milford, OH, 2008), 60; Wubben, *Civil War Iowa and the Copperhead Movement*, 111–12. For examples of Democratic papers blaming local partisans rather than the soldiers who constituted a mob see, *Daily Empire* (Dayton, OH), 3/4/1864; *Democrat* (Rockport, IL) reprinted in *Daily Journal* (Evansville, IN), 3/8/1864; *Democratic Press* (Eaton, OH), 3/19/1863. Declaring that soldiers lacked any knowledge of the political principles of the paper they attacked and accusing the attacking soldiers of drunkenness were also common strategies. All three excuses similarly strip the soldiers of their political agency indicating the political implications of an attack by the soldiers was seen by the Democratic press as a threat.

regiments as “disrespectful and offensive.” The petition, which called for the legislators to reaffirm their loyalty to the Union and the army, was part of a larger trend throughout the Union army. Officers encouraged the adoption of patriotic resolutions in order to shore up morale amongst their men and rebuke anti-war politicians in their home states. Critics like Clagett saw these efforts as an attempt to use the control the army exerted over enlisted men to create phony support for desperate Republicans. Clagett bemoaned the “partizan [sic] demagogues who hold official positions within the army,” who he accused of improperly trying to influence politics on the home front. “Partizan officers in the army are the pliant tools of those partizan bigots at home,” he warned.<sup>29</sup>

The implication that soldiers must sacrifice their right to political action when they entered the army would have been odious to many soldiers. According to the citizen-soldier ideal, a man did not lose his right to pass judgment on matters of governance because he had entered temporary service to defend his country. Soldiers might easily wonder why those who volunteered for service, presumably the most loyal citizens, should be denied their political voice? Not every state allowed soldiers to vote in the field, but when soldiers could vote, their participation rate reached nearly 80 percent. Given the opportunity, soldiers provided a resounding rejection of the idea that they ought to merely shut up and fight.<sup>30</sup>

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29. This estimate of the hospital population is derived from a list of soldiers in the town hospital published in the *Constitution* on 11/20/1862, listing 564 patients. *Constitution*, 2/19/1862; Jonathan White, *Emancipation, the Union Army, and the Reelection of Abraham Lincoln* (Baton Rouge, LA, 2014), 90–96; Hubert Wubben described the “Politics in the Army” editorial as the “apparent trigger,” but did not explain what guided him to that supposition. Wubben, *Civil War Iowa and the Copperhead Movement*, 111–12.

30. Lang, *In the Wake of War*, 3–4. Eventually nineteen of the twenty-seven states that cast electoral votes in the 1864 election allowed some form of absentee voting by soldiers. Some of the states that did not pass such measures included key battleground states such as Illinois, Indiana, and New Jersey. William A. Blair, *With Malice Towards Some: Treason and Loyalty in the Civil War Era* (Chapel Hill, NC, 2014), 174–75; Jonathan White found a voter turnout rate of 79.6 percent among Union regiments in which he could determine the number of votes cast on election day and the number of men in the regiment on election day. Support for Lincoln among this sample was slightly lower than the rest of the army (71

In their initial description of the attack, the local Republican newspaper the *Gate City* attributed the provocation to an article Clagett published the previous day that criticized a recent speech made in Keokuk by former governor of Indiana Joseph A. Wright. The *Gate City* did not reveal how it came by this information, and it seems rather unlikely that this motivated the violence. The *Constitution* offered extensive coverage of Wright's speech, but Clagett primarily criticized him for betraying the Democratic Party and being a rank political opportunist. While Clagett blamed the Republicans for starting the war, and referred to their party as a place "where all unclean things do congregate from natural affinity," these sorts of charges and insults were typical partisan mudslinging. If an article from the *Constitution* published on February 19 did provoke the mob that day, it seems much more likely that soldiers took offense to a piece that called into question their right to participate in political affairs rather than coverage of a speech that harangued a former governor for his insufficient loyalty to the Democrats.<sup>31</sup>

On February 19, the day of the "Politics in the Army" editorial, dozens of soldiers made their way to the *Constitution* offices and proceeded to wreck the place. A correspondent for Burlington's *Hawk-Eye* insisted they numbered seventy-five, and a later army investigation set the number at somewhere between sixty and one hundred. Reports of how this mob armed itself varied considerably, but those leading the gang likely wielded sledgehammers and most accounts agreed that some soldiers carried revolvers. Others may have carried knives, bludgeons, carbines, or axes. When the crowd reached the office, a portion of their number broke off and stationed themselves in the street outside to prevent any interference with the destruction. The remainder of the mob broke into the building that housed the *Constitution* offices and set to work.

The soldiers inside the newspaper offices destroyed just about anything they could find. On the first floor the two soldiers

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percent of votes cast as opposed to the army-wide 78 percent). White, *Emancipation, the Union Army, and the Reelection of Abraham Lincoln*, 171.

31. *Constitution*, 2/19/1863.

armed with sledgehammers effectively demolished a printing press they found there while others gathered papers and office supplies and tossed them outside. The group then moved to the second floor where they found much of the moveable type used to print the *Constitution*. The soldiers dumped the type out of the upstairs windows, scattering hundreds of the tiny metallic letters in the street below. Finding another press, they smashed that one as well. When they reached the third floor, the soldiers found yet another press and decided to opt for a more spectacular form of destruction. The soldiers dragged the machinery to the window and hurled it into the street where it landed with a crash. The soldiers proceeded to throw more type, papers and other office miscellany out the window until eventually anything on the third floor that was not nailed down ended up in the street.

The soldiers outside had their own part to play. Some tried to seize arms from the local arsenal but were rebuffed by the guard. Others commandeered a cart and used it to drag the defenestrated press to the nearby Mississippi where they dumped it into the river. The rest stood in the street amongst scattered paper, type, and broken glass, where they were confronted by Lieutenant Ball. The twenty-nine-year-old Ball, commander of the local provost guard, arrived alone about twenty minutes after the attack began. He demanded the soldiers cease, but to no avail. A squad of soldiers under Ball's command soon joined him, but they numbered twenty at most. Outnumbered at least three-to-one, Ball again ordered that the attack should stop and brought his men into line, warning that he would fire into the mob if they did not desist. The soldiers in the crowd brandished their own weapons and yelled that Ball would be killed if he ordered his troops to fire. Fortunately, before blood could be spilled, cooler heads prevailed among the hospital mob. They had done what they had come to do; the *Constitution* office was in ruins. The ringleaders of the mob managed to form their men into ordered lines and marched them back to the hospital.<sup>32</sup>

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32. *Gate City*, 2/20/1863; *Gate City*, 2/21/1863; *Hawk-Eye*, 2/21/1863; *Hawk-Eye*, 7/23/1863; *Democrat and News* (Davenport), 2/23/1863. This description of the Keokuk soldier mob is drawn primarily from articles published in the *Gate City* and nearby *Hawk-Eye* in the days immediately following the attack as well as

The details of the Keokuk attack bear considerable resemblance to other soldier mob attacks during the war. Just weeks later, on March 5<sup>th</sup>, Union soldiers sacked the office of a Columbus, Ohio, newspaper called *The Crisis*. This attack was also carried out by soldiers stationed in the immediate vicinity of the town in question, and soldier memoirs indicate that the attack was sparked by anti-soldier rhetoric in the *Crisis*. As in Keokuk, military authorities in Columbus declined to enforce meaningful punishment. Just two weeks after that, soldiers travelling through Richmond, Indiana, attacked a newspaper called the *Jeffersonian*. Like the Keokuk mob they took the precaution of setting comrades as guards in the street to ensure no one interrupted their attack, and they also faced no recorded punishment. A year later, the *Democrat* in Laporte, Indiana, also suffered an attack by soldiers passing through town. Much like the Keokuk mob, they promptly left the scene of their attack once they finished. All these attacks occurred in the winter months, in the Midwest, and were perpetrated by soldiers with easy access to the building housing a local Democratic paper. They caused significant property damage to the newspaper office alone and suffered no meaningful punishment by military authorities. This focus on property damage and the reluctance of authorities to acknowledge the attacks, along with the minimal casualties that resulted from them, place these incidents squarely within the broader tradition of Northern mob violence. While no attack was exactly the same, the Keokuk attack was representative of this type of mob violence.<sup>33</sup>

Clagett himself was not in the office at the time of the attack, but he soon became aware of the assault. The next day Clagett's Republican rivals at the *Gate City* obliged him by printing a short

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the report of an army investigation which was published the following July. Certain elements of the attack remain unclear such as how many hospital soldiers remained outside during the attack, when the attempt to seize arms from the arsenal took place, how many soldiers Lt. Ball commanded, and who among the mob managed to calm their tempers and lead them back to the hospital.

33. *Cincinnati Enquirer*, 3/7/1863; *Cincinnati Enquirer*, 3/17/1863; *Cincinnati Enquirer*, 2/25/1864; *Daily Leader* (Cleveland, OH), 3/7/1863; *Democratic Press* (Eaton, OH), 3/19/1863. William J. Smith, *William James Smith's Memoirs of the Second Ohio Volunteer Cavalry Company M*, ed. Robert W. Hatton (Milford, OH, 2008), 60.



announcement that he had written. Clagett denounced the injustice done against him, lamented the thousands of dollars in damages he had suffered, and resolved to produce new issues of his paper as soon as possible. On the same page, the *Gate City* also carried a brief announcement from the perpetrators. The editors claimed the notice had come to them bearing 150 signatures, dozens more than the largest public estimate of the mob's size:

We, the undersigned soldiers of the U.S. army, being fully convinced that the influence of a paper published in this city called *The Constitution*, edited by Thos. Clagett, has exerted, and is exerting, a treasonable influence, (inexcusable by us as soldiers) against the Government for which we have staked our all, in the present crisis. We, therefore, consider it a duty we owe to ourselves, our brethren in the field, our families at home, our Government and our God, to demolish and cast into the Mississippi river, the press and machinery used for the publications of the aforesaid paper, and any person or persons that interfere, so HELP US GOD.<sup>34</sup>

For such a short document, this soldiers' declaration offers significant insight into the phenomenon of soldier mobs. The Keokuk soldiers identify Clagett's "treasonous influence" as their primary motivation and grounded their call to action in their identity as citizen-soldiers. Because of their identity, Clagett's alleged crimes left them with no recourse; treason was "inexcusable by us as soldiers." While their first sentence frames their attack as a defense of American government, their second sentence expands their responsibility. The men of the mob claimed that their duty extended to their fellow soldiers, their families on the home front, and their God.

While treason was a crime against a country, the soldiers' elaboration on what they felt such treason threatened articulates how they understood their cause and this moment in the war. "Government" was not any government, but the Union government, a free Republic in which white men governed themselves. This was a principle for which these citizen-soldiers had

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34. *Gate City*, 2/20/1863.

volunteered to sacrifice themselves. Treason insulted the men and their comrades who had taken up arms in defense of the Union's exceptional free institutions. Treason also represented a unique threat to those families left on the home front. With so many loyal men away in the army, duplicitous Copperheads might gain power over state governments. This was what happened, they imagined, when Democrats had taken control in the recent elections in neighboring Illinois and Indiana. Moving in ascending order of importance from the soldiers' comrades, to the families they fought to protect, to their free government, and finally to their God. This attack, they claimed, was not just consistent with Christian faith, but required by it. Ending their declaration with "SO HELP US GOD" the soldiers declared themselves to be bound by a solemn oath, making it clear they considered combatting traitors as much their duty as fighting rebels. Treason, they argued, threatened everything they held dear, and nothing would stand in the way of their soldierly responsibility to excise it.<sup>35</sup>

Treason is, of course, quite a serious crime. These Iowa soldiers' usage of the term did not quite match its constitutional definition, but they were in line with the common usage of the era. Treason, as defined in the United States Constitution, requires two witnesses or a confession of guilt for a conviction. It consists of only two actions: waging war on the United States or "adhering to their enemies" by giving them "aid and comfort." While it seemed clear that the Confederate army (and all who helped it) were traitors according to the first clause, the second clause and its ambiguous phrase "aid and comfort" allowed for broad interpretations of treason during the Civil War. Newspapers, like Keokuk's Republican *Gate City*, tried to make it clear that peace politics were "aid and comfort" by another name. In January 1863, it reprinted a speech by Confederate Congressman William L. Yancey, in which he called on rebels to take hope from recent political divisions within the North. The *Gate City* noted, "Now it

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35. Gary W. Gallagher, *The Union War* (Cambridge, MA, 2011). Variations on "so help me God" have been used to seal oaths since at least the seventeenth century; see "help, v.1c," OED Online, Oxford University Press, December 2020, <https://www.oed.com/view/Entry/85740>.

is clear to every mind that the course pursued by the [Iowa Copperhead Dennis] Mahony Democracy plays into the hands of traitors." Treason proved to be a versatile word in Civil War America. The soldiers of the Keokuk mob invoked their status as soldiers, as men with unquestioned loyalty, to make themselves the arbiters of what treasonous behavior was worthy of punishment. The soldiers involved in the Keokuk attack felt they knew treason when they saw it, much like most Civil War Era Americans.<sup>36</sup>

Unsurprisingly, news of the attack on Clagett's paper provoked outrage amongst sympathetic Democrats. David N. Richardson's *Davenport Democrat and News* proved to be the most vocal, and he adopted a common excuse used by Democratic editors to explain away soldier mob attacks when they occurred. The soldiers, the explanation went, were not the real problem. They had, in fact, been duped and misled by cowardly local partisans who were the true culprits. "We know that soldiers, as a class, are inclined to respect the rights of everyone," assured the *Democrat and News* shortly after the attack. Richardson continued, "We know that [Clagett] and [the *Constitution*] were thorns in the side of the White Africans [Republicans] of Keokuk, but we never suspected they would incite a mob of crazy men to commit an act they *dare* not attempt themselves." Two days later, Richardson posed the question that may have been on many people's minds, "Are the people to be required to pay and support these soldiers in idleness, lounging round in hospitals, when by their acts they conclusively demonstrate that they are able bodied and fit for service?" The Keokuk *Gate City*, the Republican paper which had first published the soldiers' declaration, remained relatively quiet on the subject of the attack. They had spent months and years trading rhetorical blows with Clagett and now seemed reluctant to add insult to injury. Despite this, a week after the attack, the *Gate City* endorsed a piece from the *Chicago Journal* as "a very fair summary of the general verdict of the loyal press." The *Journal* deprecated the attack but warned that editors like Clagett should know better than to incite such

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36. The Constitution of the United States, Article III, Section 3, Clause 1; Blair, *With Malice Towards Some*, 36–65; *Gate City*, 1/22/1863.

violence. This sort of excuse, lamenting the violence but blaming the attacked Democratic paper for inciting it, was common from Republicans after such attacks.<sup>37</sup>

Clagett had suffered the singular misfortune of operating a Democratic newspaper within reach of a group of Union soldiers. Despite the soldiers' complaints, Clagett's politics had remained Unionist, though he refused to countenance emancipation and warned of the nefarious influence of Republican politics on the army. In March 1862, Clagett had encouraged all loyal citizens to "give to the President of the United States a full, fervent and cheerful support in all Constitutional means in men and money in the prosecution of the war for the restoration of the Union." While he maintained hope for some compromise that would bring Southerners back into the fold, he insisted that if they continued to resist, they must be forced to return. Clagett even proved willing to praise conservative Republicans, in contrast to their more abolitionist colleagues. He did not deserve the Copperhead label. Hubert Wubben, in his comprehensive work on the Iowa Copperhead movement, firmly identified Clagett as a War Democrat. Clagett was an early casualty of the process by which the Copperhead label transformed from an epithet hurled at the Southern-sympathizing fringe of the Democratic Party to being applied to the party as a whole.<sup>38</sup> This process reached its

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37. *Democrat and News*, 2/21/1863; *Democrat and News*, 2/23/1863; *Gate City*, 2/26/1863. For further examples of Democratic papers blaming local agitators in the wake of a soldier mob attack see, *Democratic Press* (Eaton, OH), 3/19/1863; *Daily Empire* (Dayton, OH), 3/4/1864. For further examples of Republican papers excusing soldier mob behavior, see *Chicago Tribune*, 2/21/1863; *Daily Leader* (Cleveland, OH), 3/7/1863.

38. *Constitution*, 3/22/1862; Wubben, *Civil War Iowa and the Copperhead Movement*, 67, 92, 100, 222. The question of how Republicans came to associate the Democratic Party with disloyalty and treason is a matter of debate. Frank L. Klement, *The Copperheads in the Middle West* (Chicago, 1960) and Joel H. Silbey, *A Respectable Minority: The Democratic Party in the Civil War Era* (New York, 1977) contended that Republicans deliberately ignored distinctions among Democratic factions or intentionally conflated opposition to the Republican Party with disloyalty for political gain. Weber, *Copperheads* and Stephen E. Towne, *Surveillance and Spies in the Civil War: Exposing Confederate Conspiracies in America's Heartland* (Athens, 2015) more recently have argued that Republicans were responding at least in part to real or attempted treasonous conspiracies among Democratically affiliated groups. These interpretations are not mutually

apotheosis during the 1864 presidential election when the participation of prominent Copperheads on the Democratic ticket and the Party's platform tarnished the whole party and led soldiers to turn away from the Democrats in droves.<sup>39</sup>

The attacks had caused a significant disturbance in Keokuk and produced no shortage of rumors and conspiracy theories. Adjutant General Nathaniel B. Baker soon stepped in and attempted to quell things. Baker had been Clagett's colleague in the Iowa legislature when they had been the only Democrats with committee chairmanships during the special session for war preparation in 1861. While Clagett had gone back to his publishing, Baker's strong support for the war effort had secured him the job of adjutant general for the state from Republican Governor Kirkwood, and Baker eventually joined the Republicans. In the wake of the mob, he found himself a target of suspicion. According to rumors, during the mob attack, the sheriff and a posse had attempted to put down the disturbance with weapons from the city armory. They had been stopped from arming themselves, however, by a guard under orders from Baker. To those who believed the rumor, this was evidence of a plot. The mob was part of a plan to destroy the press office and leave the civil authorities helpless before the whims of the army. Army conspirators had planned the whole attack. Baker, people claimed, had helped orchestrate it.<sup>40</sup>

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exclusive. For example, a Republican governor who received many letters from constituents fearing disloyal conspiracies could have both believed these conspiracies to be real and dangerous, and also have attempted to improve his party's chances at the polls by publicly associating Democrats with treasonous cabals.

39. Jonathan White observes that the conversion of Union soldiers to the Republican Party has been overstated as many Democratic-leaning soldiers opted not to vote or voted for the Republican ticket only in 1864, motivated in large part by perceived Copperhead influence in the Democratic Party. White, *Emancipation, the Union Army, and the Reelection of Abraham Lincoln*, 98–128. The "copperhead" label exhibited significant staying power as an epithet beyond the 1864 election. For example, in 1890, an article critical of Populist Party leader Mary Elizabeth Lease explained, "Unfortunately for Mrs. Lease her veracity is now seriously called into question by a farmer who knew her and her family intimately and who asserts that her father was a notorious copperhead," *Anthony Journal* (Kansas), 12/19/1890.

40. Wubben, *Civil War Iowa and the Copperhead Movement*, 34, 41, 4–49, 86; *Gate City*, 2/21/1863.

In a six-hundred-word letter written the day after the mob and addressed to the editor of the *Gate City*, Baker attempted to set the record straight. He declared that he had been out of town when the attack occurred. He explained that he had no prior knowledge of it, and that he had placed a guard at the armory well over a week prior in the course of his regular duties to safeguard the property and arms of the state. He claimed that his guard had done his job and rebuffed not only the sheriff but some soldiers from the mob as well. "For one, I think it was fortunate that the guard was placed there," Baker declared. If the sheriff's men and the soldiers had armed themselves then the community, "in all probability, would have had to-day to mourn, in addition to the destruction of property, the loss of lives, and an excitement here the consequences of which none could have foretold." After his public relations duty was complete, Baker returned to his job organizing local militia units and reading the letters of overanxious Iowans accusing their neighbors of involvement in treasonous secret societies.<sup>41</sup>

In an attempt to calm any agitated citizens of Keokuk who might harbor new fears about the large population of soldiers in their midst, Morse K. Taylor, chief surgeon of the army hospital, addressed the editors of the *Gate City* in order to disseminate a public letter of his own. Taylor acknowledged that his patients' recent behavior had created the unavoidable impression that they were disorderly and antagonistic towards the townspeople. Taylor assured Keokuk residents that they did not need to worry. He had made inquiries among the soldiers and determined that "the object of their dislike is removed, and they are content." The patients would be peaceful and "commit no acts of personal violence unless provoked by the citizens." There was little solace for Keokuk in the notion that its residents' safety depended on convincing their military neighbors of their loyalty, but Taylor doubled down. The *Constitution* was an exceptional case, he insisted. It had maligned the war, and by extension, insulted the soldiers' patriotism. One could not reasonably expect them to tolerate it. Taylor maintained that this was the normal course of things

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41. *Gate City*, 2/21/1863.

“when one class of persons, identified in their purposes, interests and association” was “detached in a measure from the community surrounding them.” He did not mean to excuse the soldiers, he insisted, but merely to point out that this sort of alienation occurred in “all civilized communities,” and such immutable truths of human society should be taken into consideration when contemplating the misbehavior of the soldiers. Taylor closed by expressing the hope that neither soldiers nor citizens would offend each other in the future and thereby avoid any unnecessary bloodshed.<sup>42</sup>

In the course of his inept effort at damage control, Taylor had stumbled into the issue at the heart of the soldier mob phenomenon: the citizen-soldier and his relation to the polity and his fellow citizens. The “Politics in the Army” article had been so offensive to soldiers because it had called into question a core element of their citizen-soldier ethos—that soldiers maintained their independence as citizens even while temporarily serving in the army. A key element of that independence was the right to engage in the political affairs of the republic they were risking their lives to defend. The notion that they, the very men who embodied the ideal of the republican citizen by laying down the plow to pick up the sword for their country, should be denied a democratic voice was profoundly insulting.

In his defense of the soldiers, Taylor had asserted that their feelings of united grievance were a natural consequence of a group disconnected from the surrounding community. Yet one of the key purposes of the citizen-soldier ideal was to avoid this type of detachment. The old patriot Sam Adams had expressed a common sentiment when he warned against the danger of standing armies. According to Adams, “soldiers are apt to consider themselves a Body distinct from the rest of the Citizens. . . . Such a power should be watched with a jealous Eye.” Standing armies might develop their own distinct interests and had helped bring down republics from ancient Rome to nineteenth-century France. American citizen-soldiers were supposed to be immunized from such corruption by the temporary nature of

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42. *Gate City*, 2/23/1863.

their service. Furthermore, Taylor's assurance that Iowans ought not to worry because such things happened throughout civilization offered little comfort because the American Union was not supposed to be like the rest of civilization. Americans idealized the Union as an exceptional and providential experiment in republican self-government, a beacon of progress in a world of kings, despots, and tyrants. That the Union army should have developed the same corrupt and self-interested tendencies of a monarch's hireling force, and that, moreover, citizens should be told not to worry about this development, would have concerned many patriotic nineteenth-century Iowans.<sup>43</sup>

Unfortunately for Thomas Clagett, his trouble with the local soldiery did not end with the destruction of his printing press and ransacking of his office. Two weeks later, on the evening of March 9, a band of jubilant soldiers heard a false report that Richmond had fallen. They gathered outside Clagett's house and, in an act of intimidation, broke down his fence and fired a celebratory cannon blast in his front yard. Two months later in May, noted Copperhead cleric Henry Clay Dean arrived in Keokuk and after settling in, went to visit Clagett at his home. Dozens of soldiers from the hospital marched themselves down to Clagett's house, gained entry, and forcibly removed Dean. The gang of soldiers held a sort of kangaroo court, received testimony from their comrades as to Dean's traitorous utterances, and deliberated whether to hand him over to authorities or mete out summary justice. Fortunately, they opted to turn him over to the provost marshal and the soldiers dispersed. Clagett was understandably irate. He wrote a letter to Governor Kirkwood complaining of these attacks against him and authored a public letter that alleged that his total damages suffered from the three mobs amounted to \$10,000. His public outcry earned

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43. *Gate City*, 2/23/1863; Lang, *In the Wake of War*, 3–5, 17, 30–34; Gallagher, *The Union War*, 36–37, 45, 62; Adams quoted in Richard H. Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783–1802* (New York, 1975), 2.



him a response from both the governor and the military authorities, but neither proved satisfactory.<sup>44</sup>

Clagett wrote to Kirkwood the day after the soldiers abducted Dean from his home. His letter just missed the governor who soon thereafter left to visit the Iowa troops around Vicksburg. Clagett waited over a month for his response, and it cannot have done much to soothe him when it arrived. While Kirkwood assured Clagett that he had heard of his misfortune and thanked him for the additional details he provided, the governor then implied that his pity for Clagett had its limits. Kirkwood described how the soldiers he had met in Mississippi believed that the war was being prolonged by men in the North who gave hope to the rebels. Men, that is, like Clagett. "Is it strange," Kirkwood rhetorically queried, "that men enduring what our soldiers are enduring, and thus believing, should give expression to their feelings, towards the men in the North they believe are aiding the enemy?" Having hinted that he sided with Clagett's attackers, the governor then disclaimed all responsibility saying that Clagett ought to instead bring his case to court or to Brigadier General Benjamin S. Roberts, then in charge of the Military District of Iowa. While Kirkwood assured Clagett he would make further inquiries, it was clear where his sympathies laid.<sup>45</sup>

As it happens, Clagett had already appealed to General Roberts and the wheels of military justice had begun to turn slowly. On June 21, just two days before Kirkwood's response appeared in newspapers in nearby Burlington, a military commission headed by Brigadier General Fitz Henry Warren met at Davenport to begin investigating Clagett's claims against the soldiers. Specifically, the commission considered whether Lieutenant Ball of the provost guard had taken insufficient measures to prevent or end the mischief. They focused on two of the three

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44. *Hawk-Eye*, 7/25/1863; *Gate City*, 5/16/1863; Wubben, *Civil War Iowa and the Copperhead Movement*, 112. In the 1860 census, Clagett reported \$50,000 in real estate and \$20,000 in personal property so \$10,000 in property damage is within the realm of possibility. 1860 Census, Keokuk Ward 1, Lee, Iowa, 46, Family History Library Film: 803330.

45. *Hawk-Eye*, 8/17/1863.

assaults against Clagett, the trashing of his office and the cannon fired in his yard. (It is possible Clagett made his complaint to Roberts before the incident with Dean occurred.) In his report, General Warren stressed that the normal rules of evidence had been waived in order that anything relating to the case might be submitted on Clagett's behalf and that Clagett himself was allowed to act as prosecutor. After three weeks, Warren submitted this report to Roberts who endorsed and promulgated it.<sup>46</sup>

Neither Warren in his report nor Roberts in his comments upon it offered meaningful support for Clagett. Warren's report made it clear that Lieutenant Ball's men had been significantly outnumbered by the mob and concluded that it was likely best that they had not tried to force the mob to desist. Since both sides were armed the likely outcome would have been numerous injuries and deaths. Warren acknowledged that some might find fault in Ball's conduct as he did not manage to disperse the mob or identify the culprits, but he announced that it was the opinion of the commission that Ball "did all that could be expected of a young and inexperienced officer acting in a sudden emergency and with no one with whom to advise or call to his assistance." While two witnesses testified that Ball had encouraged the later intimidation with the cannon, their testimony did not hold up well in cross-examination. The commission concluded that neither Ball nor chief surgeon Taylor were guilty of any misconduct. In his comments appended to the commission report, General Roberts did promise that punishment for any such future incidents would be "exemplary and prompt," but he concluded by laying the blame for all the commotion at Clagett's feet. The soldiers, "our most loyal citizens," Roberts insisted, could "not be expected to hear with patience the government and its army misrepresented and libeled by the aiders

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46. *Hawk-Eye*, 7/25/1863. Explaining the unorthodox rules of evidence that the court adopted, the report read: "In the examination of witnesses on this and other branches, the largest range was given to the scope of the investigation and testimony not rigidly within the limit of legal proof was admitted. The Commission were anxious that there should be no imputation of a technical rule of evidence, which should interfere with any disclosure [made] to the inquisition. The Hon Thos W Clagget [sic] by the courtesy of the Court was allowed to question his witnesses acting as prosecution."

and abettors of rebellion." He encouraged "all good and true citizens of Iowa to discourage such license of newspapers as are calculated to inflame the resentments and passions of wounded and suffering soldiers." Newspapers, that is, like Clagett's *Constitution*.<sup>47</sup>

At least one soldier did eventually face consequences for his role in the mob. Drummer Robert Bain had recuperated from an illness in the hospital after admirably aiding wounded comrades at the Battle of Iuka in September 1862. He re-joined his regiment, the 5<sup>th</sup> Iowa, at Helena, Arkansas, following the mob. Word soon got out that he had swung a sledgehammer during the attack on the *Constitution* and his colonel seem to have felt obliged to discipline him. Colonel C.L. Mathers released a message in which he noted Bain's bravery in the recent battle and claimed to lament his participation in the mob, before noting that "to secure the services of a drummer of such *pounding* propensities," Bain would be promoted to drum major. It is hard to imagine that such a tongue-in-cheek non-punishment mollified Clagett.<sup>48</sup>

THE ATTACK that the convalescent soldiers of the Keokuk hospital made upon Clagett and his *Constitution* was a product of political conditions in the Civil War Midwest. In the months after the 1862 midterm elections, soldiers came to believe that Democrats, especially those they labelled Copperheads, represented an acute threat to the war effort in which they were risking their lives. Their attack took the form that it did—focusing on the performative destruction of the offending property—because the perpetrators drew from previous decades of political conflict, which had established the norms for such an attack. Soldiers could feel justified in their actions because the citizen-soldier ideal held that they, by nature of their service, were true and loyal citizens, at a time when the loyalty of some Democrats was suspect. While the Keokuk soldiers' declaration is an unusual and explicit justification of their actions, in many other ways this attack was typical of others of its time.

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47. *Hawk-Eye*, 7/25/1863.

48. Emphasis original. *Nonpareil* (Council Bluffs), 4/4/1863.

Thomas Clagett's experience is an example of the difficulty of playing the part of the loyal opposition during the American Civil War. Clagett was no Peace Democrat or Copperhead; he had served in the state legislature helping Iowa prepare for war and was willing to countenance force against the rebels as long as they remained unwilling to negotiate. He certainly verbally sparred with his local Republican rivals in vicious terms and had denounced many of the policies and practices of the Lincoln administration, but this was a far cry from traitorous scheming. Clagett was the sort of Democrat who unfairly suffered as Republicans and soldiers increasingly conflated the Copperhead fringe with the Democratic Party as a whole.<sup>49</sup> He represents the sort of Democrat who certainly did not advocate peace at any price but had levelled enough criticism at certain aspects of the war to make his loyalty suspect in the eyes of Republicans and soldiers. His appeals to civilian and military authorities were fruitless. The responses he received heavily implied that the authorities felt he had brought the whole trouble on himself through his imprudent writings. True to his word, Clagett did revive the *Constitution* and began publishing it again in September 1863, six months after the attack.

Unfortunately, anti-press mob violence by Union soldiers only increased as the war continued. In hindsight, we know that the Civil War was almost halfway done by February 1863. However, the current evidence indicates that nearly three-quarters of these wartime attacks occurred after Keokuk. Censorship of the press took a variety of forms in this war, but violent destruction by mobs of armed and uniformed government employees should

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49. As this process continued over the course of the war, some Democrats vocally tried to distance themselves from what they perceived as the radical fringe. One New York Democrat was attacked by a fellow Democrat for encouraging the adoption of a constitutional amendment abolishing slavery. Asked to what party he claimed to belong, the legislator responded, "Not the rumhole [i.e. inebriated], Copperhead party, at any rate." Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment* (New York, 2001), 115. Similar divisions played out in the Union army during the 1864 presidential election as soldiers who identified as Democrats refused to support a Democratic ticket, which they felt had been corrupted by Copperheadism. White, *Emancipation, the Union Army, and the Reelection of Abraham Lincoln*, 98–128.

rank amongst the most disturbing. As in Keokuk such attacks seem to have occurred on soldiers' own initiative, and almost never resulted in any meaningful punishment even when authorities' attention was called to the violence. Historians who claim that press censorship during the Civil War years was relatively mild ought to reckon more fully with the threat posed by armed bands of soldiers. Democratic editors had been labelled traitors by Republicans and soldiers and could be attacked with near impunity.<sup>50</sup>

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50. Forty-two of the fifty-eight anti-press soldier mobs of which the author is aware occurred after the Keokuk attack. As mentioned at the beginning of this essay, research by Stephen Towne suggests that more exhaustive examination of local newspaper archives in individual states (as he has done in Indiana) will likely produce a more comprehensive (and higher) count.

