

‘Distinguished Scoundrel’: General Orville Babcock, the Whiskey Ring, and the Dawn of a New
Breed of Political Operative

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Abstract

General Orville Babcock is arguably the most important individual from the Reconstruction Era that history has largely forgotten. After his Civil War service under General Ulysses S. Grant, he journeyed to Washington to serve first as Grant's *aide-de-campe* and then his Private Secretary, a post which is similar to the modern Chief of Staff. From this post, Babcock stood guard just beyond Grant's White House door and spoke on his behalf to politicians and members of the public alike. He revitalized the capital's physical landscape, investigated issues away from Washington when Grant himself could not travel, and remained a steadfast friend to Grant amid the oft-unfriendly D.C. environs. Yet Babcock also proved to be one of, if not the most, unworthy individuals in whom Grant placed his trust. His association with nefarious individuals gave him a reputation as someone that was in with the wrong crowd. Similar accusations emerged regarding Babcock's alleged involvement in cornering the gold market, procuring land during the proposed annexation of Santo Domingo, and defrauding the government out of tax money as a member of the Whiskey Ring. Babcock's involvement in these events, both real or imagined, stained Grant's legacy, as well as those of the Republican Party and the Reconstruction Era, for generations.

Orville Babcock's story is critical to our understanding of the Civil War Era, particularly to Reconstruction politics, yet his is one that has been relegated to the footnotes of other narratives. He emerges at significant moments in Grant Administration histories, yet otherwise he is but a day player. This is problematic, as his development mirrors many others political agents of his era who, during the Civil War, learned to ignore perceptions to accomplish tasks assigned to them in a new era of centralized power in the American government. Babcock represents a new breed of political operatives who accomplished tasks while mired in both actual

and alleged corruption. By centering the narrative around General Babcock, we get new insights into political activity during Reconstruction while simultaneously understanding the way these “pragmaticos” shaped and were shaped by the ever-evolving American political system.

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Introduction

On April 9th, 1865, General Orville Babcock set out on horseback to cross enemy lines under a flag of truce to arrange a meeting at Appomattox Court House, Virginia, between the man many considered the greatest military figure in American history since George Washington, Robert E. Lee, and the man whom Babcock served and who defeated Lee, General Ulysses S. Grant.¹ Arriving to find Lee waiting amidst an apple orchard, Babcock was also calm given the gravity of the situation and his role in it. Lee was preparing to meet with Grant to discuss the terms of surrender of the Army of Northern Virginia, all but bringing an end to the Civil War.² In fact, Babcock bore a resemblance to his commander from afar, and several nearby Confederate soldiers mistook him for General Grant coming to hold the surrender meeting there.³ Babcock escorted Lee to the McLean House, the chosen site of surrender, and stood by as the two generals effectively ended the combat in the Eastern Theater. This cessation of warfare in Virginia, arguably the most impactful theater during the Southern Rebellion, ended nearly four years of hostility in the region and more than thirteen months of Grant and his Army of the Potomac pursuing Lee's forces during the Overland Campaign.⁴ Babcock was the architect of Appomattox, the man General Grant trusted to organize the critical meeting between the two opposing generals. Babcock selected the McLean House as the site of the meeting.⁵ He escorted

¹ Joe Servis. "The Surrender Meeting." *National Parks Service*, June 14, 2022.

² Ibid

³ Ibid

⁴ Geoffrey Perret. *Ulysses S. Grant: Soldier & President*. New York, NY: Random House, 1997; Ronald C. White. *American Ulysses: A Life of Ulysses S. Grant*. New York, NY: Random House, 2016; Henry W. Brands. *The Man Who Saved The Union: Ulysses Grant in War and Peace*. New York, NY: Random House, 2012; Jean Edward Smith. *Grant*. New York, NY: Simon & Schuster, 2001.

⁵ "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

Lee to the house and stood in the room during the historic surrender (**Figure I.1**).⁶ Babcock was a critical piece in the establishment of peace in the Civil War.

How did Orville Babcock, a figure who has been largely lost in the historical record, become such an important figure in the end of the Civil War? Babcock was a graduate of West Point who joined the Army Corps of Engineers before the shelling of Fort Sumter.⁷ He rose through the ranks during the early years of the war, and General Grant named him his *aide-de-campe* in 1864.⁸ He served under Grant for the remainder of the war. If General William Tecumseh Sherman was Grant's right hand, operating as an extension of Grant in the deeper South, Babcock was his left. While more well-known generals operated in the open and received the praise and criticism, Babcock worked from his commander's tent to execute the quotidian military minutiae, utilizing his training as an engineer to ensure proper conditions for Union troops. Babcock also traveled on behalf of Grant, serving as his eyes and ears on tours of fortifications and visits to the encampments of other Union generals while Grant oversaw his own forces.⁹ Grant deeply trusted Babcock, and Babcock showed his gratitude through able work and commitment to the man he considered not only his patron, but his friend.

Babcock, like many other Union soldiers during the Civil War, respected and emulated General Grant in their actions. Arguably the most significant trait these men learned from Grant was his pragmatism, or his understanding of cruel realities and his determination to accomplish tasks before him regardless of outside perceptions, focusing instead on success. Perhaps this is

⁶ Ibid

⁷ "Gen. Babcock Drowned". *New York Times*. June 4, 1884; Stephen Babcock. *Isaiah Babcock, Sr., and his descendants*. New York: Eaton & Mains, 1903.

⁸ "Gen. Babcock Drowned". *New York Times*. June 4, 1884; Richard White, *Republic for Which It Stands*, xvii; John H. Eicher and David Eicher. *Civil War High Commands*. Stanford: Stanford University Press, 2001.

⁹ "Gen. Babcock Drowned". *New York Times*. June 4, 1884



Figure I.1: Peace in Union¹⁰: This painting, made by noted artist and political commentator Thomas Nast, depicts the fateful meeting between Union General Ulysses S. Grant and Confederate General Robert E. Lee that unofficially ended the Civil War. Orville Babcock can be seen at the far right, as he was the officer who brought Lee behind enemy lines to discuss the terms of his surrender. Also pictured behind Grant are Union figures such as Philip Sheridan, Ely Parker, and George Custer.

best exemplified by Grant's actions at the Battle of Shiloh. In Pittsburg Landing, Tennessee, in April 1862, the Battle of Shiloh was one of the costliest in American history, with nearly 24,000 casualties across the two-day contest, more than all official wars in the nation's history to that point.¹¹ The majority of these losses came from Union troops, and though they began the battle with more forces, the high totals signaled an alarm to the general public.¹² It was here that Grant realized how committed the Confederacy was to this fight, offering that afterwards he "gave up all idea of saving the Union except by complete conquest."¹³ This rekindled the reputation he earned earlier in the war as "Unconditional Surrender" Grant and strengthened his resolve moving forward. In response, the general public became wary of General Grant, and he was soon

¹⁰ Thomas Nast, "Peace in Union." Originally 1895. ThomasNast.com, November 16, 2022. <https://thomasnast.com/cartoons/peace-in-union/>.

¹¹ "Total American casualties in all three of the nation's previous wars – the Revolution, the War of 1812 and the Mexican War: 10,623 + 6765 + 5885 – were 23,273. Shiloh's totaled 23,741." Shelby Foote, *The Civil War: Volume I: Fort Sumter to Perryville*. New York: Vintage Books, 1958. 350-351

¹² Ibid; Larry J. Daniel. *Shiloh: The Battle That Changed the Civil War*. New York: Simon and Schuster, 1997.

¹³ Brands, *Man Who Saved The Union*, 187-8

attacked by the northern press, attributing the high death tolls to rumors of drunkenness in battle spread by jealous Union officers to discredit his quick ascent through the ranks.¹⁴ The outcry was so great that President Abraham Lincoln was forced to respond, publicly supporting General Grant in a now-famous quote that summarized the relationship that would develop between the President and his General: “I can’t spare this man- he fights.”¹⁵ Grant’s understanding of his opponents and realization that extreme measures were necessary, as well as support for these measures from the White House, became a lesson for many of the soldiers who admired Grant. Lincoln’s support in spite of Grant’s high casualty rates at Shiloh suggested that both men believed the ends justify the means. This practice then spread amongst the military, as men were trained to adapt, improvise, and overcome however necessary to accomplish their tasks. Several of these men then took these lessons and carried them into future endeavors, including civil service appointments after the war.

In retrospect, Grant’s pragmatic mindset proved to be something of benefit to the United States as both a military and political figure. His tactics in times of war ensured a Union success and the reinstatement of the former Confederate States. Once elected to the presidency in 1868,

¹⁴ Daniel Shiloh; James M. McPherson. *Battle Cry of Freedom: The Civil War Era*. New York: Oxford University Press, 1988. 414; Mike Kaplan. “Grant’s Drinking or...The Beast That Will Not Die.” *Journal of Military History* 79, no. 4 (October 2015): 1109-1119; Edward H. Bonekemper III. *Ulysses S. Grant: A Victor, Not a Butcher*. Washington, DC: Regnery History, 2004; Edward H. Bonekemper III. “The Butcher’s Bill: Ulysses S. Grant is Often Referred to as a ‘Butcher,’ But Does Robert E. Lee Actually Deserve That Title?” *Civil War Times* 52, no. 1 (April 2011) 36-43.

¹⁵ Ronald White, *American Ulysses*, 225-6; Lincoln struggled to find commanding generals who would lead their men into battle during the early years of the Civil War. This is perhaps best exemplified in the cases of George McClellan, whose love for the men in his charge made him more hesitant to plunge them into battle at times, and Henry Halleck, who was more of a quartermaster operating the day-to-day operations of the military instead of participating much in the battles. For more, consider: George C. Rable, *Conflict of Command: George McClellan, Abraham Lincoln, and the Politics of War*. Baton Rouge: LSU Press, 2023; Edward H. Bonekemper III, *McClellan and Failure: A Study of Civil War Fear, Incompetence and Worse*. Jefferson, NC: McFarland and Company, 2007; Stephen W. Sears, *George B. McClellan: The Young Napoleon*. Boston: Houghton Mifflin Harcourt, 2014; John F. Marszalek, *Commander of All Lincoln’s Armies: A Life of General Henry W. Halleck*. Boston: Belknap Press of Harvard University Press, 2004.; John Y. Simon, *Grant and Halleck: Contrasts in Command*. Frank L. Klement Lectures, No. 5. Milwaukee, WI: Marquette University Press, 1996.

Grant's commitment to military reconstruction in the South, much maligned by political opponents, aided in establishing the first state constitutions to recognize the citizenship and rights of African Americans.¹⁶ His efforts to change the status quo, fighting the emergence of the Ku Klux Klan and dodging outcry from established politicians and the general public alike, have ensconced him as one of our nation's first civil rights presidents.¹⁷ He sought the evolution of the nation, in part headlined by his desire to expand the nation into the Caribbean in an effort to offer military and economic benefits while also providing an example of racial harmony to his nation enmeshed in turmoil.¹⁸ Each of these efforts faced backlash, both at the time and in the century that followed as the permanence of the Jim Crow South erased many of the advancements made during Grant's tenure, but recent research into Grant acknowledges that these were positive attempts undermined by others who have tarnished Grant's great legacy.

Assaults on Grant's character began early in his military career and continued throughout his life. Several Union generals became concerned with Grant's quick ascension through the ranks and circulated rumors that he was a drunkard both in and out of battle.¹⁹ When these rumors were considered in tandem with Grant's high casualty numbers, the media began to label him a "butcher" who sent his men into terrible situations with reckless abandon.²⁰ When he rose to political prominence after the Civil War, the illicit actions of his subordinates painted Grant as

¹⁶ Fergus Bordewich. *Klan War: Ulysses S. Grant and the Battle to Save Reconstruction*. New York: Alfred A. Knopf, 2024; Eric Foner, *Reconstruction: Americas Unfinished Revolution, 1863-1877*. Updated Edition. New York, NY: Harper Perennial, 2014. (originally 1988)

¹⁷ Bordewich; Charles W. Calhoun. *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017; Brands, *Man Who Saved the Union*

¹⁸ Ryan Semmes. *Exporting Reconstruction: Ulysses S. Grant and a New Empire of Liberty*. Columbia, SC: University of South Carolina Press, 2024; Calhoun, *The Presidency of Ulysses S. Grant*, 151-262

¹⁹ Today, scholars believe that Grant may have been an alcoholic, but that he never allowed it to impact his official duties after his failures in the antebellum period, and that this was something that those who were jealous of his quick ascent in the Union command structure spread in order to discredit him and explain his higher mortality rates. For more consider Kaplan, "Grant's Drinking"; Ron Chernow. *Grant*. Waterville, ME: Thorndike Press, a Part of Gale, a Cengage Company, 2018.

²⁰ Daniel Shiloh; McPherson; Bonekemper *Ulysses S. Grant*; Bonekemper "The Butcher's Bill"

a novice politician who was both naïve enough to appoint criminals to high office and who was corrupt himself.²¹ We now know that none of these claims, save perhaps that of Grant's occasional naivete, were true, given the benefit of more than a century of historical research.²² Yet these narratives persisted for a great deal of that time thanks to the slanted historiographic take perpetuated by William Dunning and his students, who long held to a Lost Cause narrative that denigrated Grant in any way possible.²³

At the time of these assaults on his character, Grant was forced to consider his reputation and how it was affected by outside forces. In response to the slanderous attempts on his name, Grant quickly began to value those who stood by him in times of personal turmoil, clinging tightly to those who earned his trust. Ulysses S. Grant was a man who had no shortage of allies who could aid him in his endeavors, from military allies like William Tecumseh Sherman to political figures like Lyman Trumbull, to friends-turned-opponents like James Longstreet and friends made late in life that saved his family like Mark Twain.²⁴ These individuals had commonalities that marked them, at least to Grant, as worthy of his time and friendship. After Grant's passing, his longtime aide Horace Porter wrote that Grant had "five attributes that...stand out as salient points in his character. They were Truth, Courage, Modesty,

²¹ On Grant and corruption, consider William Archibald Dunning, *Reconstruction: Political & Economic, 1865–1877*. New York: Harper and Brothers, 1907. Claude G. Bowers. *The Tragic Era: The Revolution after Lincoln*. Cambridge, MA: Riverside Press, 1929; C. Mildred Thompson. *Reconstruction in Georgia, Economic, Social, Political, 1865-1872*. New York: Longmans, Green, and Company, 1915.

²² On Grant not being corrupt but taking the blame for it historically because it was caused by his subordinates consider Calhoun, *The Presidency of Ulysses S. Grant*; Chernow, *Grant*; Mark Wahlgren Summers, *The Era of Good Stealings*. New York, NY: Oxford University, 1993.

²³ John David Smith & J. Vincent Lowery, eds. *The Dunning School: Historians, Race, and the Meaning of Reconstruction*. Lexington: University Press of Kentucky, 2013.

²⁴ Mark Perry, *Grant and Twain: The Story of an American Friendship*. New York; Random House, 2005; Paul M. Rego, *Lyman Trumbull and the Second Founding of the United States*. Lawrence, KS: University of Kansas Press, 2022; Charles Bracelen Flood. *Grant and Sherman: The Friendship that Won the Civil War*. New York: Farrar, Strauss & Giroux, 2006; Elizabeth Varon. *Longstreet: The Confederate General Who Defied the South*. New York: Simon & Schuster, 2023.

Generosity, and Loyalty,” and he accordingly looked for these traits in others he considered friends.²⁵ Further, because Grant honed these traits during his military training, and because of Grant’s keen sense of duty to his nation and his cause, he accordingly looked at other military men similarly, assuming them to hold the same beliefs. His dedication to subordinates was “‘a maxim of military honor’ that the former general believed in wholeheartedly,” according to historian Alan Lessoff.²⁶

Unfortunately, not everyone in whom Grant placed his trust proved worthy of it. Just because an individual served in the military did not mean they were entirely beyond reproach, something proven at multiple points in our nation’s history.²⁷ The sheer number of veterans who joined the civil service during Reconstruction, due in large part by the rapid expansion of the central government during the Civil War, made it possible for those that sought to use their positions for nefarious purposes to do so amid attempts to determine the new opportunities this federal power presented. The system of appointments for government posts during the Civil War era was certainly flawed, running mainly on patronage jobs given based on personal relationships without regard to qualification or possibility of a modern background check.²⁸ As a result, many appointments were made based on the word of people only referentially associated with one another, and the wrong people were placed in jobs they used for their own gain. This was a

²⁵ Gen. Horace Porter. “Personal Traits of General Grant.” McClure’s Magazine vol. II, no. 6 (May 1894).

²⁶ Alan Lessoff. *The Nation and Its City: Politics, Corruption and Progress in Washington, D.C., 1861-1902*. Baltimore: Johns Hopkins University Press, 1994. 101.

²⁷ This is not meant to malign service members as corrupt in any way. This is merely a statement that there are proven instances where some individuals who served the United States military engaged in corrupt behavior during Reconstruction. Such examples can be found throughout this dissertation, including but not limited to Alexander Robey Shepherd, John Joyce, John McDonald, and Hiram Whitley.

²⁸ Richard White. *The Republic for Which It Stands: The United States during Reconstruction and the Gilded Age, 1865-1896*. New York, NY: Oxford University Press, 2017; M. Ostrogorski. *Democracy and the Party System in the United States: A Study in Extra-Constitutional Government*. New York: The Macmillan Company, 1910; Paul Van Riper. *History of the United States Civil Service*. Westport, CT: Greenwood Press, 1958; Ari Hoogenboom. *Outlawing the Spoils: A History of the Civil Service Reform Movement, 1865-1883*. Champaign, IL: University of Illinois Press, 1961.

particular issue for Grant, as he had, as historian Edward Cooper called it, “a habit of appointing men, to be blunt, who were thieves.”²⁹ The appointments consisted of people at every level of the civil service, from day laborers to cabinet members and every level in between. These individuals allowed their personal greed to compromise their duties, bringing disgrace to the offices they held and the administration they served. The Grant Administration was tarnished both during its existence and for generations to come by scandals caused not by the president himself, but by those he appointed and trusted to advance the causes for which he fought.

Among the individuals involved in these scandals, perhaps no one stood closer alongside Grant than did Orville Babcock (**Figure I.2**). Babcock followed Grant to Washington, DC when he joined Andrew Johnson’s administration as Commanding General of the Army, a post akin to that of a cabinet member.³⁰ Babcock continued to serve as Grant’s eyes and ears, surveying the Reconstruction South and the American West on behalf of his commander.³¹ When Grant was elected President, he appointed Babcock his Private Secretary, a post that no longer exists in modern administrations but that would best compare to today’s Chief of Staff as an extension of the President himself.³² Babcock took up an office in the White House just beyond the door of Grant’s, speaking on his behalf to politicians and members of the public alike. He was instrumental in revitalizing the nation’s capital in a concurrent post as the Superintendent of the

²⁹ Edward S. Cooper. *John McDonald and the Whiskey Ring: From Thug to Grants Inner Circle*. Madison: Fairleigh Dickinson University Press, 2016. 77.

³⁰ "Gen. Babcock Drowned". New York Times. June 4, 1884; Martin E. Mantell. *Johnson, Grant, and the Politics of Reconstruction*. New York, NY: Columbia University Press, 1973; Ralph Kirshner. *The Class of 1861: Custer, Ames, and Their Classmates After West Point*. Carbondale: Southern Illinois University Press, 1999.

³¹ Orville Babcock to General John Rawlins, October 5, 1866. In Edwin Stanton. *Military Posts: Letter from the Secretary of War in Answer to A resolution of the House of the 5th December, transmitting a report of inspection of military posts*. House of Representatives, 39th Congress, 2nd Session, Executive Document 20.

³² Calhoun, *The Presidency of Ulysses S. Grant*, 77; C. Vann Woodward. “The Lowest Ebb.” American Heritage vol 8, issue 3 (April 1957).



Figure I.2: General Orville Babcock³³

Washington Office of Public Buildings and Grounds.³⁴ He investigated issues away from Washington when Grant himself could not travel due to presidential obligations.³⁵ Perhaps most importantly, Babcock remained as steadfast a friend to Grant as any he ever had amid the oft-unfriendly D.C. environs.

In spite of Babcock's close friendship with Grant, as time passed in their association, he proved to be one of, if not the most, unworthy individuals in whom Grant placed his trust. Historians have referred to him as a man who "fished for gold in every stinking cesspool," and the person who "served more than any other man to blacken the record of the Grant

³³ Photo Courtesy of the Library of Congress

³⁴ William M. Maury. *Alexander "Boss" Shepherd and the Board of Public Works*. [GW Washington Studies, Number Three] Washington: George Washington University, 1975; John P. Richardson, *Alexander Robey Shepherd: The Man Who Built the Nation's Capital*. Athens: Ohio University Press, 2016; Pamela Scott. *Capital Engineers: The U.S. Army Corps of Engineers in the Development of Washington, D.C. 1790-2004*. Alexandria, VA; Office of History, Headquarters, US Army Corps of Engineers, 2008.

³⁵ Horace Porter to Orville Babcock, June 24, 1869, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Horace Porter, October 2, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Levi P. Luckey to Orville Babcock, October 27, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; William Belknap to Orville Babcock, May 7, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

administration.”³⁶ Babcock’s association with allegedly nefarious individuals such as the capital’s “Boss,” Alexander Robey Shepherd, gave him a reputation as someone that was in with the wrong crowd.³⁷ These ties allowed Babcock to engage in illegal, immoral, and unethical acts which included attempts by Babcock to frame political opponents in Washington for criminal offenses and misusing his position for his personal wealth.³⁸ Other allegations emerged during his tenure in the Grant Administration, including claims that he was involved in cornering the gold market and aiding with import tax evasion.³⁹ He was sent on a mission to Santo Domingo to investigate possibilities for annexation but due to political infighting, as well as a failed scheme for Babcock to gain real estate and money on the deal, his mission resulted in nothing more than exploration.⁴⁰ Perhaps his greatest misdeed was his involvement in the Whiskey Ring, a group of whiskey distillers and revenue collectors in the American Midwest who stole tax money on the whiskey they produced.⁴¹ Babcock protected this group from his post in Washington in exchange for a small fortune of his own.⁴² In each of these instances, Babcock dragged Grant’s name through the mud by association, particularly in the Whiskey Ring when Grant submitted a

³⁶ Christopher A. Thomas, “The Lincoln Memorial and Its Architect, Henry Bacon.” (Ph.D. diss., Yale University, 1990). 528-541

³⁷ John Richardson, *Alexander Robey Shepherd*; Maury, “Boss” *Shepherd and the Board of Public Works*

³⁸ *More About The Washington Tammany: Its Tool in Congress Unmasked, Letter From John H. Crane to Norton P. Chapman, Delegate in Congress from the District of Columbia, In Which the Frauds of the District Ring are Shown Up, and the Mendacious Falsehoods of Their Delegate in Congress Exposed*. Washington: Harvard University, February 21, 1873; H.V. Boynton. “The Washington Safe Burglary Conspiracy.” *American Law Review* 11, no. 3 (April 1877): 401-446.

³⁹ Kenneth D. Ackerman. *The Gold Ring: Jim Fisk Jay Gould, and Black Friday, 1869*. New York: Harper and Row, 2004.

⁴⁰ Semmes, *Exporting Reconstruction*; Calhoun, *The Presidency of Ulysses S. Grant*, 151-262

⁴¹ Calhoun, *The Presidency of Ulysses S. Grant*, 451-534; Cooper, *McDonald and the Whiskey Ring*; Gen. John McDonald. *Secrets of the Great Whiskey Ring: And Eighteen Months in the Penitentiary. Containing a Complete Exposure of the Illicit Whiskey Frauds Culminating in 1875, with Documentary Proofs. to which is Added the Author's Remarkable Experiences while a Convict in the Missouri Penitentiary, at Jefferson City*. St. Louis, Mo: W. S. Bryan, 1880.

⁴² Ibid

deposition from the White House supporting Babcock in his criminal trial for conspiracy to defraud the government.⁴³

Without question, Babcock's historical reputation is that of a scoundrel. C. Vann Woodward referred to Babcock as "a subtle and unscrupulous Iago" who "shrewdly implanted suspicions of his betters in the President's mind, plotted their downfall, and sought to replace them with pliant tools of his own."⁴⁴ Woodward went on to explore Babcock's tactics, saying:

He succeeded in these tactics repeatedly and thereby gained indirect control of whole departments of the government. Once a prejudice or a plan was firmly implanted in Grant's mind, he would cling to it with all the tenacity that had toppled the strongholds of the Confederacy. Babcock was at once the leader of the political gangsters and the stumbling block in the way of the talent and ability that might have saved the President. Grant's unshakable confidence in his betrayer was pathetic and all but incredible."⁴⁵

This eloquent, and accurate, assessment of Babcock begs some significant questions: why did President Grant allow him to maintain his position in his administration? What made Orville Babcock such a significant figure in the Grant Administration that, even when others presented information of his malfeasance, he was allowed to remain? How exactly did Babcock contribute to the damning of the Grant Administration and the Reconstruction Era's political realm? And was Babcock's story typical of Reconstruction-era political narratives, particularly those between a political appointee and their patron who appointed them, or was this an exceptional situation?

Orville Babcock's story is one that is critically important to our understanding of the Civil War era, particularly the political events of Reconstruction, yet it is one that has been relegated to the footnotes of other narratives. He emerges at significant moments in histories of

⁴³ Calhoun, *The Presidency of Ulysses S. Grant*, 481-520; Cooper, *McDonald and the Whiskey Ring*, 117-124

⁴⁴ Woodward, "Lowest Ebb"

⁴⁵ Ibid

the Grant Administration, particularly during the Whiskey Ring, but otherwise he is typically but a day player.⁴⁶ Babcock's story is one that, to this point, remains incomplete because historians have never traced his development as a political agent from military appointee to criminal mastermind. This development took years, and by noting it only during what others have deemed key moments, we miss his evolution and simply observe him at a stage in which his criminality is fully formed. However, if we look at his entire political career and investigate his growth over time, we see a story develop that goes beyond just biography. It tells us about the daily experience of political appointees in Reconstruction; about how the American government dealt with, or failed to deal with, the power it amassed during the Civil War; about the role of the individual within that system, and how the individual could exploit holes in the system that were not yet plugged or patched; and how Orville Babcock's tenure in the White House reflected the growing need for civil service reforms.

Orville Babcock is arguably the most important individual from the Reconstruction Era that history has largely forgotten. His career in public service, from West Point to the White House, was reflective of other similar veterans-turned-civil servants, and his rise and entrenchment reflects a new breed of political operative during Reconstruction, one which I have deemed the "pragmatico." Babcock's story is one that shows change over time, and while that change is not always for the better, this change is critical to our understanding of the daily politics and the political careers of agents active during Reconstruction. We see this change in both the political agents themselves and in the American political sphere, as the rapid expansion

⁴⁶ Babcock emerges as a key player in the Whiskey Ring, and in recent publications about attempts to annex Santo Domingo, but these narratives are told from the perspective of a narrative centered on Grant. By centering the narrative on Babcock and his development as a political agent, we can see much more about the quotidian politics of Reconstruction. For more on Babcock as a bit player in Grant narratives, consider Calhoun, *The Presidency of Ulysses S. Grant*; Chernow, *Grant*; Brands, *Man Who Saved The Union*; Jean Edward Smith, *Grant*; Ronald White, *American Ulysses*; William S. McFeely, *Grant: A Biography*. New York: W.W. Norton, 1981.

of the federal government during the Civil War afforded greater opportunities for those interested in exploiting the system for personal gain. By tying the personal narrative of an individual who was extremely influential but whom history has designated as seemingly inconsequential, we will understand that political corruption in Reconstruction is something that political agents were exposed to over time, and when it became too great to resist, it literally corrupted their actions and consumed them. Still, these same agents had to maintain their productivity as well as a façade of dignity in order to keep their place in the civil service during this era of patronage. By shifting the focus toward Orville Babcock, we can better understand the nature of political scandal in the Reconstruction Era, the way that Washington politics took shape during this critical period, and the reason for some of the political vitriol that spread publicly in the nation's capital and across the country.

My work presents insight into the history of an important presidential administration, not by focusing on the president himself, but upon his staffer and close personal friend. It addresses studies of Reconstruction Era politics, particularly the question of corruption during this era, by tackling multiple events, scandalous or otherwise, tied together by the involvement of a connected political figure. It considers politics in the nation's capital, though instead of focusing on the Halls of Congress or the Oval Office, we bear witness to historical events taking place over dinner, through secret correspondence, and down the hall from the President in the office of his Personal Secretary. It ponders the legacies of individuals and events by addressing the impact of contemporary attacks against them or historians' writing about these political attacks in years since.⁴⁷ Perhaps most critically, it centers General Orville Babcock within a political

⁴⁷ Mark Wahlgren Summers. *The Press Gang: Newspapers and Politics, 1865-1878*. Chapel Hill, NC: University of North Carolina Press, 1994; Summers, *Era*; Philip Leigh, *U.S. Grant's Failed Presidency*. Columbia, SC: Shotwell Publishing, 2019; T.O. Howe, "Is the Republican Party in Its Death-Struggle?" *The North American Review* 126, no. 262 (1878): 381-403.

and historical narrative that has never afforded him more than brief mention, which presents key insight into how Reconstruction politics truly occurred and what it truly meant to “Turn the Rascals Out.”⁴⁸

Situating the Narrative: Historiographic Notes

At the heart of this work is the detailed scholarship into the politics of the Civil War Era, particularly that which focuses on the Reconstruction Era. The tumultuous historiography of Reconstruction is necessary to understand where this piece rests in the long study of the era, and only by grasping how scholars have considered it throughout time can we grasp its importance as, as Eric Foner referred to it, “America’s Unfinished Revolution.”⁴⁹

For more than a century after the Civil War’s conclusion, the myth of the Lost Cause, driven largely by members of the Dunning School, shaped our understanding of Reconstruction as a failure and as a time when corruption ran rampant. Emerging in the wake of Reconstruction, this school of thought quickly became the dominant view of historical (mis)conceptions of the era. William Dunning, a former professor at Columbia University and the progenitor of this mindset, and his numerous graduate students conducted research throughout the 1890s into the upheaval of the political status quo that occurred postbellum, particularly in studies of individual southern states.⁵⁰ Dunning and his acolytes sought to prove that southern whites had been

⁴⁸ “Turn The Rascals Out.” *The Democratic Advocate* (Westminster, MD), September 27, 1884. This article was widely published, including but not limited to the following papers on the following dates: *Palatka Daily News*, Palatka (FL), August 23, 1884; *Millheim Journal*, Millheim (PA), September 4, 1884; and *The Weekly Register*, Point Pleasant (VA), September 17, 1884.

⁴⁹ Foner, *Reconstruction*

⁵⁰ For examples of historical research from the Dunning School, consider: William Archibald Dunning, *Reconstruction: Political & Economic, 1865–1877*; John W. Burgess, *Reconstruction and the Constitution, 1866–1876*. New York: Charles Scribner’s Sons, 1902; Claude Bowers, *The Tragic Era: The Revolution after Lincoln*. Cambridge, MA: Riverside Press, 1929; E. Merlton Coulter, *The South During Reconstruction, 1865–1877*. Baton Rouge, LA: LSU Press, 1947.

temporarily removed from their positions of power by evil African Americans, carpetbaggers, and scalawags and that these southern whites should have been restored to their positions quickly, sans penalty.⁵¹ These treatments were obviously flawed, mainly due to their inherent racism towards African Americans and bias towards Northern political operatives. The Dunning School portrayed African Americans as incompetent, unequal to white Americans, and completely unprepared for leadership roles that were extended during this period. Meanwhile, carpetbaggers who moved to the South were seen as Northerners infringing on the political sovereignty of the South, serving as proxy rulers for the North and leading white Southerners to unite to overthrow the oppressive Northern regime and reestablish good government under southern control, thus ending the tragedy of Reconstruction. With the benefit of time and evolution, it is clear the Dunning School was inherently flawed, given its southern slant and, more importantly, its blatant racism toward non-white individuals.

After the Dunning School, historians rightly corrected the issues inherent in these treatises of Reconstruction, considering new ideas in their coverage of the postbellum period in American society. These historians focused more on sociocultural avenues of research than the study of political scandal and corruption. In the 1920s, the Progressive school became the dominant historiographical viewpoint, suggesting that economic forces were the key to understanding Reconstruction.⁵² Progressives argued that Reconstruction ended thanks to the

⁵¹ William Archibald Dunning, *Essays on the Civil War and Reconstruction and Related Topics*. New York: Macmillan, 1898.

⁵² For examples of historical research from the Progressive school, consider: Francis B. Simkins, "New Viewpoints of Southern Reconstruction," *Journal of Southern History* 5 (February 1939): 49-61; W.E.B. Du Bois, *Black Reconstruction, 1860-1880*. New York: Russell & Russell, 1935; Vernon L. Wharton, *The Negro in Mississippi, 1865-1890*. Chapel Hill: UNC Press, 1947; Joel Williamson, *After Slavery: The Negro in South Carolina during Reconstruction, 1861-1877*. Chapel Hill: UNC Press, 1965; Allen W. Trelease, "Who Were the Scalawags?" *Journal of Southern History* 29 (November 1963): 445-468; C. Vann Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction*. New York: Oxford University Press, 1951.

triumph of business values and industrial capitalism's prevalence. To address this, Progressives investigated non-political motivations for the actions of carpetbaggers and African Americans, primarily looking at the economic justifications of these historical actors. Perhaps the most famous, although at the time most overlooked, Progressive historian was W.E.B. Du Bois, whose tome *Black Reconstruction* established African Americans at the center of the conversation.⁵³ Though many Progressive historians internally debated about specifics (for example, that the corruption in American society was not limited sectionally but that it emerged nationally, or that corruption in the South was not the result of black involvement in government or incompetent carpetbaggers, but that it was a systemic issue within the new world order), they nevertheless held common understandings about the period, the most critical of which was the need to abandon the racial biases of the Dunning scholarship.⁵⁴

The 1950s saw the rise of the Revisionists as the dominant historiographical interpretation of Reconstruction.⁵⁵ This group bore witness to the racial injustices of the civil rights era, and as a result, race became more central to the narrative. Shirking the economic importance previously placed on the period, Revisionists like Kenneth Stampp undercut the Progressive argument and cited a lack of economic unity within the Republican Party.⁵⁶ These Revisionists acknowledged that individuals within the party held different views about such important factors as economics and race, offering that the suggested Progressive unity did not

⁵³ Du Bois, *Black Reconstruction*

⁵⁴ Ibid

⁵⁵ For examples of historical research from the Revisionist school, consider: Kenneth M. Stampp, *The Era of Reconstruction: America after the Civil War, 1865-1877*. New York: Alfred Knopf, 1965; Robert Sharkey, *Money, Class, and Party: An Economic Study of Civil War and Reconstruction*. Baltimore: The Johns Hopkins Press, 1951; Howard K. Beale, *The Critical Year: A Study of Andrew Johnson and Reconstruction*. New York: Harcourt, Brace and Co., 1930; Hans L. Trefousse, *The Radical Republicans: Lincoln's Vanguard for Racial Justice*. New York: Knopf, 1969; George C. Rable, *But There was No Peace: The Role of Violence in the Politics of Reconstruction*. Athens, GA: University of Georgia Press, 1984; James H. McPherson, *The Struggle for Equality: Abolitionists and the Negro in the Civil War and Reconstruction*. Princeton: Princeton University Press, 1964; Foner, *Reconstruction*.

⁵⁶ Kenneth Stampp, *The Era of Reconstruction*

exist. There was a pessimistic shift within the Revisionist school during the 1970s due to the racial friction and inequality of the post-civil rights era, which some Revisionists considered a reflection of Reconstruction's failure to fully integrate blacks into existing and developing political and social structures. Still, this group credited the unresolved issue of blacks in American society as the true failure of Reconstruction. Perhaps the most famous of Revisionist texts is Eric Foner's paradigm-shifting synthesis *Reconstruction: America's Unfinished Revolution, 1863-1877*.⁵⁷ Published in 1988, Foner's book, like Du Bois's fifty years earlier, sought to establish "the centrality of the black experience."⁵⁸ He found that, at least initially, Reconstruction was a radical attempt to destroy the social system of the South, but that by the 1870s, northern industrial leaders began to fear class conflict so much that they sympathized with white southerners. This sympathy led to a resurgence of white control in the South that coincided with the fall of the free-labor ideology upon which the Republican Party was built, leading to the compromise of sharecropping as an economic system. Foner argues that Reconstruction was an important failure, because through Radical Reconstruction, joint white and black activism fashioned, at least for a time, a biracial democracy never before seen in the United States. Foner's book serves as a seminal text in the field, with many subsequent scholars building upon the foundation he laid in his narrative.⁵⁹

⁵⁷ Foner, *Reconstruction*

⁵⁸ Foner, *Reconstruction*, xxiv

⁵⁹ For examples of scholars who have expanded on Foner's ideas, in a "Fonerite" school of thought, consider: Steven Hahn, *A Nation under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration*. Cambridge, MA: Belknap Press of Harvard Univ. Press, 2005; Moon-Ho Jung, *Coolies and Cane: Race, Labor, and Sugar in the Age of Emancipation*. Baltimore: Johns Hopkins University Press, 2006; David W. Blight, *Race and Reunion: The Civil War in American Memory*. Cambridge: The Belknap Press of Harvard University Press, 2001; Heather Cox Richardson, *West from Appomattox: The Reconstruction of America after the Civil War*. New Haven, CT: Yale University Press, 2007; Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household*. New York: Cambridge University Press, 2008; Laura F. Edwards, *Gendered Strife & Confusion: The Political Culture of Reconstruction*. Urbana, IL: University of Illinois Press, 1997.

In the decades since the release of Foner's synthesis, historians have sought to broaden the field to ask new questions about the era of Reconstruction. This includes investigations into questions of gender, culture, and intellectual histories.⁶⁰ They have further sought to expand our understanding of the era by expanding its temporality, looking as far back as the Mexican-American War and delving into the impacts of the era into the Gilded Age.⁶¹ They also look into how non-Southern societies were impacted by Reconstruction policies, as well as creating comparative studies between the United States and other post-emancipation societies.⁶² This most recent generation of historians has taken further steps to correct the damage done by the Dunning School and reshape our understanding of Reconstruction politics. No longer do our scholars cling to claims that President Grant was corrupting the nation by allowing African Americans to take over southern state governments while infringing on the rights of their former oppressors. Instead scholars look to questions of religion, state-building, capitalism, and public

⁶⁰ For more, consider: Semmes, *Exporting Reconstruction*; Mark Wahlgren Summers, *A Dangerous Stir: Fear, Paranoia, and the Making of Reconstruction*. Chapel Hill: University of North Carolina Press, 2009; Glymph; Edwards; Philip B. Lyons. *Statesmanship and Reconstruction: Moderate versus Radical Republicans on Restoring the Union after the Civil War*. Lanham, MD: Lexington Books, 2014; Kirk Savage. *Standing Soldiers, Kneeling Slaves: Race, War, and Monument in Nineteenth-Century America*. Princeton: Princeton University Press, 1997; Luke Harlow. *Religion, Race, and the Making of Confederate Kentucky, 1830-1880*. Cambridge: Cambridge University Press, 2014; Henry Louis Gates Jr. *Stony the Road: Reconstruction, White Supremacy, and the Rise of Jim Crow*. New York: Penguin Press, 2019; Nicolas Barreyre. *Gold and Freedom: The Political Economy of Reconstruction*. Charlottesville: University of Virginia Press, 2015.

⁶¹ For more on scholars expanding the Reconstruction timeframe, consider: Hahn; Blight; Savage; Richardson West from Appomattox; Heather Cox Richardson. *The Death of Reconstruction: Race, Labor, and Politics in the Post-Civil War North, 1865-1901*. Cambridge, MS: Harvard University Press, 2001; Edward J. Blum. *Reforging the White Republic: Race, Religion, and American Nationalism, 1865-1898*. Baton Rouge: Louisiana State University Press, 2005; Manisha Sinha, *The Rise and Fall of the Second American Republic: Reconstruction, 1860-1920*. New York: Liveright, 2024.

⁶² For more scholars who consider northern Reconstruction and comparative post-emancipation studies, see: Rebecca Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery*. Cambridge, MA: Belknap Press, 2008; Roberto Saba. *American Mirror: The United States and Brazil in the Age of Emancipation*. Princeton: Princeton University Press, 2021; Richardson, *Death of Reconstruction*; Norbert Finzsch and Jürgen Martschukat, eds. *Different Restorations: Reconstruction and Wiederaufbau in the United States and Germany: 1865-1945-1989*. New York: Berghahn Books, 1996; Paul A. Cimballa and Randall M. Miller, eds. *An Uncommon Time: The Civil War and the Northern Home Front*. New York: Fordham University Press, 2002; William Link, ed. *United States Reconstruction Across the Americas*. Gainesville: University of Florida Press, 2019.

history and memory as we rethink Reconstruction's place in American history.⁶³ Our understanding of the Reconstruction era is the most complete it has ever been as we continue to uncover new avenues of research.

The field of Reconstruction Era history has evolved over the years, bringing brilliant new perspectives to the way we understand this chaotic time in American history. However, this happened in a manner which stagnated research into some of the most critical avenues. Chief among these is the study of Reconstruction Era political scandal. Once a favorite topic of the Dunning School, political scandal was supplanted by class and race as central topics of discussion. While this change was invaluable for the new perspectives garnered on the era, we now need to reconsider the era's politics from a contemporary standpoint with the benefit of generations of well-researched historiography. Further, we need to swing the pendulum back to center, as those who rejected the Dunnings' racist ideology also threw out their political methodology. These historians threw out the metaphorical baby of Reconstruction political history out with the rancid bathwater of the Dunnings, and in making such an overcorrection, we have not addressed political scandal as central to the narrative of the Reconstruction Era for fear of being compared to the Dunnings. This has allowed figures like General Babcock to fall through the historiographical cracks, which has left us with an incomplete portrait of the Reconstruction Era and its political turmoil.

In recent years, select few historians have attempted to correct this mistake by addressing the notion of political scandal during Reconstruction, but in a far more enlightened and appropriate manner than the Dunning School had.⁶⁴ Leading the charge back into the fold of

⁶³ Luke Harlow, ed. "The Future of Reconstruction Studies." *Journal of the Civil War Era* 7.1 (March 2017)

⁶⁴ This new generation of scholars should not be compared to the Dunning School despite any similarities in subject matter. The Dunning School has a connotation not only with Reconstruction Era politics and scandal, but also with

Reconstruction political scandal is Mark Wahlgren Summers. Summers has authored a number of books on the political tumult caused by scandal during the Long Civil War Era, with specific attention paid to the postbellum period. His 1992 *Era of Good Stealings* shows the importance of a paradoxical issue in this period, as he suggests that “from the bribery of lawmakers to ballot-box stuffing to administrative officers on the take, corruption had less important consequences than the *corruption issue*.”⁶⁵ He shows the impact of political turmoil through industries like print media (1994’s *The Press Gang*) and the railroad (1984’s *Railroads, Reconstruction and the Gospel of Prosperity*).⁶⁶ Summers further shows this type of corrupt behavior was not entirely novel during Reconstruction in his 1987 book *The Plundering Generation: Corruption and the Crisis of the Union, 1848-1861*, and in one of his most recent works, 2009’s *A Dangerous Stir: Fear, Paranoia, and the Making of Reconstruction*, addresses the way that fear of corrupt actions by leaders that threatened the Union shaped public policy during the era.⁶⁷

While Summers is the current expert on Reconstruction Era political scandal due to his extensive research, he is not the only recent scholar who has considered this subject. Scholars such as Brenda Wineapple and David O. Stewart have covered this topic through the lens of Andrew Johnson’s impeachment, which they believe to be one of the peak moments of discord

virulent racism, which leads those familiar with this school towards a negative connotation with those involved. The more recent scholars of Reconstruction political scandal address this scandal in a much more racially appropriate manner, addressing this scandal as a result of individual or smaller-group actions rather than larger regional (northern) or racial (African-American) stereotypes. Through this more recent group of scholars, we see an attempt to recalibrate the overcorrection made by scholars as they rightly shifted away from Dunning ideals, but in doing so abandoned questions about Reconstruction political scandal.

⁶⁵ Summers, *Era*, x

⁶⁶ Summers, *The Press Gang*; Mark Wahlgren Summers, *Railroads, Reconstruction, and the Gospel of Prosperity: Aid Under the Radical Republicans, 1865-1877*. Princeton: Princeton University Press, 1984.

⁶⁷ Summers, *A Dangerous Stir*; Mark Wahlgren Summers, *The Plundering Generation: Corruption and the Crisis of the Union, 1849-1861*. New York: Oxford University Press, 1987.

during Reconstruction.⁶⁸ Other scholars have considered the actions of notably notorious individuals from the era, as is the case with Thomas Keneally's investigation into General Dan Sickles, *American Scoundrel*.⁶⁹ Michael Fitzgerald has addressed the issue of regional instability in the South in his work *Splendid Failure*, while others like Jeffrey Wert have taken the baton from Summers in investigating industrial magnates and how they benefitted from the Civil War both during and after the attempted revolution through a combination of economic and political exploitation in texts including Jeffrey Wert's *Civil War Barons*.⁷⁰ My research aims to replicate and build upon the successes of these scholars by repositioning the vantage point so that historians can better understand the place of men like Orville Babcock within Reconstruction Era politics. In doing so, we can understand these politics as a more complete whole, determining if these corrupt individuals were the norm or merely exceptions.

Summers's research, particularly into the divide between actual corruption and the "corruption issue," is critical to our understanding not only of the Reconstruction Era, but also questions of the involvement of key political figures, like Babcock, in corrupt activities. In *The Era of Good Stealings*, Summers analyzes the impact of allegations of corruption by political opponents as a common excuse for the reasons one's own agenda failed.⁷¹ Such allegations were made, proven or otherwise, on the floor of Congress and disseminated to the masses via the Press Gang, who would often print these tales with little or no concern for the truth in order to get the

⁶⁸ Brenda Wineapple, *The Impeachers: The Trial of Andrew Johnson and the Dream of a Just Nation*. New York: Random House, 2019; David O. Stewart, *Impeached: The Trial of President Andrew Johnson and the Fight for Lincoln's Legacy*. New York: Simon & Schuster, 2009.

⁶⁹ Thomas Keneally, *American Scoundrel: The Life of the Notorious Civil War General Dan Sickles*. New York: Nan A. Talese, 2002.

⁷⁰ Jeffrey D. Wert, *Civil War Barons: The Tycoons, Entrepreneurs, Inventors, and Visionaries Who Forged Victory and Shaped a Nation*. New York: Da Capo Press, 2018; Michael W. Fitzgerald, *Splendid Failure: Postwar Reconstruction in the American South*. Chicago: Ivan R. Dee, 2007.

⁷¹ Summers, *Era*

story out first.⁷² Summers' analysis has led us to better understand the divide between what was claimed as corruption versus truly corrupt acts by government leaders. My own research investigates this question, sussing out both the impact of claims of corruption as well as the actual corrupt acts.

As Summers' research invites questions of corruption and scandal during the period, we must also consider another subject of research that deals with the seedy underbelly of our body politic. Some scholars have contemplated the improprieties in the history of the American political system and addressed the issues that this misconduct caused. Many have written about individuals who participated in these malfeasances.⁷³ Others have investigated groups that formed in order to facilitate their misdeeds, perhaps most notably those scholars who have investigated Tammany Hall.⁷⁴ Some have investigated the misdeeds themselves, be it in a Woodward and Bernstein capacity of investigating the Watergate Scandal or those who have studied lesser known scandals in the historical record.⁷⁵ Even more have looked at how these individuals and events impacted the electorate and the political culture, showing how indelibly these actions are tied to society's understanding of corruption. These scholars have paved the

⁷² Summers, *Era*, 62-87

⁷³ For more by scholars who have written about individual "scoundrels," consider: John Richardson, *Alexander Robey Shepherd*; Thomas Kenneally, *American Scoundrel*; Kenneth D. Ackerman, *Boss Tweed: The Rise and Fall of the Corrupt Pol Who Conceived the Soul of Modern New York*. Boston: Da Capo Press, 2005; David Head and Timothy C. Hemmis, Eds. *A Republic of Scoundrels: The Schemers, Intriguers, and Adventurers Who Created a New American Nation*. New York, NY: Pegasus Books, 2023; Jack Kelly, *God Save Benedict Arnold: The True Story of America's Most Hated Man*. New York: St. Martin's Press, 2023.

⁷⁴ For more on the Tweed Ring, also referred to as Tammany Hall for its physical headquarters in New York, consider: Terry Golway, *Machine Made: Tammany Hall and the Creation of Modern American Politics*. New York: Liveright, 2014; Samuel Jones Tilden, "The New York City Ring: It's Origin, Maturity, and Fall" (first published 1873), in *The Writing and Speeches of Samuel J. Tilden*, vol. 1, ed. John Bigelow (New York: Harper & Brothers, 1885); and Oliver E. Allen, *The Tiger: The Rise and Fall of Tammany Hall*. Boston: Da Capo Press, 1993.

⁷⁵ Woodward, Bob and Carl Bernstein, *All the Presidents Men*. New York: Simon and Schuster, 1974.; For more by scholars who have investigated single scandals, consider: Ackerman *Gold Ring*; Cooper, *McDonald and the Whiskey Ring*; Wineapple, *Impeachers*; Stewart; Stanley I. Kutler, ed. *Watergate: A Brief History with Documents*. Second Edition. Malden, MA: Wiley-Blackwell, 2010; John F. Marszalek, *The Petticoat Affair: Manners, Mutiny, and Sex in Andrew Jackson's White House*. New York: The Free Press, 1997.

way for how we investigate matters of corruption and scandal, and my work attempts to bridge the gaps between each of these individual approaches to show how one individual's actions affect every aspect of his life and the world around him.

Further scholars that deserve credit for their treatments of Reconstruction politics are those who have analyzed presidential politics postbellum, especially those focused on the administration of Ulysses S. Grant. Charles Calhoun stands above all in this regard, as he has literally written the book on *The Presidency of Ulysses S. Grant*.⁷⁶ This text investigates as much into this administration as any book could without becoming unwieldy, looking into how President Grant and his administration impacted national events and vice versa.⁷⁷ Outside of Calhoun's work, the most detailed scholarship into the Grant Administration comes from Grant biographers who focus the latter sections of their narratives on his political achievements once they have established his military credentials. Such scholars as Ronald C. White, H.W. Brands, Jean Edward Smith, Ron Chernow, Edward Bonekemper, and Geoffrey Perret have written in detail about Grant's presidency as a part of their overarching stories.⁷⁸ Thanks to these scholars and more, my work stands on the shoulders of giants; yet I believe there is more that we can do, and by investigating their narratives through a new lens – that of Orville Babcock – we can better understand both the full picture and the daily experiences of the politics of Reconstruction. I believe this dissertation stands as the next in a line following Summers and these Grant biographers to reinvestigate, and as a result better understand, the politics and political corruption associated with the Reconstruction Era.

⁷⁶ Calhoun, *The Presidency of Ulysses S. Grant*

⁷⁷ Ibid

⁷⁸ Ronald White, *American Ulysses*; Brands, *Man Who Saved The Union*; Chernow, *Grant*; Bonekemper, *Ulysses S. Grant*; Perret, *Ulysses S. Grant*; Jean Edward Smith, *Grant*

Defining Terms & Concepts

In order to effectively discuss the topics in this dissertation, I need to be abundantly clear about the terminology that I will use. Words matter, and our choice of words matters as well. There are several critical terms that are used throughout the duration of this piece that merit taking a moment to define so that we are on the same page with how they are used in this piece.⁷⁹ Many of these terms have different definitions when used in different contexts. Some have seen their meanings change over the course of their use in the English language. Some are terms that are so broad that they have definitions that bring to mind Justice Potter Stewart's now infamous turn of phrase "I shall not today attempt further to define the kinds of material... within that shorthand description...But *I know it when I see it.*"⁸⁰ We will make an attempt to define these terms as well in order to better understand the scope of this research project.

Before we enter into our definitions, one thing must be made clear: in the terms of federal powers, in this dissertation, the Reconstruction Era was exceptional. Calling something "exceptional" is loaded in today's historiography. Historians have a tendency to discuss people, periods, and even nations as exceptional as they present their arguments, for better or worse. In this case, the period of Reconstruction witnessed a time in American history of rapidly expanded centralized power that returned to a level similar to that which existed before the war in many ways after its conclusion. Until the New Deal, the federal government's most assertive period was the Civil War Era, which included Reconstruction. Through such programs as the Freedman's Bureau and new agencies like the Secret Service to the military occupation of the formerly seceded Southern states, this was a time where federal powers were more at play than

⁷⁹ If the terms are used in another format at any point in this dissertation, they will be defined as such in the footnotes when appropriate.

⁸⁰ *Jacobellis v. Ohio*, 378 U.S. at 184 (1964) (Stewart, J., concurring)

any surrounding point in American history. This is certainly debatable, as there are other dynamics of the era which were not exceptional, but in terms of federal power, this era held a key distinction when compared to broader trends in American history.

The first term is *politics*, and for that matter we also include its variant *political*. The nature of this project is a top-down approach to the study of politics, and in many ways it is a story of the elite men in Washingtonian politics. I recognize that every action taken has a political significance, and also that politics is something that is considered by everyone regardless of legal rights to vote or to formally participate in high politics. This is a critical factor in how we determine what makes up the political realm. However, for the purposes of this project, including such considerations of the political would make it so this project would never be finished, as too many considerations would be required. As such, my understanding of politics will come from a more traditional definition of the term. It will factor in voting, congressional actions, presidential decrees, legal rulings, foreign affairs – the things that we tend to refer to as “high politics.” I do not make this decision in an effort to be elitist and only privilege the stories of the elites. However, this is a narrative that investigates political operatives, those who were involved in one of the three main branches of the American federal government, therefore we need to consider those stories appropriately.⁸¹ As a result, when I use the term *politics* or *political*, it is in reference to these ideas.

Another term that is important we understand in the context of this dissertation is *corruption*, particularly its context in Reconstruction. This is a term that took on a new dynamic

⁸¹ I welcome all commentary on the nature of politics and discussions regarding how we define this term as scholars. This decision to limit the realm of politics was not made lightly, as there are likely countless other factors that could be included in such definitions that would alter the way that we consider aspects of this project. This consideration was a necessary evil in an effort to design a project that would be completable while remaining open-ended enough to encourage future discussions.

in the era in question, as politicking changed so much thanks to the Civil War that establishment politicians cried corruption for any tactic that went beyond the existing structures, even if those tactics were entirely legal – they were simply not done in a good political society. However, there are certainly actions that justly qualify as corrupt that occurred during the era as well, including extortion, embezzlement, fraud, bribery, voter intimidation, and much more.⁸² After careful consideration, I believe that Mark Wahlgren Summers defines the term best for the period in question and beyond in his book *The Era of Good Stealings*: “the illegal and generally unacceptable use of public position for private advantage or exceptional party profit, and the subversion of the political process for personal ends beyond those of ambition.”⁸³ This definition addresses both legal and social implications of improper behavior, as well as the end results for an individual and those associated with them. Perhaps most importantly is its last four words – “beyond those of ambition” – as many of those involved in politics had their own ambitions to balance with the public good, but the corrupt individuals sought to attain additional ambitions that would improve their financial, societal, and political standing.

Within this discussion of corruption, it is critical to understand that corruption, and accusations of corruption, typically falls within two categories: believed and actual. *Actual corruption* is exactly as it sounds: a person or group engaging in corruption as we have defined above. In cases of actual corruption, whether there is proof or not of a person’s involvement, this is a scenario in which we know, either at the time or in retrospect, that the parties involved engaged in this behavior. *Believed corruption*, on the other hand, is a societal phenomenon in which a person or group is assumed to be involved in corrupt behavior but in which there is no

⁸² For more on Reconstruction Era corruption consider: Summers, *Era*; Ackerman, *Gold Ring*; Summers, *Dangerous Stir*; Cooper, *McDonald and the Whiskey Ring*; John Richardson, *Alexander Robey Shepherd*; Richard White, *Republic for Which It Stands*

⁸³ Summers, *Era*, ix

proof of any misdeed, either in contemporary times or in retrospect. These two concepts share an interesting relationship, as all actual corruption has elements of believed corruption given the way that rumors spread through society, but not all believed corruption is actual corruption – in some cases it amounts to nothing more than rumor. This does not in any way negate the stigma of believed corruption, as its importance is as strong as actual corruption for the societal impact it has on tarnishing or strengthening reputations of those accused of criminality. Taking this a step further, some of those engaging in corruption used believed corruption like the greatest sleight-of-hand magicians, distracting the public from their actual corrupt behavior by directing their attention to other allegations that could be dismissed based on a lack of evidence. In these situations, the accused would see their reputation tarnished, be it for a short period or forever, but it was better for them than being found culpable of any actual corruption.

Further connected to the concept of corruption is the idea of a *scandal*. Where corruption is something that is typically private, when it becomes public, it reaches the point of scandal. Scandalous events take on a life of their own when they are subjected to the expectations of the masses. Oscar Wilde perhaps put it best in his play *Lady Windermere's Fan*, stating that “scandal is gossip made tedious by morality.”⁸⁴ When we consider the implications of the shared nature of scandal, as well as the enforcement of contemporary social mores onto events that occurred typically behind closed doors, our definition begins to take shape. Scandal, then, is the public response and spread of rumor, whether true or not, that defames a figure in high political or social standing. This definition shows that claims of corruption made an impact on society whether they were verified or unfounded, and by understanding this, we can see that both actual

⁸⁴ Oscar Wilde, *Lady Windermere's Fan*. New York: Samuel French, 1893. Act III.

and believed corruption have their places ensconced in our understanding of Reconstruction politics.

When we consider some of the patrons who appointed individuals to high office in this piece, particularly President Ulysses S. Grant, we may be tempted to refer to him as *naïve*. This would be a fair critique, but not based on the modern conception that holds negative connotations. Naivete is the tails side of the coin that features trust on its head. Trust is established between two individuals, or, in the literal case of a coin, in the bearer and God, and as long as it is upheld by both individuals in this partnership, it can remain as a strength. However, when someone is either unworthy of the trust given to them by another, or if they break that trust, and yet the other party remains steadfast that they maintain their trust, they can be considered as naïve. For the purposes of this paper, naivete as a concept refers to misplaced trust, particularly in the face of evidence suggesting trust is unearned. It does maintain some of the negative connotations of today's use but it should not assume that the individual who is misplacing their trust is simple-minded, nor are they entirely ignorant, but likely they are blinded by some outside factor such as friendship, or as a dog's love for its misshapen pup.

The final term that merits definition is one of my own creation for the purposes of this project. In my research, I witnessed the emergence of a specific type of political operative for whom there has been no sufficient description in either the historical record nor the historiography. Scholars of early America have referred to similar corrupt individuals as “scoundrels,” but this is a term that is too all-encompassing and changes from generation to generation given those who have been referred to as such over time.⁸⁵ A “parvenu” is another

⁸⁵ In Samuel Johnson's 1755 dictionary, a scoundrel was defined as “a mean rascal; a low petty villain.” In modern concepts, we hear scoundrel and think it to be “either archaic – the kind of thing wig-wearing gentlemen called each

term that comes close, but while these operatives rose quickly to new positions of power, they were typically recognized accordingly in society, a key dynamic in the parvenu definition that removes it from consideration. The closest term to what I have been looking for is politico. From the Latin *politicus*, meaning politician, a politico is a term that often has derogatory and informal connotations as a political operative who is willing to do anything to win an election.⁸⁶ Yet this term still does not fit with the type of operative that Babcock and his ilk embodied during the Reconstruction era. Babcock was not involved with the electoral process during his political career. His military training instilled in him a practical mentality of getting the job done even if it involved negatives in the process or was perceived differently once ordered by one's higher ups. His service under Grant, where he witnessed Grant's many victories through practical tactics, further propelled the development of Babcock's own pragmatism. In Washington, Babcock had jobs that required quite a bit from him, and he completed those jobs regardless of what others thought about the methods he used. So, if this type of operative was not a politico, then what was he?

After consideration of other terms, I realized that there are no terms that truly fit this type of a political operative, and so I was compelled to craft my own term: **pragmatico**. I came to this term by combining pragmatic with the aforementioned politico. Pragmatic, taken from the Greek *pragma* for "action," refers to dealing with things in a sensible and practical manner rather than being concerned with rules or theories. This is entirely in line with these political agents, as they had a goal to accomplish and attempted to do so ably, often without care of how others perceived their actions. A pragmatico, as I define it, is a political operative during the Civil War era who

other before taking up dueling pistols – or something from the realm of fantasy, a way to describe Han Solo from the *Star Wars* universe. (A scoundrel *definitely* shoots first)." From *A Republic of Scoundrels* pg xiii

⁸⁶ "Politico." Encyclopædia Britannica; Merriam-Webster.com Dictionary, s.v. "politico,"

sought to maintain a role in civil service after their time in the military by earning an appointment to a political post and who attempted to use this appointment for both public and private gain. In the era of the spoils system, particularly before civil service reform kicked in with the Pendleton Act in 1883, American politics was rife with examples of individuals who attained their appointments through connections, many of which were forged in times of war with brothers in arms.⁸⁷ Several of those who were successful in their efforts to attain jobs in the political realm during and/or after their military service often leaned on their training in the military and accomplished their goals without factoring in the scrutiny they now faced as public figures.⁸⁸ Given the heightened political climate of the era, opponents saw anything that was different from typical and claimed it to be corrupt, leaving many with reputations as corrupt operatives. While some certainly did not earn this title, others used this perception of corruption masterfully, directing the public's attention to the perceived corruption and away from any real corruption. Then, when they received push back, they stood their ground, which is all the more relevant as in Spanish, the term *pragmatico* means both pragmatic and hard-headed, adding a final layer to these operatives. Over the course of their lives, both in politics and out, these men learned from their experiences, shifted from corruption to upstanding behavior and vice versa depending on each individual moment, in some cases with the only sources we have to estimate

⁸⁷ For more examples of patronage posts obtained through wartime connection, consider Ostrogorski, *Democracy and the Party System*; Van Riper, *History of the United States Civil Service*; Richard White; Hoogenboom, *Outlawing the Spoils*

⁸⁸ This is by no way shape or form a claim that individuals who served in the military took advantage of political positions they later occupied through graft or corruption. Just as with any other position and any other demographic, there are those who do things in different ways, for better or for worse. In the wake of times of conflict, particularly those early in American history where the political realm was not yet fully solidified and remained a work in progress, some former soldiers who were not trained in the world of politics were left to their own devices in new posts, and wanting to do their duty while fostering trust from their benefactors who got them their jobs, they relied on their abilities and accomplished their tasks by whatever means they deemed necessary. These men (as women were not yet allowed in the military) are at the center of my research, as this particular type of political operative has not yet been studied in depth with consideration given to real and/or perceived corruption they encountered or enacted as political figures.

their true actions coming from speculative claims made by their opponents. Yet we still have to study these men for both their perceived and actually corrupt behavior to fully understand their place in the historical record, and thus the term *pragmatico* brings us closer to understanding these men and their careers than any existing term.⁸⁹

While he was certainly a scoundrel, General Orville Babcock epitomizes this newly-defined *pragmatico* archetype. Babcock was a political operative who accomplished his goals ably without concern for outside perceptions. He was appointed by his patron, President Grant, with whom he built a dedicated relationship during the Southern Uprising, to a position in the government. He leaned on his training in the military, namely his experiences with the Army Corps of Engineers and as Grant's *aide-de-campe*, to serve the president as his Private Secretary and to serve the capital as Superintendent of the Board of Public Works. He paid little attention to scrutiny from those both within and outside of the Grant Administration, only heeding it when it reached such heights as to demand public response. His actions were atypical of establishment politicians, and as such he received several complaints of corrupt behavior. While some of his actions were certainly corrupt, others were simply the mark of the new breed emerging at the time. Up until the expiration of his term as the president's Private Secretary, Babcock proved to be his era's Houdini, distracting people from his misdeeds by directing them to other rumored malfeasance in an effort to continue to work from the shadows. To top it off, Babcock was a particularly hard-headed individual, determined to make his fortune through whatever means necessary while willing to defend himself, and at times others, from those assailing them.

⁸⁹ Some readers may be able to make comparisons between the *pragmaticos* in the pages that will follow and those from other eras, but it would be improper to make such comparisons without further investigation. As attested previously, the exceptional nature of federal powers in this era makes it difficult to adequately equate corrupt political appointees from one period to another. This type of study could be accomplished effectively at some point but is beyond the scope of this project at present

Babcock is our prototypical pragmatico, and his establishment as such ensconces him as a critical yet overlooked figure in American history

Chapter Breakdown

In order to appropriately craft this complicated project, my dissertation is broken into five chapters plus a conclusion. The first chapter sets the stage for the main narrative. Herein I explore the biographical backstory of Babcock's early life. Babcock's time at West Point led him to a charmed military career, where he served most notably as General Grant's *aide-de-camp* during the Civil War.⁹⁰ Yet this chapter is not strictly a biography of Orville Babcock. I also analyze the expansion of governmental powers that occurred during and immediately following the Civil War. This expansion, I argue, led to a massive vacuum in the political system that was soon filled by ambitious individuals who sought to make names for themselves by exploiting loopholes in the system, typically through nefarious means.⁹¹ By pairing these two topics together, I show how Babcock found himself in such a position to exploit the extant circumstances.

Chapter Two covers Babcock's foray into national and international politics. Babcock's wagon was directly hitched to Grant's five-star rise to prominence in Washington as a result of Grant's deep, albeit flawed, trust in his former Civil War subordinate. Upon Grant's election to the presidency in 1868, Babcock was named his Private Secretary, at which time he began to engage in more political activity at the behest of the president.⁹² In this post, Babcock became

⁹⁰ Chernow, *Grant*; "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

⁹¹ Richard Franklin Bensel, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877*. New York: Cambridge University Press, 1990; Summers *Plundering*; Mark Wahlgren Summers, *Party Games: Getting, Keeping, and Using Power in Gilded Age Politics*. Chapel Hill: University of North Carolina Press, 2004; Gary Gerstle, *Liberty and Coercion: The Paradox of American Government from the Founding to the Present*. Princeton: Princeton University Press, 2015.

⁹² Calhoun, *The Presidency of Ulysses S. Grant*; Chernow, *Grant*

embroiled in a “scandal” of international proportions because of his involvement in the attempted annexation of Santo Domingo in 1869-1870. This episode shows an early example of the type of issues that Grant was forced to face as a result of the pragmatic measures that Babcock undertook in order to accomplish his assigned tasks while simultaneously attempting to secure his own fortune.

Chapter Three investigates a shift in Babcock’s role as he became even more hands-on in federal and local politics in the capital. In addition to his role as Grant’s Private Secretary, in 1871 Babcock was appointed the Superintendent of the Office of Public Buildings and Grounds of Washington, D.C. He used this position to develop and maintain relationships with prominent individuals in the nation’s capital, such as the Governor of the District of Columbia and fellow pragmatico, Alexander Robey Shepherd. The connections that Babcock made during this period enabled him to become enraptured in the seedy political underworld that developed both in the nation’s capital and across the Union. Because of these connections, Babcock was reportedly involved in multiple scandals, including the Gold Corner (1869) and the New York Customs House Ring (1872). This chapter reveals how pragmaticos like Babcock were able to remain in positions of power during the Reconstruction Era despite their scandalous reputations: by successfully and efficiently accomplishing the tasks set out for them by their political patrons for the betterment of their constituents.

Chapter Four investigates a local event that took on national flavor thanks to Babcock’s involvement and which played a key role in Babcock’s removal from the Grant Administration. Babcock was believed to have involvement with a secret “District Ring,” a Tammany Hall of

sorts within the nation's capital.⁹³ He allegedly used these connections to high-ranking members of the District to unsuccessfully attempt to frame a political opponent of his, unbeknownst to President Grant.⁹⁴ This attempt led to the downfall of several prominent local individuals and yet another stain on Babcock's name, and Grant's by association. Babcock's involvement in the planning and coverup of this event brought the ire of Grant's opponents, as they capitalized on his association with significant political figures to bring negative attention to their foes.

Chapter Five addresses Babcock's role in the Whiskey Ring, one of the most notable scandals of Reconstruction and the event most historians likely associate with Babcock. This chapter presents this event so that both the common reader and the experienced scholar feel enlightened about the matter at hand. From the investigations conducted by the Treasury Department that were kept secret from the White House for fear of a mole, to the raids carried out simultaneously to arrest as many conspirators as possible, to the subsequent trials and congressional hearings that implicated General Babcock as a leading conspirator, each facet receives ample coverage.⁹⁵ I attempt to balance the official testimonies and governmental records available with accounts from those accused and from media coverage of the events in question. This moment shows where rumor of political nefariousness proves to be reality, as well as the impact of that unveiling on the parties involved, those associated with them, and the

⁹³ For more on the District Ring, consider: John Richardson, *Alexander Robey Shepherd*; Lessoff; H.V. Boynton. "The Washington Safe Burglary Conspiracy." *American Law Review* 11, no. 3 (April 1877): 401-446; *More About The Washington Tammany*; Zachary Klitzman, "Who's the Boss?: Alexander Shepherd, the D.C. Territorial Government and the Boss Charge." Master's Dissertation, American University, 2016; "The Washington Conspiracy Case." *American Law Review*, 1874-1875 9, no. 1 (October 1874): 351-359.

⁹⁴ John Richardson, *Alexander Robey Shepherd*; Klitzman, "Who's the Boss?"; Boynton "The Washington Safe Burglary Conspiracy"; Broxmeyer; "The Washington Conspiracy Case."

⁹⁵ Calhoun, *The Presidency of Ulysses S. Grant* 494-590; Cooper, *McDonald and the Whiskey Ring*; McDonald, *Secrets*; Timothy Rives. "Grant, Babcock, and the Whiskey Ring." *Prologue Magazine* 32, no. 3 (Fall 2000); Jennifer Rose Hopper, "Reexamining the Nineteenth-Century Presidency and Partisan Press: The Case of President Grant and the Whiskey Ring Scandal." *Social Science History* 42, no. 1 (2018): 109-133; Gerald Carson and Mike Veach. "The Great Whiskey Steal." In *The Social History of Bourbon*, 114-27. University Press of Kentucky, 1963.

public at large. Even with the number of marks against Babcock, President Grant chose not to outright fire his friend, but to reassign him from the White House to the position of Federal Inspector of Lighthouses in Florida.⁹⁶ I show that Babcock's actions finally became indefensible even by President Grant, though not so much that he would abandon his friend outright. This perhaps leaves questions about Grant's own dilemma between the political and the personal, though similar questions have already been considered in narratives centered on Grant himself.⁹⁷

The conclusion of my dissertation addresses the question of legacy in several capacities. Babcock's legacy in service to his nation is at the fore, as I cover his final career change as Inspector of Lighthouses. From this position, it is believed that Babcock continued to serve the nation while possibly continuing his dastardly ways until his untimely death in 1884 when his hubris finally caught up with him, resulting in his drowning death near the Mosquito Inlet Lighthouse.⁹⁸ Here I address Babcock's complicated legacy as a man who was involved in scandalous, and at times illegal, behavior, but who still used his position of power to benefit others in addition to himself. I also look at his detrimental impact on others, particularly as his involvement in various capacities in the nation's capital did lasting damage to President Grant, the Republican Party, and the Reconstruction Era's political landscape writ large. I address the tarnished legacy of President Grant, which has only recently been revisited by scholars. I reiterate the importance of understanding Babcock and his influence as a central player in the narrative of Reconstruction Era politics. Finally, while I address it throughout my overarching narrative, I definitively state the impact of Orville Babcock and his fellow pragmaticos as a

⁹⁶ Calhoun, *The Presidency of Ulysses S. Grant*; "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

⁹⁷ For examples of such considerations, see: Calhoun, *The Presidency of Ulysses S. Grant*; Brands, *Man Who Saved The Union*; Chernow, *Grant*; Ronald White, *American Ulysses*; Perret, *Ulysses S. Grant*; Bonekemper, *Ulysses S. Grant*; Jean Edward Smith, *Grant*

⁹⁸ *Annual Report of the Light-House Board of the United States to the Secretary of Treasury for the Fiscal Year Ended June 30, 1898*. Washington D.C.: Government Printing Office. 1898.

burgeoning type of political operative in the United States, though their actions were impeded by legislation such as the Pendleton Act and many of their ilk were forced once again to adapt or lose their influence. These laws greatly reshaped the political process in the United States, and in their aftermath, it became more difficult, though not impossible, for pragmatico behavior to occur by closing the loopholes left open during the Civil War. By understanding Babcock's example as a pragmatico, we can better understand why such legislation was considered necessary.

Chapter One: Impacts of the Civil War: Babcock Emerges and Federal Powers Expand

Orville Elias Babcock was born on Christmas Day, December 25th, 1835 to Clara Olmsted and Elias Babcock Jr., in Franklin, Vermont, a tiny hamlet near Lake Champlain on the border between the United States and Canada.⁹⁹ Both the Babcock and Olmsted families traced their genealogies back to England (**Figure 1.1**).¹⁰⁰ The Babcock family came to the New World in the 1620s through James Babcock, while the Olmsted's arrived in the 1630s via James Olmsted.¹⁰¹ Both James Babcock and James Olmsted were Puritans escaping religious persecution from their English homeland who decided to settle in New England in an effort to live and practice their religion freely.¹⁰² Almost two hundred years later, their descendants, Elias and Clara, met in December 1817 in Sheldon, Vermont and fell in love. Elias was fresh out of serving in the military during the War of 1812, seeing action in the Battle of Plattsburg before leaving the service and settling in West Berkshire, Vermont.¹⁰³ By the time they were wed, the two settled into as normal a life as could be found in early-1800s Vermont. Elias began his career as a farmer and manufacturer before he became a "man of affairs," representing his district in the Vermont State Legislature for two terms while Clara remained at home to tend to their children.¹⁰⁴

Orville Babcock was raised in Vermont. He was the second youngest of his parents' ten children, though two of the siblings died in their infancies, making him the youngest of the

⁹⁹ Henry King Olmsted, *Genealogy of the Olmsted Family in America: Embracing the Descendants of James and Richard Olmsted and Covering a Period of Nearly Three Centuries, 1632-1912*. New York: A.T. De La Mare, 1912. 299; Stephen Babcock, *Isaiah Babcock Sr. and his descendants*. New York: Eaton and Mains, 1903. 776

¹⁰⁰ Olmsted, *Genealogy of the Olmsted Family*; Stephen Babcock, *Isaiah Babcock Sr. and his descendants*, x-xv

¹⁰¹ Stephen Babcock, *Isaiah Babcock Sr. and his descendants*, xix-5

¹⁰² Ibid

¹⁰³ Stephen Babcock, *Isaiah Babcock Sr. and his descendants*, 87

¹⁰⁴ Stephen Babcock, *Isaiah Babcock Sr. and his descendants*, 87

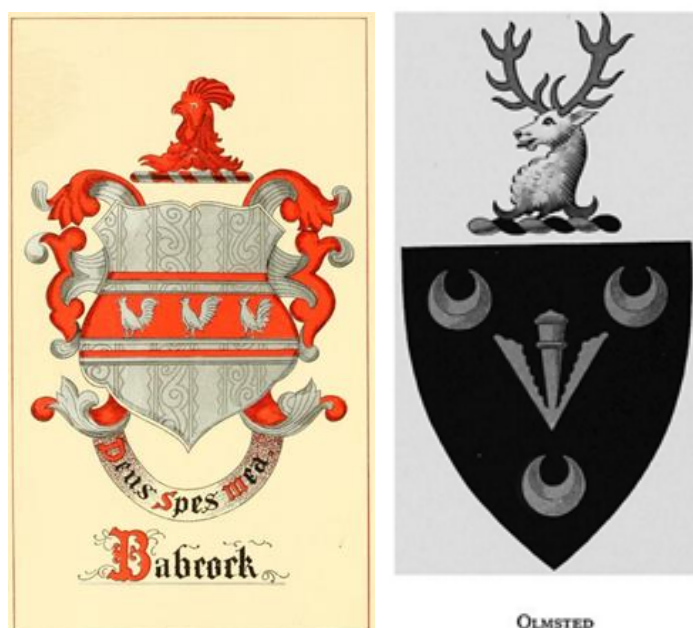


Figure 1.1: Heraldry¹⁰⁵: Both the Babcock and Olmsted families trace back to the British Isles with families notable enough to warrant family crests. The Babcock crest contains several chickens and the motto “Deus Spes Mea,” or “God is my hope,” while the Olmsted crest contains a stag and an arrowhead.

survivors.¹⁰⁶ Of his seven siblings who reached adulthood, perhaps the most notable was

Lorenzo A. Babcock, who served as the first Attorney General of the Minnesota Territory from 1849 to 1853 while simultaneously serving as a representative of the territorial government.¹⁰⁷

Orville’s experience as a child was humble, receiving a common education in in Berkshire, Vermont until he came of age.¹⁰⁸ He was appointed to West Point in 1858, where he faired

particularly well, ultimately graduating third in his class of 45.¹⁰⁹ This high class ranking

afforded Babcock his choice of assignments, and as was typical of many top graduates of his era, he elected to join the Army Corps of Engineers.¹¹⁰

¹⁰⁵ Stephen Babcock, *Isaiah Babcock Sr. and his descendants*, ii; Olmsted, *Genealogy of the Olmsted Family*, iv

¹⁰⁶ Olmsted, *Genealogy of the Olmsted Family*, 240

¹⁰⁷ Olmsted, *Genealogy of the Olmsted Family*

¹⁰⁸ Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁰⁹ Ibid; Olmsted, *Genealogy of the Olmsted Family*, 299-300

¹¹⁰ Stephen Babcock, *Isaiah Babcock Sr. and his descendants*, 776

Babcock graduated from the United States Military Academy in May 1861, only a few months after the shelling of Fort Sumter on April 12th which marked the beginning of the Civil War.¹¹¹ Crises over the continued existence of slavery in the American South reached a head when Republican candidate Abraham Lincoln was elected to the presidency, triggering a secession crisis across the South in which eleven states eventually seceded and formed the Confederate States of America.¹¹² As Union forces mobilized, the newly formed Confederacy worked to stir up a military and political structure to serve them as an independent entity with an appropriate plan forward. By late May the Confederacy established its capital in Richmond, Virginia, and though many expected this to be a quick affair, the war lasted four years and cost approximately one million Americans their lives, marking one of the most significant conflicts in American history.¹¹³

With the Civil War in full swing, Babcock initiated his public service by putting his education to work with the Army Corps of Engineers as a commissioned brevet second lieutenant.¹¹⁴ His service began with a posting as an Assistant Engineer for the military district including Washington, D.C., where he aided in the construction of defenses of the nation's capital.¹¹⁵ Two months into his post, in July 1861, Babcock was assigned to the Department of Pennsylvania, and in August he received his commission as a second lieutenant retroactive to his

¹¹¹ James M. McPherson, *Battle Cry of Freedom: The Civil War Era*. New York: Oxford University Press, 1988. 263-269; William J. Cooper, *We Have the War Upon Us: The Onset of the Civil War, November 1860-April 1861*. New York: Vintage, 2012.

¹¹² McPherson, *Battle Cry*; Allen C. Guelzo, *Fateful Lightning: A New History of the Civil War and Reconstruction*. Oxford: Oxford University Press, 2012; David M. Potter, *The Impending Crisis, 1848-1861*. New York: Harper & Row, 1976.

¹¹³ Maris A. Vinovskis, ed., *Toward A Social History of the American Civil War: Exploratory Essays*. New York: Cambridge University Press, 1990. 4; James Downs, "Colorblindness in the demographic death toll of the Civil War." *Oxford University Press Blog*, April 13, 2012; David J. Hacker, "Recounting the Dead." *New York Times*, September 20, 2011

¹¹⁴ Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹¹⁵ Gen. Babcock Drowned". *New York Times*. June 4, 1884.; Charles Ramsdell Lingley, "Orville E. Babcock" in Johnson, Allen (ed.), *Dictionary of American Biography Vol. 1*. New York: Charles Scribner's Sons. p. 460.

graduation from West Point in May.¹¹⁶ He was then assigned to the Department of Shenandoah, where he built fortifications in the Shenandoah Valley and along the Potomac River while serving as an *aide-de-campe* under Major General Nathaniel P. Banks.¹¹⁷ Babcock aided in the construction and rebuilding of fortifications around Washington for several months as many in the North worried about the possibility of a Confederate assault on the capital of the Union.¹¹⁸

In November 1861, Babcock was promoted to First Lieutenant, Corps of Engineers, and assigned to the Army of the Potomac as it participated in the Peninsular Campaign.¹¹⁹ During the first quarter of 1862, Babcock worked to establish the military fortifications at Harper's Ferry and guarded the pontoon bridges that crossed the Potomac River while General Banks moved to Winchester, Virginia.¹²⁰ As the Peninsula Campaign continued, Babcock served valiantly alongside the Army of the Potomac's Engineer Battalion in the Siege of Yorktown in Spring 1862 until he was brevetted as a captain in early May.¹²¹ For the remainder of 1862, Babcock carried out his engineering duties, building bridges, roads, and field work for multiple units of the United States Army until he was promoted to Chief Engineer of the Left Grand Division of the Army of the Potomac in November 1862.¹²² He then served on Brigadier General William B. Franklin's engineering staff in the Union defeat at the Battle of Fredericksburg.¹²³

In January 1863, Babcock was again promoted, this time to full captain, and his responsibilities increased as he was also named Assistant Inspector General of the VI Corps.¹²⁴

¹¹⁶ Lingley, "Orville E. Babcock," *Dictionary of American Biography*

¹¹⁷ Ibid

¹¹⁸ Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹¹⁹ Ibid

¹²⁰ Ibid

¹²¹ Ibid

¹²² Ibid

¹²³ Lingley, "Orville E. Babcock," *Dictionary of American Biography*

¹²⁴ Gen. Babcock Drowned". *New York Times*. June 4, 1884.

In February 1863, his responsibilities again shifted as he was named Assistant Inspector General and Chief Engineer of the IX Corps.¹²⁵ In this role, Babcock surveyed and rebuilt defensive fortifications in Central Kentucky and Louisville for the benefit of Union forces.¹²⁶ From this point he moved westward to help wrest control of the Mississippi River from the Confederates based on the Union plan to split their enemy in twain.¹²⁷ As part of this mission with his IX Corps, he fought in the Siege of Vicksburg in Mississippi in the Spring and early Summer of 1863 before participating in key battles in the Tennessee theater such as the Battle of Blue Springs in October 1863 and the Battle of Campbell's Station in November 1863.¹²⁸

Among Babcock's most critical roles during the War of the Southern Rebellion was his participation in the Knoxville Campaign. After traveling east from the Battle of Campbell's Station and pursued by Confederate Lieutenant General James Longstreet, Babcock joined the XXIII Corps under Captain Orlando Poe. Poe, Babcock, and their fellow Union engineers built bastioned earthwork forts in the hills of Knoxville, Tennessee to ensconce themselves in preparation for the incoming Confederate troops.¹²⁹ The most notable of these fortifications was Fort Sanders, an earthen fortress built just west of the city's downtown neighborhoods and named after Brigadier General William P. Sanders, who was mortally wounded outside the city just months prior.¹³⁰ The design of Fort Sanders was innovative given the existing standards, constructed as a V-shaped salient that stood out in the earthen structures surrounding the city.¹³¹

¹²⁵ Ibid

¹²⁶ Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹²⁷ Ibid

¹²⁸ Ibid

¹²⁹ Terry Faulkner and Charles H. Faulkner. *Rediscovering Fort Sanders: The American Civil War and its Impact on Knoxville's Cultural Landscape*. Knoxville, TN: University of Tennessee Press, 2020.

¹³⁰ David J. Eicher, *The Longest Night: A Military History of the Civil War*. New York: Simon & Schuster, 2001. 615-6.

¹³¹ Ibid; Faulkner and Faulkner, *Rediscovering Fort Sanders*

Though it was dug into the ground, the topography of the region established the fortress seventy feet above the surrounding area, and it was protected by a trench that was twelve feet wide and eight feet deep.¹³² The engineers constructed a vertical wall that rose fifteen feet above the ditch, and the wall was affected by winter conditions, making the ditch-wall combination a slippery and frozen hellscape for the invading forces.¹³³ The engineers placed telegraph wires in front of the ditch atop tree stumps in an effort to entangle invaders on their approach, and some historians have suggested that this was the first use of such wire entrapments in the Civil War.¹³⁴ The fortifications were bolstered by twelve cannons and manned by nearly 450 men from the 79th New York Infantry.¹³⁵

In late November 1863, the Battle of Fort Sanders served as the culminating moment of the Knoxville Campaign.¹³⁶ It was a brutal battle by the standards of the era, as Major General Ambrose Burnside commanded his 400-plus men against Longstreet's invading troops of approximately 3,000.¹³⁷ The Confederate forces moved within 150 yards of the fortress on the night of November 29th, hunkering down amidst the snow and freezing rain while awaiting the order to attack.¹³⁸ The Union soldiers atop the wall of the fortress shot at the Confederate forces beneath them as they became ensnarled in the tripwires laid out in advance.¹³⁹ The Confederates who escaped the wires and evaded the incoming fire were quickly faced with the large ditch and then the wall.¹⁴⁰ These men were unable to find sustainable footholds and resorted to climbing

¹³² Ibid

¹³³ Ibid

¹³⁴ Ibid

¹³⁵ Ibid

¹³⁶ Ibid

¹³⁷ Ibid

¹³⁸ Ibid

¹³⁹ Ibid

¹⁴⁰ Ibid

upon each other's shoulders to reach the top of the wall.¹⁴¹ The Union forces launched an assault upon these men that included every type of ammunition they had available, even throwing artillery shells like modern hand grenades.¹⁴² Some Confederate forces reached the top of the wall and planted their flags, but they were shot down almost immediately by Union forces.¹⁴³ After less than an hour of battle, the Confederate forces retreated, unable to overcome the physical structure of Fort Sanders (**Figure 1.2**).¹⁴⁴ This lopsided Union victory drew attention to the construction of the fort, bringing Babcock and his fellow engineers an increased reputation in the wake of the victory in Knoxville.¹⁴⁵

Perhaps because of the notoriety he gained in East Tennessee, Babcock was promoted twice, first to Brevet Major and Chief Engineer of the Department of the Ohio in November 1863, and then to Lieutenant Colonel in the regular army in March 1864.¹⁴⁶ Perhaps more



Figure 1.2: Fort Sanders: Photo of Colonel Orville Babcock and Colonel Orlando M. Poe at Fort Sanders, Knoxville, TN¹⁴⁷

¹⁴¹ Ibid

¹⁴² Ibid

¹⁴³ Ibid

¹⁴⁴ Ibid

¹⁴⁵ Ibid; "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁴⁶ "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁴⁷ George N. Barnard, photographer. *Colonels Orlando M. Poe and Orville E. Babcock at Fort Sanders, Knoxville, Tenn.* [Photographed between 1861-1865, printed later]. Courtesy of the Library of Congress

importantly, Babcock was made one of the *aides-de-camp* of Lieutenant General Ulysses S. Grant at the time of his promotion to Lieutenant Colonel.¹⁴⁸ Babcock served under General Grant for the remainder of the war, beginning with the Overland Campaign as Grant's forces pursued Confederate General Robert E. Lee and his Army of Northern Virginia.¹⁴⁹ In this new post, Babcock became Grant's military majordomo, serving as his staff engineer while also accomplishing many other tasks on behalf of his commander like running dispatches between Grant and Major General William Tecumseh Sherman during Sherman's March to the Sea through Georgia.¹⁵⁰ Babcock engaged in the conflict itself in such battles as The Wilderness, Spotsylvania Court House, and Cold Harbor.¹⁵¹ On May 6, 1864, for gallantry in service at The Wilderness, Babcock was appointed Brevet Lieutenant Colonel of U.S. Volunteers.¹⁵² On August 9, 1864, Babcock was injured while stationed at Union Headquarters in City Point, Virginia as Confederate spies blew up an ammunition barge near the city's bluffs.¹⁵³ To Babcock's relief, he only injured his hand in the explosion, and not so much as to leave him permanently disabled as was the case for so many of his fellow Civil War soldiers.¹⁵⁴

Babcock played an incredibly significant role in the cessation of fighting in the Eastern Theater of the Civil War. On April 9th, 1865, after months of pursuit by General Grant's Army of the Potomac, Confederate General Robert E. Lee took his final defeat as a commander at the Battle of Appomattox and formally requested to discuss the terms of surrender with Grant.¹⁵⁵

¹⁴⁸ Ronald C. White, *American Ulysses: A Life of Ulysses S. Grant*. New York, NY: Random House, 2016. xvii

¹⁴⁹ Ibid

¹⁵⁰ "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁵¹ Ibid

¹⁵² John H. Eicher and David J. Eicher, *Civil War High Commands*. Stanford: Stanford University Press, 2001. 111.

¹⁵³ "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁵⁴ Ibid; Margaret Humphreys, *Marrow of Tragedy: The Health Crisis of the American Civil War*. Baltimore: Johns Hopkins University Press, 2017.

¹⁵⁵ William Marvel, *A Place Called Appomattox*. Chapel Hill: University of North Carolina Press, 2000; Chris Calkins, *The Appomattox Campaign, March 29-April 9, 1865*. Conshohocken, PA: Combined Books, 1997; McPherson, *Battle Cry*, 848-851.

Grant ordered Babcock to find a suitable site for the two generals to meet and then to cross enemy lines and escort Lee to the chosen site.¹⁵⁶ Babcock selected the McLean House in Appomattox Court House as the most suitable site and set out to retrieve General Lee.¹⁵⁷ Legend tells us that Babcock met Lee beneath an apple tree in an orchard and that some Confederate soldiers mistook Babcock as Grant himself arriving to discuss terms with Lee.¹⁵⁸ Babcock promptly delivered Lee to the McLean House and stood as one witness to the historic surrender of Lee's army to Grant.¹⁵⁹ For his many meritorious contributions to the Union cause in the Civil War, Babcock was appointed a brevet colonel retroactive to March 1865, and in July 1866, President Andrew Johnson nominated him for Brevet Brigadier General in the regular army, which the Senate quickly confirmed, leaving him with the reputation of a general for the rest of his life.¹⁶⁰

The Spoiled Federal Government

Babcock's meteoric rise to a significant post in the American military system coincided with a rapid expansion of the federal government during the mid-1800s. During its first century, the United States faced internal debates over the power that should be wielded by the federal government. These debates were exacerbated at different points in history by current events, perhaps none more so than the Civil War, which required a massive increase in the powers of the federal government in order to deal with the southern uprising and its related effects.

As the power wielded by the federal government swelled to new heights, so too did the infamous "spoils system" that ingrained itself into the American polity. Beginning with

¹⁵⁶ "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁵⁷ Ibid

¹⁵⁸ Joe Servis. "The Surrender Meeting." *National Parks Service*, June 14, 2022.

¹⁵⁹ "Gen. Babcock Drowned". *New York Times*. June 4, 1884.

¹⁶⁰ Eicher & Eicher, *Civil War High Commands*, 111, 732

appointments via patronage and growing into attempts by rings of private citizens seeking to control the political realm, the federal government became plagued with corrupt individuals, and this plague festered within the body politic to pandemic-like levels during and after the Civil War. Once Ulysses S. Grant was tasked with the highest office in the land, he was forced to reckon with ongoing efforts to reform the system as well as the expectations to maintain the very same system with patronage by entrenched politicians and private citizens alike, not to mention the fact that the system had expanded and needed new employees to handle the larger role of the government. It is only by understanding the intertwined rise of the federal government and the spoils system that we can grasp the layout of the political arena that Babcock entered.

The origins of the American Civil Service date to its era as a British colonial experiment. Many British colonial officers obtained their posts through political connections, as was typical in England.¹⁶¹ Once the colonists decided to reject British control and declared independence, the Founders implemented their vision for the federal government and those in its civil service. This began with the Articles of Confederation, America's first attempt at a federal government, which established the newly-independent states as a loose confederation of affiliated state governments.¹⁶² However, when the Articles proved to be too weak to hold any true affect, the Founders rebooted the government under the Constitution.¹⁶³

As discussions surrounding the formation of the government evolved, many weighed in on what they believed the role of the federal government should be, with perhaps none so important to our history as the authors of the Federalist Papers. These 85 essays were written

¹⁶¹ Ari Hoogenboom, *Outlawing the Spoils: A History of the Civil Service Reform Movement, 1865-1883*. Champaign, IL: University of Illinois Press, 1961. 4

¹⁶² Articles of Confederation, 1777

¹⁶³ Ibid; United States Constitution, 1789

under the pseudonym “Publius” by John Jay, James Madison, and Alexander Hamilton for the purpose of promoting ratification of the Constitution.¹⁶⁴ In the first of these essays, Hamilton outlines the advantages of the proposed Constitution by discussing topics that would propel forth the argument in the following 84, including “the utility of the UNION to your [collective] political prosperity,” the “insufficiency of the present Confederation to preserve that Union,” and the “necessity of a government at least equally energetic with the one proposed to the attainment of this object,” among others.¹⁶⁵ By arguing that the existing government was insufficient for the problems the new nation faced, the authors made their case that a stronger central government was needed, and that the Constitution before the nation for consideration was the solution for the issues that plagued them.

The Founders who wrote the Constitution outlined their desired role for the federal government and for those in its service.¹⁶⁶ The Legislature has the powers to craft the law; the Executive serves as the head of the government and affairs of state; and the Judiciary holds the power to interpret the laws.¹⁶⁷ Each of these branches receives its own focus with a Constitutional Article dedicated to the powers granted to it, with further articles outlining the

¹⁶⁴ Charles K. Kesler, ed., with Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers*. New York: Signet Classic, 1999.

¹⁶⁵ Ibid

¹⁶⁶ For more on the powers of the Constitution in shaping the federal government, please consider: Joseph Morton, *Shapers of the Great Debate at the Constitutional Convention of 1787: A Biographical Dictionary*. Westport, CT: Greenwood Press, 2006; Richard R. Beeman, *Plain, Honest Men: The Making of the American Constitution*. New York: Random House, 2009; Carol Berkin, *A Brilliant Solution: Inventing the American Constitution*. Orlando: Harcourt, 2002; Richard B. Bernstein, *Are We to Be a Nation? The Making of the Constitution*. Cambridge, MA: Harvard University Press, 1987; Hoogenboom, *Outlawing the Spoils*; Joseph Ellis, *Founding Brothers: The Revolutionary Generation*. New York: Alfred A. Knopf, 2000; Paul Van Riper, *History of the United States Civil Service*. Westport, CT: Greenwood Press, 1958; Bernard Bailyn, *The Ideological Origins of the American Revolution*. Fiftieth Anniversary Edition. Cambridge, MA: Belknap Press, 2017 (originally 1967); *The Federalist*; Jack N. Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution*. New York: Alfred A. Knopf, 1996; Woody Holton, *Unruly Americans and the Origins of the Constitution*. New York: Hill and Wang, 2007.

¹⁶⁷ United States Constitution

powers of both state and federal governments, respectively.¹⁶⁸ The structure of the federal government under the Constitution was far stronger than it was under its predecessor, with such powers granted as requiring states to uphold laws from other states with “full faith and credit” and giving the power to arbitrate and regulate interstate concerns and commerce.¹⁶⁹ With the Federalist Papers presenting the case for the adoption of a stronger federal government publicly, the Constitution was ratified in 1788 and adopted in 1789, shaping the government moving forward.

With the new Constitution empowering the federal government, George Washington, the nation’s first president, went to work to set the standard for how American civil service was to function. In the early weeks of the Washington Administration, Congress determined that the powers of appointment and removal of executive officials belonged to the President as Chief Executive, an interpretation of the Constitution that stood through the Civil War.¹⁷⁰ Washington attempted to choose nominees with care based on their ability and reputation, obtaining information from as many prominent individuals as possible before offering posts in the civil service.¹⁷¹ He factored in such considerations as adherence to the colonial cause before the Revolution and geographic distribution across the nation in his nomination process.¹⁷² Washington was not in the practice of engaging in rotation, or the removal and replacement of officers after a period of time in an effort to prevent entrenched officers from becoming corrupt, instead believing that those who held office benefitted from experience.¹⁷³ Washington asked

¹⁶⁸ Ibid

¹⁶⁹ Ibid

¹⁷⁰ United States Civil Service Commission. *History of the Federal Civil Service, 1789 to the Present*. Washington, DC: United States Government Printing Office, 1941. 1-3; Van Riper, *History of the United States Civil Service*, 11-20. Douglas Southall Freeman with Richard Harwell, ed., *Washington*. New York: Charles Scribner & Sons, 1968.

¹⁷¹ Ibid

¹⁷² Ibid

¹⁷³ Ibid; Hoogenboom, *Outlawing the Spoils*, 4

members of Congress for advice on people in their districts, which was a successful practice in verification of ability but led to the precedent of *de facto* Congressional advisement on appointments.¹⁷⁴ Many Senators and Representatives quickly became convinced that they were the true appointers, and the patronage system took root in the fledgling nation's fertile soil.¹⁷⁵

It did not take long for that standard to be challenged, as Washington's first two successors, John Adams and Thomas Jefferson, each made efforts to shape the government for their own political desires. Adams typically adhered to Washington's policy of using fitness for office as the measuring stick for candidates, and he similarly adopted Washington's disdain of rotation and removal simply for removal's sake.¹⁷⁶ Adams tended to restrict his nominations to members of his Federalist Party with a particular focus on party opinion over party service.¹⁷⁷ However, in the final days of the Adams Administration, knowing that he was to be succeeded by the opposition party, Adams scrambled to fill and confirm many new positions at the eleventh hour to ensure Federalist control of important government posts in what became infamously known as the "midnight appointments."¹⁷⁸ This set a dangerous precedent for the establishment of the spoils system in America, as party opponents held hard feelings about this deceitful tactic and sought the removal of those who were hastily appointed, as was the case under Thomas Jefferson and his Democratic-Republican Party.¹⁷⁹

President Jefferson sought a return to balance after the midnight appointments, attempting to fill new openings with capable Republican candidates until an equilibrium was

¹⁷⁴ Ibid

¹⁷⁵ Ibid

¹⁷⁶ USCSC, *History of the Federal Civil Service*, 3-6; Van Riper, *History of the United States Civil Service*, 20-22; David McCullough, *John Adams*. New York: Simon & Schuster, 2001.

¹⁷⁷ Ibid

¹⁷⁸ Ibid

¹⁷⁹ Ibid

reached in the civil service.¹⁸⁰ Once this equilibrium was met, Jefferson desired a return “with joy to the state of things when the only questions concerning a candidate shall be, Is he honest? Is he capable? Is he faithful to the Constitution?”¹⁸¹ Jefferson advocated for rotation in office and for merit-based appointments throughout his time in office.¹⁸² In addition to replacements made in instances of death and resignations, Jefferson sought additional reasons to replace a limited number of civil servants from the Federalist Party.¹⁸³ Jefferson further began spoils system precedent by rewarding Congress members through appointments in the executive service, establishing the party convention system as a major force in the nomination process.¹⁸⁴

Following the attempts by the first three presidents to establish the civil service to fit their ideas for good government, the nation progressed into what some historians referred to as the “Era of Good Feelings.”¹⁸⁵ Given the growing population and territory of the United States, the federal civil service grew alongside the nation, and new positions and responsibilities quickly emerged.¹⁸⁶ President James Madison declared the “wanton removal of a meritorious officer” to be impeachable and stopped the practice of rotation, and his successor James Monroe carried on many of the practices established by Madison and their shared political party.¹⁸⁷ Monroe specifically adopted the “amalgamation policy,” which sought to select appointees regardless of party affiliation, showing that the balance of the civil service was returning to a near-equal level.¹⁸⁸ During Monroe’s tenure in 1820, a new law was enacted entitled the Tenure of Office

¹⁸⁰ USCSC, *History of the Federal Civil Service*, 6-9; Van Riper, *History of the United States Civil Service*, 22-24

¹⁸¹ Ibid; Thomas Jefferson to the New Haven Merchants, July 12, 1801, courtesy of National Archives

¹⁸² USCSC, *History of the Federal Civil Service*, 6-9; Van Riper, *History of the United States Civil Service*, 22-24

¹⁸³ Ibid

¹⁸⁴ Ibid

¹⁸⁵ USCSC, *History of the Federal Civil Service*, 10- 13; Van Riper, *History of the United States Civil Service*, 24-26; *Columbian Centinel* (Boston), July 12, 1817

¹⁸⁶ USCSC, *History of the Federal Civil Service*, 10-13; Van Riper, *History of the United States Civil Service*, 24-26

¹⁸⁷ Ibid

¹⁸⁸ Ibid

Act, limiting certain posts to a four year term.¹⁸⁹ This law became a critical piece of the spoils system as it served as a means to remove incumbent officers and replace them with members of the new party in control.¹⁹⁰ Monroe was succeeded by John Quincy Adams, who in no uncertain terms hated the spoils system and was determined to make no appointments or removals based on political reasons, yet this meant he maintained officers who were in the opposition party and stood in the way of advancing his political agenda.¹⁹¹

The debate surrounding the role of the federal government and the civil service was amplified by the political rise of Andrew Jackson. During John Quincy Adams's presidency, members of his opposition consistently argued that he won an unjust victory over Jackson in the 1824 election, noting that another of his competitors, Senator Henry Clay, was awarded the post of Secretary of State for conceding.¹⁹² Even though Quincy Adams made conservative use of the power to appoint and remove officers, Jackson's party cried foul, and when Jackson was elected in 1828, he and his Democratic Party sought revenge with a rallying cry to "Turn the damned rascals out!"¹⁹³ Under Jackson, the spoils system reached a new level of entrenchment. However, to Jackson, this was not a result of corruption, but instead the result of democracy manifest countering an entrenched bureaucracy through a rejection of their perceived right to remain in office.¹⁹⁴ According to historian Carl Joachim Friedrich, the spoils system under Jackson boiled

¹⁸⁹ Ibid

¹⁹⁰ Ibid

¹⁹¹ USCSC, *History of the Federal Civil Service*, 13-22; Van Riper, *History of the United States Civil Service*, 27-41; Lee Benson, *The Concept of Jacksonian Democracy: New York as a Test Case*. Princeton, NJ: Princeton University Press, 1961; William MacDonald, *Jacksonian Democracy, 1829-1837*. New York: Harper & Brothers, 1906; William Nester, *The Age of Jackson and the Art of American Power, 1815-1848*. Washington, DC: Potomac Books, 2013; Edward Pessen, ed., *New Perspectives on Jacksonian Parties and Politics*. Boston: Allyn and Bacon, Inc., 1969; Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America*. New York: Hill & Wang, 1990.

¹⁹² Ibid

¹⁹³ Ibid

¹⁹⁴ Ibid

down to two elements: “the custom of using public offices openly and continuously as ammunition in party warfare,” and “the evolution of the idea of rotation in office.”¹⁹⁵ Under Jackson, rotation took on a new level based on his belief that “more is lost by the continuance of men in office than is generally gained by their experience.”¹⁹⁶ Thousands flocked to Washington hoping for an appointment from the newly-elected president under the system so well defined by Senator William L. Marcy of New York: “to the victor belong the spoils of the enemy.”¹⁹⁷ As a result of this policy, however, many individuals were placed in positions with short tenures and little training, so once they finally learned to do their jobs, their time in office was up.¹⁹⁸ Jackson wielded patronage as his favorite weapon, using it to secure the abolition of the Bank of the United States and support from partisan newspapers while entrenching the spoils system even in spite of instances of fraud and disloyalty to the government.¹⁹⁹

Further changes were made to the civil service under Jackson’s protégé, Martin Van Buren. Many have considered Van Buren as the person responsible for the most recent iteration of the spoils system as one of Jackson’s political advisers and as a student of the growing New York State political machine who in turn imparted these experiences upon Jackson.²⁰⁰ Van Buren reaped the rewards of the spoils system during his political career, as he served as Secretary of

¹⁹⁵ Ibid; Carl Joachim Friedrich, “The Rise and Decline of the Spoils Tradition.” *The Annals of the American Academy of Political and Social Science*. Vol. 189, Improved Personnel in Government Service, January 1937.

¹⁹⁶ USCSC, *History of the Federal Civil Service*, 13-22; Van Riper, *History of the United States Civil Service*, 27-41; Andrew Jackson, *First Annual Message to Congress*, December 8, 1829.

¹⁹⁷ USCSC, *History of the Federal Civil Service*, 13-22; Van Riper, *History of the United States Civil Service*, 27-41; Senator William L. Marcy, *Congressional Globe*, 22nd Congress, 1st Session, January 25, 1832. 97-99

¹⁹⁸ USCSC 13-22, *History of the Federal Civil Service*; Van Riper, *History of the United States Civil Service*, 27-41

¹⁹⁹ Ibid

²⁰⁰ USCSC, *History of the Federal Civil Service*, 21-22; Van Riper, *History of the United States Civil Service*, 33-41; Watson, *Liberty and Power*; Joel H. Silbey, *Martin Van Buren and the Emergence of American Popular Politics*. Lanham, MD: Rowman & Littlefield Publishers, Inc., 2002; John Niven, *Martin Van Buren: The Romantic Age of American Politics*. New York: Oxford University Press, 1983; Donald B. Cole, *Martin Van Buren and the American Political System*. Princeton, NJ: Princeton University Press, 1984; Jerome Mushkat and Joseph G. Rayback. *Martin Van Buren: Law, Politics, and the Shaping of Republican Ideology*. DeKalb, IL: Northern Illinois Press, 1997.

State, Minister to Great Britain, and Vice President under President Jackson before rising to the presidency himself.²⁰¹ Some have attributed his election as an “example of success won through the new spoils system.”²⁰² However, under Van Buren, the levee broke as an unprecedented number of public officers defaulted on loans while banks that were chosen as government repositories for political reasons failed in the Panic of 1837, leading to a depression that elicited calls for reforms to the spoils system from the masses.²⁰³

Following Jackson and Van Buren’s administrations, the civil service was established by both parties amid a back-and-forth during the second party system. After Jackson’s presidency, the political realm consisted largely of two parties: the Democratic Party, which sought adherence to the ideas promulgated by Jackson and Van Buren; and the Whigs, who were a loose amalgamation of individuals who, for one reason or another, held disdain for Jackson’s ideals.²⁰⁴ After Van Buren, William Henry Harrison was elected to the presidency. He served but a month before passing, but during that time, he made it clear that he wanted to remove many officials for political reasons while decrying political activity by appointees.²⁰⁵ After falling ill at his inauguration, Harrison passed quickly without making much of a dent in the issue of reform. Harrison’s Vice President-turned-successor, John Tyler, felt compelled to carry out Harrison’s desires in appointments and removals, though he did so with moderation, and he wielded some patronage power in an attempt at reelection that, when hope was lost, turned into an attempt to

²⁰¹ Ibid

²⁰² Ibid

²⁰³ Ibid

²⁰⁴ Watson, *Liberty and Power*; Howe, “Is the Republican Party in Its Death-Struggle?”; Silbey, *Martin Van Buren*; Niven, *Martin Van Buren*; Nester, *Age of Jackson*; Pessen, *New Perspectives*; Cole, *Martin Van Buren*; Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848*. New York: Oxford University Press, 2007.

²⁰⁵ USCSC, *History of the Federal Civil Service*, 23-5; Van Riper, *History of the United States Civil Service*, 41-51; William Henry Harrison, *Inaugural Address*, March 4, 1841.

wield patronage for his opponent so that Tyler himself could remain politically viable.²⁰⁶ When Tyler lost the presidency in 1844, James K. Polk took power and continued to utilize the spoils system with the tacit agreement of Congress, even extending the system into the military through volunteer officer appointments during the Mexican-American War.²⁰⁷

During the 1850s, some politicians made efforts to reform the system they found to be flawed. It is important to recognize that at this point, many of the cries for reform were simply attempts by political opposition to acquire someone else's job for themselves, so the concept of "reform" took on many different perspectives as parties cried foul of one another.²⁰⁸ Others made true efforts at reforming the system they saw to be broken, while others still wanted to stick to the *status quo* of the spoils system.²⁰⁹ This began with the election of Zachary Taylor in 1848, who served for but a year before his death but continued the tradition of inserting members of his party into power and removing the opposition.²¹⁰ Under Taylor's successor Millard Fillmore, removals continued as they had under Taylor, but Congress began to discuss actual reform efforts more fervently.²¹¹ The legislature instituted new structures of "grades" for clerks in federal offices in an effort to establish standards and apportion salaries while also introducing "Pass" examinations as standards for appointments, all efforts to prevent the spread of the spoils system's ills.²¹² Even with these efforts, by the time Franklin Pierce was inaugurated in 1853, the

²⁰⁶ USCSC, *History of the Federal Civil Service*, 23-25; Van Riper, *History of the United States Civil Service*, 41-43; Norma Lois Peterson, *The Presidencies of William Henry Harrison and John Tyler*. Lawrence: University of Kansas Press, 1989; Christopher J. Leahy, *President Without a Party: The Life of John Tyler*. Baton Rouge: Louisiana State University Press, 2020.

²⁰⁷ USCSC, *History of the Federal Civil Service*, 23-25; Van Riper, *History of the United States Civil Service*, 41-51

²⁰⁸ USCSC, *History of the Federal Civil Service*, 23-31; Van Riper, *History of the United States Civil Service*, 44-60

²⁰⁹ Ibid

²¹⁰ Ibid; Joseph Reese Fry, *A Life of General Zachary Taylor*. Bedford, MA: Applewood Books, 2009 (originally 1848); K. Jack Bauer, *Zachary Taylor: Soldier, Planter, Statesman of the Old Southwest*. Baton Rouge: Louisiana State University Press, 1985.

²¹¹ USCSC, *History of the Federal Civil Service*, 23-31; Van Riper, *History of the United States Civil Service*, 44-60

²¹² Ibid

spoils system proved to be the unofficial standard as the first month of the administration was spent with matters of state on hold as leadership sought to fill open positions via patronage.²¹³ Following Pierce was James Buchanan, who fell in line with each of his predecessors by perpetuating the spoils system by removing any individual from a post they served for a four year tenure.²¹⁴ He did cease the publication of the official party newspaper, the public-facing branch which promoted patronage efforts by the party.²¹⁵

Even with these efforts at reform, new organizations began to emerge across the nation in the mid-1800s that took advantage of the system as it existed: rings. Rings were organizations akin to local political machines that were controlled by a “boss” to gain near complete control of a city’s or region’s government structure through patronage and financial coercion.²¹⁶ Rings were more prominent during Reconstruction and the Gilded Age, but their genesis comes from the antebellum period, if not dating back to the eighteenth century in some instances.²¹⁷ The most infamous and well-known of these organizations was the ring based in New York’s Tammany Hall headed by “Boss” William Tweed.²¹⁸ Under Tweed’s control, the New York Democratic Party played a key role in both city and state politics, seizing control of their governance and patronage powers to become the key factor in the New York governments by the end of the 1850s (**Figure 1.3**).²¹⁹ Over the second half of the nineteenth century, similar political machines

²¹³ Ibid

²¹⁴ Ibid

²¹⁵ Ibid

²¹⁶ Jeffrey D. Broxmeyer, “Bringing The ‘Ring’ Back In: The Politics Of Booty Capitalism.” *The Journal of the Gilded Age and Progressive Era* 19, no. 2 (2020): 235–245; Thomas P. Clifford, *The Political Machine: An American Institution*. New York: Vantage Press, 1975; Alan Lessoff and James J. Connolly, “From political insult to political theory: The boss, the machine, and the pluralist city.” *Journal of Policy History*, 25.2 (2013)

²¹⁷ Ibid

²¹⁸ Terry Golway, *Machine Made: Tammany Hall and the Creation of Modern American Politics*. New York: Liveright, 2014; Kenneth D. Ackerman, *Boss Tweed: The Rise and Fall of the Corrupt Pol Who Conceived the Soul of Modern New York*. Boston: Da Capo Press, 2005; Oliver E. Allen, *The Tiger: The Rise and Fall of Tammany Hall*. Boston: Da Capo Press, 1993;

²¹⁹ Ibid

emerged in many other prominent cities, such as Boston, Chicago, Philadelphia, and St. Louis, and these organizations created corrupt political officials who wielded the power they accrued to benefit their locales and to stir up numerous problems along the way.²²⁰

It is important to acknowledge the limitations of the federal government to this point in the American experiment. Legal historian William Novak suggests that the government desired to create a “well-regulated society” during the nineteenth century, one which was based in common law and in which man, society, and government existed symbiotically.²²¹ Novak suggests that the people’s welfare stood above all, and that accordingly, a “state police power”



Figure 1.3: “The Tammany Kingdom: The Power behind the Throne. He Cannot Call His Soul His Own.”

The artist, Thomas Nast, a longtime critic of the Tweed Ring in New York, here depicts Boss Tweed atop his throne with his underbosses and those his political influence controlled behind him as the power behind the throne. At the bottom in the crest is the Tammany Tiger, which became the unofficial symbol of the corrupt political organization.²²²

²²⁰ Broxmeyer, “Bringing the ‘Ring’ Back In”; Clifford, *The Political Machine*; Lessoff and Connolly, “From political insult to political theory”

²²¹ William J. Novak, *The People's Welfare: Law and Regulation in Nineteenth-Century America*. Chapel Hill: University of North Carolina Press, 1997. x.

²²² Thomas Nast, *Harper's Weekly*, October 29, 1870

was maintained to put the needs of the many above the needs of the few or the one, giving the state an arm of enforcement that it utilized to regulate such issues as public works, the economy, public transportation, public health, and even morality reform efforts.²²³ Historian Gary Gerstle offers that the division of powers in the early United States was rooted in the debates over federalism, and that within this system, the federal government was expected to provide a limited role in protecting citizens, guiding settlement, and subsidizing the Postal Service.²²⁴ Gerstle found that the limited powers of the federal government stood in stark contrast to the powerful state governments, which proved to be so mighty because they “operate[d] according to a different governing principle than did the central state,” the previously identified “police power” which “allowed state governments to engage in extensive regulation of the economy, society, and morality” for better or worse.²²⁵ This power was awarded to the states under the Constitution, the most liberal of documents at the time, which established many obstacles in the path of the national government to prevent too strong a federal system emerging, yet the federal government began to find small constitutional loopholes that eventually amassed limited power against the state system in place.²²⁶ The aforementioned rings that developed across the United States took advantage of the lack of federal power to seize control of these local powers and develop networks of impropriety they used to take control of the true power in the civil service: local officers.

The Civil War changed everything for the United States- this is a statement that cannot be disputed. Family was pitted against itself. Ways of life that had existed since the earliest

²²³ Novak, *People's Welfare*, 13

²²⁴ Gary Gerstle, *Liberty and Coercion: The Paradox of American Government from the Founding to the Present*. Princeton: Princeton University Press, 2015.

²²⁵ Gerstle, *Liberty and Coercion*, 56-61

²²⁶ Gerstle, *Liberty and Coercion*

European settlers set foot on the continent faced upheaval. In addition to massive sociocultural changes in the United States, significant changes in the political system were made. For one, the Democratic Party, which held its power base in the southern states, was drastically weakened by secession, leaving the nascent Republican Party with nigh-complete control of the government.²²⁷ What's more, several individuals with political experience left the civil service in order to fight for their state and/or country, leaving a party without an established power structure and without several experienced agents to both run the nation and to fight a war.²²⁸

Among the many changes that took place during the Civil War was the emergence of a new standard surrounding the federal government and the civil service due to the needs of the war and the nation it impacted. Many scholars have discussed this expansion. Political scholar Richard Bensele suggests that the antebellum government was merely an arena in which socioeconomic forces made decisions with the government simply serving as the forum for these discussions.²²⁹ Gary Gerstle suggests that, in its first eighty years, the federal government was ill-equipped by the Constitution to carry out the liberal ideas laid out in the very same document.²³⁰ Gerstle argues that the federal government typically used the power of exemption, among others, to exercise plenary power "beyond the reach of the Constitution" in times of

²²⁷ McPherson, *Battle Cry*; Lloyd E. Ambrosius, ed., *A Crisis of Republicanism: American Politics in the Civil War Era*. Lincoln: University of Nebraska Press, 1990; Guelzo, *Fateful Lightning*; William Nester, *The Age of Lincoln and the Art of American Power, 1848-1876*. Lincoln, NE: Potomac Books, an imprint of the University of Nebraska Press, 2013; David Donald, *The Politics of Reconstruction, 1863-1867*. Cambridge, MA: Harvard University Press, 1984; Mark Wahlgren Summers, *The Plundering Generation: Corruption and the Crisis of the Union, 1849-1861*. New York: Oxford University Press, 1987.

²²⁸ Ibid; Eicher & Eicher, *Civil War High Commands*; James McPherson, *For Cause and Comrades: Why Men Fought in the Civil War*. New York: Oxford University Press, 1997; J. Matthew Gallman, *Defining Duty in the Civil War: Personal Choice, Popular Culture, and the Union Home Front*. Chapel Hill: University of North Carolina Press, 2015.

²²⁹ Richard Franklin Bensele, *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877*. New York: Cambridge University Press, 1990.

²³⁰ Gerstle, *Liberty and Coercion*

external and internal security emergencies.²³¹ During the Civil War, President Lincoln wielded this power of exemption to suspend habeas corpus, order the military arrest of civilians who expressed disloyalty to the Union cause, and shut down opposition newspapers, expressing a new level of federal powers during the state of emergency caused by the rebellion.²³² Bensel argues that the Civil War era marked the origins of American central state authority because “the conflict settled long-standing questions on whether the national government was to possess the fundamental attributes of territorial and governmental sovereignty.”²³³ Scholars like Michael Les Benedict, Daniel Elazar, and Harold Hyman have all argued that the aftermath of the Civil War did not result in a stronger Union, but in a retention of the federalism desired by the founders.²³⁴ Bensel concludes that by the end of Reconstruction, a modern Weberian state was founded in America with a central authority that could implement and apply socioeconomic policies for the masses.²³⁵

Lincoln’s considerations of the role of civil service are important, but so too are his understandings of the realities that lay before him as the nation fell apart. Though he found the existing system problematic as he was constantly pestered by office seekers, he still realized that it was a tool he could use to gain and maintain political power and support he desperately needed during his presidency.²³⁶ Lincoln was responsible for the largest percentage of officeholders

²³¹ Gerstle, *Liberty and Coercion*, 94

²³² Mark E. Neely Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties*. New York: Oxford University Press, 1991.

²³³ Bensel, *Yankee Leviathan*, 1

²³⁴ Michael Les Benedict, *A Compromise of Principle: Congressional Republicans and Reconstruction, 1863-1869*. New York: W.W. Norton, 1974; Michael Les Benedict, *The Fruits of Victory: Alternatives in Restoring the Union, 1865-1877*. Lanham, MD: University Press of America, 1986; Daniel Elazar, *Building Toward the Civil War: Generational Rhythms in American Politics*. Lanham, MD: Madison Books: 1992; Daniel Elazar, “Civil War and the Preservation of American Federalism.” *Publius* vol 1, no 1 (1971); Harold Hyman, *A More Perfect Union: The Impact of the Civil War and Reconstruction on the Constitution*. New York; Knopf, 1973.

²³⁵ Bensel, *Yankee Leviathan*

²³⁶ USCSC, *History of the Federal Civil Service*, 32-36; Van Riper, *History of the United States Civil Service*, 60-66

removed to that point in American history with over 1400 removed, more than doubling the next closest, Franklin Pierce.²³⁷ During the course of the Civil War, true civil service reform movements began to effectively rattle the cages. Senator Charles Sumner introduced a bill to Congress to require appointees to take competitive examinations in order to qualify for posts while also recommending that promotions be made mostly in terms of seniority while also considering ability.²³⁸ The American Consul General in Paris submitted a report on the French civil service, further recommending competitive examinations for the American system.²³⁹ Rhode Island Representative Thomas Jenckes made several attempts to reform the civil service through examinations, first through research and finally by presenting numerous bills on the matter, though these came mostly postbellum.²⁴⁰ Once the war was over, Lincoln desired to escape from the perils of both rotation and the spoils system, though he would not live long enough to see the end of either practice.²⁴¹

Beginning with the election of Lincoln, the third-party system, headlined by the battle between Republicans and Democrats during and after the Civil War, shaped the political landscape in new ways. The political divisions of the nation were marked by discussions of emancipation and Reconstruction after the Civil War.²⁴² The two major political parties, the Republicans and the Democrats, largely took on a north-south division, with the Democrats finding their strength in the American South and lower Mid-Atlantic while the Republicans held

²³⁷ Ibid

²³⁸ Ibid

²³⁹ Ibid

²⁴⁰ Ibid; Hoogenboom, *Outlawing the Spoils*

²⁴¹ Ibid

²⁴² Nester, *Age of Lincoln*; Ambrosius, *Crisis of Republicanism*; Dale Baum, *The Civil War Party System: The Case of Massachusetts, 1848-1876*. Chapel Hill, NC: University of North Carolina Press, 1984; Eric Foner, *Politics and Ideology in the Age of the Civil War*. New York: Oxford University Press, 1980.

their base in New England, the West, and the Midwest.²⁴³ The era is marked by the dominance of the new Republican Party, who benefitted from the effects of Reconstruction that penalized Democrats in the formerly-seceded states from using their geographic base as a site of power until they fulfilled the necessary terms for readmission to the Union.²⁴⁴ Though the end of Reconstruction in 1877 left the Democratic Party with more power than before, the new system which pitted Republicans against Democrats as the two major political parties became entrenched as the primary driver of politics, and those seeking patronage posts typically looked to members of these two organizations for entrance into the civil service.²⁴⁵ The third party system, even in its infancy, became the path for politics in the Civil War Era.²⁴⁶

As the nation came to grips with a new status quo after the fall of the Confederacy, the newly-expanded centralized government required new personnel and new approaches to cope with the realities of the American way of governing. Unfortunately, before many of the

²⁴³ Ibid; This is a broad generalization. There were of course large numbers of Democrats outside of the Deep South and Republicans in the Deep South, but these were the traditional strongholds of these groups from the Civil War through the 1890s. For more, consider: William Gillette, *Retreat from Reconstruction, 1869-1879*. Baton Rouge: Louisiana State Press, 1982; James Alex Baggett, *The Scalawags: Southern Dissenters in the Civil War and Reconstruction*. Baton Rouge: Louisiana State University Press, 2003; Edward L. Ayers, *The Promise of the New South: Life after Reconstruction*. 15th Anniversary Edition. New York: Oxford University Press, 2007; Michael Perman, *The Road to Redemption: Southern Politics, 1869-1879*. Chapel Hill: University of North Carolina Press, 1984; C. Vann Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction*. New York: Oxford University Press, 1951; James Tice Moore, "Origins of the Solid South: Redeemer Democrats and the Popular Will, 1870-1900." *Southern Studies*, 1983, 22(3): 285-301.

²⁴⁴ These terms included acceptance of emancipation, adherence to black suffrage, and a rewriting of state constitutions to reflect these changes therein. For more, consider: Philip B. Lyons, *Statesmanship and Reconstruction: Moderate versus Radical Republicans on Restoring the Union after the Civil War*. Lanham, MD: Lexington Books, 2014; Foner, *Reconstruction*; Andrew L. Slap, *The Doom of Reconstruction: The Liberal Republicans in the Civil War Era*. New York: Fordham University Press, 2006; Mark Wahlgren Summers, *Railroads, Reconstruction, and the Gospel of Prosperity: Aid Under the Radical Republicans, 1865-1877*. Princeton: Princeton University Press, 1984; Hans L. Trefousse, *The Radical Republicans: Lincoln's Vanguard for Racial Justice*. New York: Knopf, 1969.

²⁴⁵ Ibid; Van Riper, *History of the United States Civil Service*; Hoogenboom, *Outlawing the Spoils*; USCSC, *History of the Federal Civil Service*

²⁴⁶ For more on the history and historiography of the third party system, consider: Paul Kleppner, *The Third Electoral System 1853-1892: Parties, Voters, and Political Cultures*. Chapel Hill: University of North Carolina Press, 1979; Stephen L. Hansen, *The Making of the Third Party System: Voters and Parties in Illinois, 1850-1876*. Ann Arbor, MI: UMI Research Press, 1980; James E. Campbell, "Party Systems and Realignments in the United States, 1868-2004", *Social Science History*, Fall 2006, vol. 30, issue 3. pp. 359-386.

particulars regarding how the politics of reconstructing the nation could be determined, tragedy struck. On April 14th, 1865, less than a week after the fateful meeting between Grant and Lee at Appomattox that effectively ended the Civil War, President Abraham Lincoln was assassinated by actor John Wilkes Booth while watching the play “Our American Cousin” at Ford’s Theater in Washington, DC.²⁴⁷ While in some way this united the nation in mourning, in so many others it left it in chaos. The man who oversaw the most turbulent time in the nation’s history and who had a plan for reunification was gone, and his plan was gone with him. Yes, he had discussed his plan with others of political importance like General Grant and his cabinet, but the change to the presidential ticket in 1864 left Lincoln with a new Vice President meant to appease southern voters, Andrew Johnson of Tennessee, who had not spent much time with Lincoln.²⁴⁸ What, then, was to be of the United States that still suffered disunity in the wake of civil war?

After Lincoln’s assassination, the political landscape of the United States was in a tizzy. The newly promoted President Johnson was quickly put into a position of power for which he could not have been fully prepared, and now his plans for the nation’s reconstruction were the foremost topic of discussion.²⁴⁹ Southerners hoped that, since the new president was from their section of the nation, that perhaps they would not be penalized as stringently for their secession.²⁵⁰ The Radical Republicans desired exactly the opposite, that harsh punishments be levied against the states and individuals who threw the nation into turmoil as recompense for their crimes.²⁵¹ There were others who sought a middle ground, and the newly enfranchised

²⁴⁷ Martha Hodes, *Mourning Lincoln*. New Haven: Yale University Press, 2015; Edward Steers Jr., *Lincoln’s Assassination*. Carbondale: Southern Illinois University Press, 2025; Harold Holzer, Craig L. Symonds, and Frank L. Williams, eds. *The Lincoln Assassination: Crime and Punishment, Myth and Memory*. New York: Fordham University Press, 2010.

²⁴⁸ Foner, *Reconstruction*; Hans L. Trefousse, *Andrew Johnson: A Biography*. New York: W.W. Norton, 1989.

²⁴⁹ *Ibid*

²⁵⁰ *Ibid*

²⁵¹ *Ibid*; Summers, *Railroads*; Trefousse, *Radical Republicans*; Lyons, *Statesmanship and Reconstruction*

African Americans sought to support causes that would benefit their new place as citizens.²⁵²

Several paths lay before the United States, but it was unclear which path the nation would take.

As the dust settled, it became clear that the new President Johnson did not have the same ideas for Reconstruction as either his predecessor or the group of Radical Republicans who controlled the halls of Congress. Johnson was a staunch Unionist who also believed in states' rights, giving him a foot in both the Northern and Southern camps of reconstruction considerations. Johnson's plan was to enforce the establishment of new state constitutions in the South, uphold abolition, and force those who defected to pay war debts and swear oaths of loyalty.²⁵³ Other than this, Johnson's desire was to return to a *status quo antebellum*, just without slavery. Johnson's actions enabled Southern states to begin the process of enacting black codes to limit the actions of African Americans in the political realm.²⁵⁴ Congress combatted this by passing several pieces of legislation, including the 1866 Civil Rights Bill which was passed by a veto override against the wishes of President Johnson.²⁵⁵ The tensions between Johnson and Congress grew to such a head that Johnson became the first American president to be impeached in 1868, effectively neutering his power as the executive and giving control of Reconstruction to Congress until Grant's election to the highest elected office.²⁵⁶ Johnson's impeachment, which occurred as a result of his mishandling a patronage post in the Cabinet that was protected from

²⁵² Ibid

²⁵³ Ibid; Martin E. Mantell, *Johnson, Grant, and the Politics of Reconstruction*. New York, NY: Columbia University Press, 1973; Howard K. Beale, *The Critical Year: A Study of Andrew Johnson and Reconstruction* New York: Harcourt, Brace and Co., 1930.

²⁵⁴ Ibid

²⁵⁵ Ibid; David O. Stewart, *Impeached: The Trial of President Andrew Johnson and the Fight for Lincoln's Legacy*. New York: Simon & Schuster, 2009; Brenda Wineapple, *The Impeachers: The Trial of Andrew Johnson and the Dream of a Just Nation*. New York: Random House, 2019.

²⁵⁶ Ibid

removal, led to the development of the new political status quo in Reconstruction which more effectively penalized the South for its secession.

In addition to chaos at the top of the political realm, the Reconstruction Era saw political pandemonium from the perspective of those working in the lower levels of the government. Many new positions were created in the federal government, be they in new branches like the Freedmen's Bureau or in necessary new posts to assist with the influx of new responsibilities in existing branches.²⁵⁷ This upturned political system with new individuals holding unknown amounts of unchecked power created a system that was rife for corruption. In some cases, there were questions about the hierarchy of certain systems of the government, and there existed many, many questions regarding funding that was allocated and reallocated in the newly empowered federal government.

As a result of this new and flawed system, corrupt organizations began to emerge in an attempt to exploit the system for both public and private benefits. The most prominent type of organization that took advantage of the quick rise of federal powers without appropriate checks on that power were rings, those organizations that, as former New York Governor Samuel Tilden put it, were groups of people with political and social power "that encircle[d] enough influential men in the organization of each party to control the action of both party machines."²⁵⁸ These rings had many forerunners, specifically New York's Tweed Ring, to again serve as examples for the groups that emerged during Reconstruction. As one historian put it, "the advent of the ring as a volatile form of governance, a 'semi-political business ... half political and half

²⁵⁷ Foner, *Reconstruction*; Bense, *Yankee Leviathan*; Gerstle, *Liberty and Coercion*; Paul A. Cimballa, *The Freedman's Bureau: Reconstructing the American South after the Civil War*. Malabar, FL: Krieger, 2005.

²⁵⁸ Samuel Jones Tilden, "The New York City Ring: Its Origin, Maturity, and Fall" (first published 1873), in *The Writing and Speeches of Samuel J. Tilden*, vol. 1, ed. John Bigelow (New York: Harper & Brothers, 1885).

financial,” left many to consider the merging of the business with the political in new ways, particularly those that could be exploited, as these rings were “audacious in their treatment of public office like ‘merchandise, to be bartered and sold.’”²⁵⁹ Many rings reached across the nation at different points after the Civil War as new powers came forth with claims to reshape the government, and in other cases citizens cried foul of new political methods by assuming they were done by rings even if they were not. The system that emerged was one of “booty capitalism,” or the accumulation of riches by plunder, which churned up the political terrain and made it possible for some nefarious individuals to reap their pirated rewards at the expense of the masses.²⁶⁰ Rings such as the Star Route Postal Ring, the District Ring, the New York Customs House Ring, and the Whiskey Ring, many of which will be discussed further in the coming chapters, emerged to take control of local and national systems for private gain, further eliciting the desire by some to champion civil service reform.²⁶¹

Grasping Grant’s Coattails: Babcock Utilizes his Engineer Training

As the new state of governmental affairs was being determined, Babcock commenced his rise to political prominence by aligning himself squarely with his patron, General Grant. After the peace talks at Appomattox, Babcock remained on Grant’s staff as he transitioned into his new postbellum career as General-in-Chief of the Army in Washington, D.C.²⁶² This post for Grant was akin to that of a Cabinet post and kept him in control of the military after the war, meaning he oversaw the military after the Civil War.²⁶³ Here Grant oversaw Military Reconstruction in

²⁵⁹ Broxmeyer, “Bringing The ‘Ring’ Back In,” 237

²⁶⁰ Ibid

²⁶¹ Van Riper, *History of the United States Civil Service*; Hoogenboom; USCSC, *History of the Federal Civil Service*

²⁶² “Gen. Babcock Drowned”. *New York Times*. June 4, 1884; Ralph Kirshner, *The Class of 1861: Custer, Ames, and Their Classmates After West Point*. Carbondale: Southern Illinois University Press, 1999. 133

²⁶³ Ron Chernow, *Grant*. Waterville, ME: Thorndike Press, a Part of Gale, a Cengage Company, 2018. 533-534; Jean Edward Smith, *Grant*. New York, NY: Simon & Schuster, 2001. 434.

the former Confederate states while also supervising the conflicts with the indigenous people in the American West and handling the French invasion and occupation of Mexico.²⁶⁴ With such a loaded agenda before him, General Grant realized that having a trusted staff was extremely important, and he brought several of his former Civil War staffers, including Babcock, with him to this new post.²⁶⁵ Babcock was officially commissioned as a colonel of volunteers and *aide-de-campe* for General Grant on July 25th, 1866.²⁶⁶ He further received a regular army commission as a major in the Army Corps of Engineers on March 21, 1867.²⁶⁷ These military commissions ensured Babcock's role in the capital from both a military staff position and as an engineer, both of which would prove invaluable during his time in the capital.

Babcock did briefly take some time for himself during his early postwar career, specifically so that he could begin his family. In November 1866, just months after receiving his commission in Washington, Orville Babcock married his sweetheart Anne Eliza Campbell in Galena, Illinois.²⁶⁸ Together, the Babcocks would have four children: Campbell, Orville Jr, Adolph, and Benjamin, though Benjamin died in his infancy.²⁶⁹ Anne moved to Washington with Orville and took up her place as a woman of Washington society, though she never quite became the socialite that other political figures' wives did during Reconstruction.²⁷⁰ Still, the Babcocks

²⁶⁴ Jean Edward Smith, *Grant*, 424-426; Mantell, *Johnson, Grant, and the Politics of Reconstruction*; Henry W. Brands, *The Man Who Saved The Union: Ulysses Grant in War and Peace*. New York, NY: Random House, 2012. 410-411; Chernow, *Grant*, 533-557; Heather Cox Richardson, *West from Appomattox: The Reconstruction of America after the Civil War*. New Haven, CT: Yale University Press, 2007; M.M. McAllen, *Maximilian and Carlota: Europe's Last Empire in Mexico*. San Antonio, TX: Trinity University Press, 2014.

²⁶⁵ "Gen. Babcock Drowned". *New York Times*. June 4, 1884; Kirshner, *Class of 1861*, 131-133; Charles W. Calhoun, *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017.

²⁶⁶ *Ibid*

²⁶⁷ *Ibid*

²⁶⁸ *Ibid*; Lingley, "Orville E. Babcock," *Dictionary of American Biography*

²⁶⁹ Inventory of the Orville Babcock Papers, Newberry Library

²⁷⁰ *Ibid*

embarked on a new adventure together in the nation's capital as Orville returned to the service of his commander.

Once Babcock was back on duty, General Grant began to utilize his observational skills and his engineering knowledge by sending him to report on various military posts. On April 17, 1866, Grant ordered Babcock to complete a tour of military posts in the American West.²⁷¹ This began with a journey to St. Louis to meet with General William Tecumseh Sherman, a man with whom Babcock was already connected given his many trips between Sherman and Grant during the Civil War.²⁷² Here Sherman filled him in on the locations he would visit and also gave him additional secret tasks to undertake on his journey before Babcock set out from St. Louis on May 2nd, journeying to Fort Leavenworth in Kansas and arriving on May 10th.²⁷³

Babcock's journey consisted of visits to more than a dozen military posts as he traveled throughout the West, and while his reports varied on each individual location, he found that many of the difficulties of command at these forts "arose from the independent position of the officers of the staff departments, particularly the quartermaster department."²⁷⁴ At his first stop at Fort Leavenworth, he found that it should be under the control of "our most experienced staff officers....so long as Leavenworth is the depot for so many of the Territories" in the West.²⁷⁵ He suggested that the farm on the property should be shut down as the government could not compete with private industry, and that if the federal government did not own the land then it should be abandoned, but stated that as long as the government desired a reserve depot on the

²⁷¹ Orville Babcock to General John Rawlins, October 5, 1866. In Edwin Stanton. *Military Posts: Letter from the Secretary of War in Answer to A resolution of the House of the 5th December, transmitting a report of inspection of military posts*. House of Representatives, 39th Congress, 2nd Session, Executive Document 20.

²⁷² Ibid

²⁷³ Ibid

²⁷⁴ Orville Babcock to John Rawlins in *Military Posts* 2

²⁷⁵ Ibid

Missouri River, this likely was the best site.²⁷⁶ Babcock then visited Fort Kearny in Nebraska, which was a transitory post whose soldiers were preparing to move to Fort Reno, and accordingly he suggested dispensing with the fort and relocating its garrisons.²⁷⁷ He then traveled ninety miles to Fort McPherson, popularly known as Fort Cottonwood, which he found to be commendable and suitable for its small garrison before moving on to Julesburg to investigate Fort Sedgwick.²⁷⁸ Babcock noted that Fort Sedgwick was “one of the most expensive posts in the country, partly on account of its situation, but principally, I think, from fraud of the officers stationed here,” and stated that other than its proximity to a fork in the road between Denver and the Great Salt Lake, it was not nearly worth the expenses on the federal government.²⁷⁹ He quickly stopped by the two-garrison Camp Wardwell before continuing on to Denver to which he dedicated nearly two pages in his sixteen-page report.²⁸⁰

Babcock spent such a significant amount of his report on Denver and the Colorado Territory as a result of one of the covert missions he was given by General Sherman before leaving St. Louis: he was to investigate and report on the status of various groups of indigenous people in the region.²⁸¹ He found that additional military posts were needed in the surrounding Indian territory, as the existing distances between forts made it impossible for appropriately protecting people along the roads in between from attacks by the indigenous.²⁸² He found that the current protocols regarding the indigenous was unsustainable because the care for the groups in question was divided between the Indian Department and the War Department.²⁸³ He stated that

²⁷⁶ Ibid

²⁷⁷ Ibid

²⁷⁸ Ibid

²⁷⁹ Ibid

²⁸⁰ Orville Babcock to John Rawlins in *Military Posts*, 3

²⁸¹ Orville Babcock to John Rawlins in *Military Posts*

²⁸² Orville Babcock to John Rawlins in *Military Posts*, 3-4

²⁸³ Ibid

“none of the settlers in these Territories believe in treating with Indians until the Indian has been made to sue for peace. The nature of the Indian, they think, forbids his keeping a treaty made otherwise, any longer than is profitable to him,” but to that point the indigenous faced no fear of being compelled to uphold any such treaty.²⁸⁴ Babcock believed that an increased military presence in the region could resolve some of these issues, but that until such steps were taken, “robberies, murders, destruction of trains and ranches, will continue until the superior race has exterminated the other.”²⁸⁵ Babcock’s interpretation of the existing state of affairs with the indigenous in the region reflected the existing social attitudes towards the indigenous peoples in the American West, and while he engages in harmful stereotypes of indigenous people throughout this report, he still reflected the handlings of post-Civil War military personnel and their interactions with the indigenous as best he could.²⁸⁶

As far as the military status of Denver was concerned, Babcock reported that an increased presence was necessary in the area. He reported that there existed a company of troops alongside a commissary and a quartermaster, but that a greater presence was necessary and that the government would do well to purchase land in the area for a more formal fort rather than continuing to rent existing structures.²⁸⁷ He further noted that there were many resources available for the military in Denver, and that the people of the region desired an increased military presence for their own feelings of safety.²⁸⁸ He suggested two locations for fortifications in the area, one in Denver and another in the Middle Park of the Rocky Mountains, both of which

²⁸⁴ Ibid

²⁸⁵ Ibid

²⁸⁶ Richardson, *West from Appomattox*; Bradley R. Clampitt, *The Civil War and Reconstruction in Indian Territory*. Lincoln: University of Nebraska Press, 2015

²⁸⁷ Ibid; Orville Babcock to John Rawlins in *Military Posts*, 3-4

²⁸⁸ Ibid

had unique strategic values militarily.²⁸⁹ He stated that “Denver, as the central point and the largest and most promising town along the eastern slope of the Rocky mountains, makes it a place where supplies such as [sic] are grown in the Territory [sic] can be advantageously purchased,” offering an economic justification in addition to security concerns for better establishing military presence in the region.²⁹⁰

From Denver, Babcock set out to Camp Collins, or Fort Collins Military Reservation, sixty-five miles away.²⁹¹ He again found issues with the local indigenous as the commanding officer here was in the process of ascertaining details about a “threatened Indian outbreak,” showing the ever-existing fears surrounding assaults, but the rumors proved to be false.²⁹² He found Camp Collins to be a “fine reservation,” but that “the necessity of this post after this year is very questionable” as it served as little more than a storage depot for surrounding posts.²⁹³ Babcock learned of plans for a new military post on the Big Laramie plain, though he encouraged them to reconsider the specific location to “a locality on the North Platte” to avoid “bleak and very cold winters” and to better keep an eye on the local indigenous groups.²⁹⁴ Despite the Denver quartermasters’ opposition to his suggestion, he made it part of his mission to examine the North Platte area as part of his report.²⁹⁵ He made suggestions to General Grant, General Sherman, and Major General John Rawlins, Grant’s Chief of Staff, but was rebuffed in his efforts by Major General John Pope, who insisted on Big Laramie as the desired site of the new fort.²⁹⁶ After leaving North Platte, Babcock slipped passed Fort Halleck in Wyoming one

²⁸⁹ Ibid

²⁹⁰ Ibid

²⁹¹ Orville Babcock to John Rawlins in *Military Posts*, 5

²⁹² Ibid

²⁹³ Ibid

²⁹⁴ Ibid

²⁹⁵ Ibid

²⁹⁶ Orville Babcock to John Rawlins in *Military Posts*, 5-7

evening, not bothering to inspect it fully as it was already ordered that the post would be changed, so he instead continued to Fort Bridger in Utah.²⁹⁷ Babcock arrived at Fort Bridger on June 17th and found it in “shameful condition,” noting that the grounds were not policed by soldiers and that many of the structures built for the military were burned and broken.²⁹⁸ He met with the commander who attested they did not have appropriate men to care for the fort, but as there were reinforcements on the way, Babcock made no orders.²⁹⁹ He did however note that the post was not suitable as an economic market given its remote location and suggested that two to four companies could manage it, at least until the Pacific railroad neared completion and presented new opportunities for travel, commerce, and settlement.³⁰⁰

After leaving Fort Bridger, Babcock set out for Utah to engage in a covert mission with which he was tasked as a part of his journey: to engage with Brigham Young, learn about, and report on the existing status of the Mormons. While in St. Louis, General Sherman tasked Babcock with remaining “in Salt Lake valley at least four weeks, to fully acquaint [him]self with the threatening, difficult question between the United States government and the sect of people known as the Mormons, suggesting...the propriety of talking freely and plainly with these people, and particularly their leader, President [Brigham] Young.”³⁰¹ This hidden agenda may have actually been the true reason behind Babcock’s journey to the West, as there was a growing fear that the Mormons represented a military threat to the United States.³⁰² In speaking with Sherman, Babcock learned that the government might be “compelled to force these people [the

²⁹⁷ Orville Babcock to John Rawlins in *Military Posts*, 6

²⁹⁸ Orville Babcock to John Rawlins in *Military Posts*, 7

²⁹⁹ *Ibid*

³⁰⁰ Orville Babcock to John Rawlins in *Military Posts*, 7; Martin W. Sandler, *Iron Rails, Iron Men, and the Race to Link the Nation: The Story of the Transcontinental Railroad*. Somerville, MA: Candlewick Press, 2015.

³⁰¹ Orville Babcock to John Rawlins in *Military Posts*, 1

³⁰² Paul Kahan, *The Presidency of Ulysses S. Grant Preserving the Civil War’s Legacy*. Yardley, PA: Westholme Publishing, 2018. 130-132.

Mormons] to obey the laws of the land,” specifically 1863’s Morrill Act banning polygamy.³⁰³ As such, Sherman told Babcock to “talk freely and often with Mormons and Gentiles – thus, if possible, to collect such information as would suggest a policy toward these people.”³⁰⁴ In other words, Babcock was to provide reconnaissance during his four week stay in Utah regarding the coexistence of the Mormons and other Americans in the region and determine if the growth of the Mormon population represented a potential problem for the United States moving forward.³⁰⁵

General Babcock arrived in Salt Lake City on June 19th and stayed until July 20th, and during his month in Utah, he spoke with many people in the area, Mormon and gentile alike.³⁰⁶ During his stay in Utah, Babcock met with many such people and “was treated civilly by both.”³⁰⁷ He stated that “the marked peculiarity of [Mormon] religion is the claim of a religious right to have a plurality of wives,” but that “in other respects their religion does not offend public opinion.”³⁰⁸ He acknowledged that Mormon believers held that their leader, Brigham Young, was a prophet “through whom God reveals his wishes,” and that accordingly he serves as the “head of their church and styled president” who led them to this region in July 1847.³⁰⁹ Babcock commended Young and the Mormons for their work transforming the land from outright wilderness into a fully settled territory with, as the Mormons claimed, an unverified population of nearly 150,000 across the entire territory who mainly focused on the necessities of life like agriculture and raising livestock.³¹⁰ The territory itself maintained a wealth of minerals, but

³⁰³ Orville Babcock to John Rawlins in *Military Posts*, 7-9

³⁰⁴ Orville Babcock to John Rawlins in *Military Posts*, 7

³⁰⁵ The background information garnered by Babcock would be used as a basis for several policies towards Mormons in the Grant Administration. In 1871, then President Grant prosecuted several Mormons in Utah, including Brigham Young, for polygamy. In 1874, President Grant signed the Poland Act into law, limiting Mormons’ jury service. Kahan, *Presidency of Ulysses S. Grant*, 130-2

³⁰⁶ Orville Babcock to John Rawlins in *Military Posts*, 7

³⁰⁷ Ibid

³⁰⁸ Ibid

³⁰⁹ Ibid

³¹⁰ Orville Babcock to John Rawlins in *Military Posts*, 7-8

Young maintained their focus on cultivating the soil rather than mining, and Babcock noted that he "saw a less number of idle people in Utah Territory than in any locality I ever visited."³¹¹

During Babcock's visit, he met often with "President Young," who appeared formal and dignified at first but afterwards spoke freely regarding his sect and the government, particularly regarding the Morrill Act.³¹² Babcock noted that the Morrill Act was never enforced, and that Young actually wanted it brought before the courts, as he believed it was unconstitutional on the grounds that it suppressed their religious freedoms.³¹³ According to Babcock, Young sincerely stated that "the Mormons would never have had more than one wife had not God revealed it to them that it was his wish," and it was clear to him that this was a widely held belief among his followers.³¹⁴ Babcock suggested that the Morrill Act would be impossible to enforce in the region, as a jury of peers who would deliberate on the case would consist entirely of Mormons, and that "No Mormon can see a crime in taking two or more wives in accordance with God's revelation," meaning that anyone accused would certainly be indicted of any charges.³¹⁵

Babcock met with many others to discuss the potential Mormon issue in Utah, including Judge John Titus, the Chief Justice of the Utah Territorial Supreme Court.³¹⁶ Babcock believed Judge Titus to be "a very upright man" who held "no prejudice in favor of the Mormons."³¹⁷ According to Babcock, Judge Titus informed him that only about a tenth of the Mormons in the territory were polygamists and that the law did have some effect in both preventing polygamy and separating some from all but one wife.³¹⁸ Many inhabitants of the territory were not citizens,

³¹¹ Orville Babcock to John Rawlins in *Military Posts*, 8

³¹² *Ibid*

³¹³ *Ibid*

³¹⁴ *Ibid*

³¹⁵ *Ibid*

³¹⁶ *Ibid*; John S. Goff, "John Titus, Chief Justice of Arizona, 1870-1874." *Arizona and the West*. 14.1 (Spring 1972).

³¹⁷ Orville Babcock to John Rawlins in *Military Posts*, 8

³¹⁸ *Ibid*

but those that came before Judge Titus to become citizens were required to obey the Morrill Act.³¹⁹

In his discussions with Judge Titus and other gentiles in Utah, Babcock discovered potential issues regarding the existing *status quo* of the Mormon-controlled territory. Titus reported to Babcock that the gentiles believed that they would have their own settlement in the territory, but that Congress had recently annexed that portion of Utah to the Nevada Territory, leaving Utah almost entirely under the control of the Mormons.³²⁰ Utah's legislature placed high criminal trials in the hands of its lower courts in the territory, allowing for the locals to have more control of the law, and he further pointed out that the local militia was not in control of the governor, but under the authority of Brigham Young and the church.³²¹ These points confirmed the questions held by the federal government regarding the Mormons, and accordingly Babcock began to offer suggestions to limit the growing power of the sect. He suggested they be punished for past crimes, including the Meadow Mountain Massacre of 1858, and he suggested that many of the Mormons were Confederate sympathizers as a result of their belief in the overreach of the federal government.³²² Still, he believed that if they were called upon to provide troops during the war they would have sent them promptly, as they had in dealing with local indigenous groups.³²³

At the end of his report on the Mormons, Babcock stated that he enjoyed his stay in Utah, offering that "a more quiet or peaceable community I never passed four weeks with."³²⁴ He

³¹⁹ Ibid

³²⁰ Ibid

³²¹ Ibid

³²² Orville Babcock to John Rawlins in *Military Posts*, 8-9

³²³ Ibid

³²⁴ Orville Babcock to John Rawlins in *Military Posts*, 9

finished by stating his suggestions regarding how to proceed with the federal question of the Mormons:

“My opinion is that a policy by which the institution they cling to with fanatical faith shall be brought against public opinion, will be one that will soon cure the evil and save our country all the elements of good citizens they possess; while a coercive policy will, in accordance with the history of the world, increase fanaticism and destroy all the industry and wealth of 150,000 people and return that now fruitful valley to a desert again. A careful selection of civil and military officers, who with their families will give these ignorant people an example, with the enlightenment by the completion of railroad and telegraph lines, will do more to correct the error of these people than all the crusades possible.”³²⁵

Following his month-long stay with the Mormons in Utah, Babcock set out to finish his tour of military posts, beginning with nearby Camp Douglas.³²⁶ Babcock recommended that the post at Camp Douglas should be “built of stone,” making it a more permanent site that could be used to aid with the local indigenous populations should it be necessary.³²⁷ From there Babcock headed North to Fort Boise in the Idaho Territory, which he found to be of little use except as a depot, though it was of good service to that point as the troops there had “subdued” the nearby “hostile Indians.”³²⁸ He instead recommended that money given on behalf of the region go to building a capital for the territory rather than for fort improvements.³²⁹ Moving along the Columbia River, Babcock then reached Walla-Walla on July 31st, and he determined this was an unnecessary post as the troops there also handled their local indigenous troops and that it was manned by but six men and a quartermaster.³³⁰ He found that Camp Lapwal in the Idaho Territory was “abandoned by the order of the department commander” but that it would “without doubt, have to be reestablished, as the Nez Percés, Couer d’Alene, and other Indians are too numerous to be left

³²⁵ Ibid

³²⁶ Orville Babcock to John Rawlins in *Military Posts*, 9

³²⁷ Orville Babcock to John Rawlins in *Military Posts*, 9-11

³²⁸ Orville Babcock to John Rawlins in *Military Posts*, 11

³²⁹ Ibid

³³⁰ Ibid

unwatched.”³³¹ Babcock then proceeded to Dalles, a post in present-day Oregon that he felt was “useless and ordered by the commanding officer military division of the Pacific, to be sold,” which he suggested was the correct plan, though the Secretary of War might authorize leasing it and other abandoned posts should they also hold a reservation.³³² He continued on his journey West to Fort Vancouver in Washington, which he encouraged should be maintained to “punish” local Indians before moving to the Puget Sound, which he mapped and suggested locations for a proposed fortification.³³³ He then briefly visited San Juan, Washington, which was only occupied to maintain the claim on the land before visiting the nearby abandoned Port Townsend.³³⁴ Babcock journeyed to his final investigative post at Fort Steilacoom, which he suggested needed reinforcements, before arriving in San Francisco on August 15 to conclude his journey across the American West.³³⁵

At the conclusion of Babcock’s reports on these sites, he again submitted information on his investigation into indigenous people in the region, as well as information received from his meeting with Major Generals Halleck and McDowell in San Francisco, where the generals discussed several subjects they believed needed the attention of General-in-Chief Grant.³³⁶ They informed him that transporting supplies to the indigenous groups in the West by the military was costly and often abused by certain quartermasters and advised that these responsibilities be shifted to the Indian department.³³⁷ They further recommended that troops guarding Indian countries be armed with “a repeating arm, without bayonet, and a uniform calibre,” as these

³³¹ Ibid

³³² Ibid

³³³ Orville Babcock to John Rawlins in *Military Posts*, 12

³³⁴ Ibid

³³⁵ Orville Babcock to John Rawlins in *Military Posts*, 12-13

³³⁶ Orville Babcock to John Rawlins in *Military Posts*, 13

³³⁷ Ibid

troops had “no need” for a bayonet since they would be mounted.³³⁸ General Halleck had Babcock inspect certain supplies such as wool blankets and clothing. He found that the blankets they issued to their troops were old, moldy, and in such poor condition that “the Indians even declined to take them when offered.”³³⁹ He also found that local wool mills along the West Coast were producing better quality goods for cheaper than those furnished by the Quartermasters and requested that samples from these mills be examined and considered for potential distribution and cost control efforts.³⁴⁰ Generals Halleck and McDowell further suggested efforts to better the purchase and transportation of such commodities as hay and sugar, as well as the issue of negative impact of paying employees in the West in coin and/or greenbacks.³⁴¹ Babcock finished his report by commenting that many horses and mules in the West were likely stolen from the government because of an issue with their titles and that various forts ought to be deemed safe havens for these animals that should be considered contraband.³⁴² Babcock submitted his report to Secretary of War Edwin Stanton, who in turn submitted it to Congress in January 1867 for their attention.³⁴³

Babcock’s reconnaissance skills on his mission west proved to be fruitful enough for General Grant to continue to use his subordinate in this regard, and in mid-April 1867, Grant sent Babcock on a mission to compile a report on the status of the South and how the region was handling the earliest stages of Reconstruction.³⁴⁴ Grant’s position as General of the Armies meant that he was responsible for the institution of the Reconstruction Acts, which placed the

³³⁸ Orville Babcock to John Rawlins in *Military Posts*, 14

³³⁹ Orville Babcock to John Rawlins in *Military Posts*, 13

³⁴⁰ Ibid

³⁴¹ Orville Babcock to John Rawlins in *Military Posts*, 14

³⁴² Orville Babcock to John Rawlins in *Military Posts*, 14-15

³⁴³ Orville Babcock to John Rawlins in *Military Posts*

³⁴⁴ Chernow, *Grant*, 588

states that seceded from the Union under military control until they redrafted new state constitutions which abolished Black Codes and enfranchised freedpeople.³⁴⁵ General Grant explained his understanding of these laws in March 1867 to General Philip Sheridan, the military governor of the Fifth Military District including Texas and Louisiana, stating that “the lawmakers clearly contemplated providing Military governments for the rebel states until they were fully restored in all their relations to their general government.”³⁴⁶ This meant that Grant oversaw these provisional governments, with an understood emphasis on provisional, and recognized that Congress granted these powers to the military “just so far as they could be used in carrying out the will of Congress, and no further.”³⁴⁷ In accordance with his responsibilities, Grant sought as complete a view of the situation across the South as possible, both in terms of military reconstruction and the status of African Americans, and he relied on someone who proved themselves but months before in a similar capacity: Orville Babcock. Babcock was accompanied on this journey by another of Grant’s aides, General Horace Porter, and the two received their orders to “proceed...without delay to the principal posts in each of the Military Districts of the South, inspect the present quarters of the troops, and direct each District Commander to cause careful estimates to be made for the erection of suitable barracks for all the

³⁴⁵ *An Act to provide for the more efficient Government of the Rebel States*, c.153, U.S. Statutes at Large 14 (1867): 428-430; *An Act supplementary to an Act entitled “An Act to provide for the more efficient Government of the Rebel States,” passed March second, eighteen hundred and sixty-seven, and to facilitate Restoration*, c.6, U.S. Statutes at Large 15 (1867): 2-5; *An Act supplementary to an Act entitled “An Act to provide for the more efficient Government of the Rebel States,” passed on the second day of March, eighteen hundred and sixty-seven, and the Act supplementary thereto, passed on the twenty-third day of March, eighteen hundred and sixty-seven*, c.30, U.S. Statutes at Large 15 (1867): 14-16; *An Act to Amend the Act passed March twenty-third, eighteen hundred and sixty-seven, entitled “An Act supplementary to ‘An Act to provide for the more efficient Government of the rebel States,’ passed March second, eighteen hundred and sixty-seven, and to facilitate their Restoration,”* c.25, U.S. Statutes at Large 15 (1868): 41

³⁴⁶ Ulysses S. Grant to Philip Sheridan, March 29, 1867, in John Simon, ed., *The Papers of Ulysses S. Grant*, vol. 17. Carbondale: Southern Illinois University Press, 1997. 122.

³⁴⁷ *Ibid*

permanent garrisons in his command” before returning to the capital.³⁴⁸ After receiving these orders on April 13, 1867, Grant’s aides departed for their trip South.

On their journey, Babcock and Porter traversed through much of the former Confederacy and made detailed reports of their findings for General Grant, which they waited to submit so they could “see a considerable [sic] of the South before we could draw any comparisons.”³⁴⁹ Their first stop was the nearest Military District in Virginia, which Babcock noted was “progressing... in a very satisfactory manner” in the hands of Military Governor General John Schofield.³⁵⁰ Babcock then attested that the formerly enslaved in Virginia “seem to be all employed” and “learning very fast,” holding that if they continued as they had thus far, “they will soon be the best educated *class* in the South.”³⁵¹ The two then progressed to the Second Military District of the Carolinas, beginning with North Carolina, where they saw “more evidence of prosperity” than in any other Southern state they visited.³⁵² Here they made no remark on people of color, but they did remark that “Gen. [Dan] Sickles seems to be the master of the position and is hard at work,” and that “South Carolina will be one of the first to come into ranks” thanks to the “good union people” in both North and South Carolina.³⁵³

Babcock and Porter continued South to the Third Military District containing Georgia, Alabama, and Florida, where “things [did] not look as well,” particularly in Georgia and Florida.³⁵⁴ Babcock reported that the Third Military District was “far behind” the others he and Porter visited, and his report on this district was much more detailed than others because of the

³⁴⁸ Gen Orville Babcock to Col. Adam Badeau, May 10, 1867, in Simon, *Papers of Ulysses S. Grant*, 17, 127.

³⁴⁹ Ibid

³⁵⁰ Ibid

³⁵¹ Ibid; the emphasis is left from the original and suggests that at the time, “Negro” was referred to as an entirely separate class in society.

³⁵² Ibid

³⁵³ Ibid

³⁵⁴ Ibid

poor situation.³⁵⁵ In Georgia, they reported that the streets were policed in gray, “the real *confederate* uniform,” and that it would be logical to think that the “‘Lost Cause’...would soon be saved.”³⁵⁶ They proceeded to Florida, where they found the people fairly indifferent and “behind each of the other states in all general matters.”³⁵⁷ They particularly found the infrastructure to be an issue, as headquarters for each state were too far away to reach easily, and the commanding officer in Florida was away in Atlanta, meaning they only saw him once and not where they hoped he could offer them a tour.³⁵⁸ Babcock encouraged Grant to reorganize the districts so their commanders would be located at the state capitals and could take advantage of the existing state infrastructures.³⁵⁹ They progressed to Alabama, and Babcock reported that “Alabama shows less damage from the war than any other portion of the South we have visited.”³⁶⁰ He further reported that he was certain of two things: that “The Negro will vote the right ticket [Republican] notwithstanding the attempt of his old master to convince him that he is his best friend,” and that “the amt [sic] of starvation is very much exaggerated,” suggesting that reports from the South of lack of food and supplies were incorrect.³⁶¹

Both Babcock and Porter met with General Philip Sheridan along their journey to the Fifth Military District of Texas and Louisiana. On this leg of their trip Babcock did not write a report for General Grant, but Porter did, and he found Texas to be “the worst state in the Union, and it is only by the adoption of strict and decided measures that it is kept from giving a great deal of trouble.”³⁶² In this report, Porter praised the military officers who were in charge,

³⁵⁵ Ibid

³⁵⁶ Ibid

³⁵⁷ Ibid

³⁵⁸ Ibid

³⁵⁹ Ibid

³⁶⁰ Ibid

³⁶¹ Ibid; Horace Porter to Adam Badeau, Late May 1867, in Simon, *Papers of Ulysses S. Grant*, 17, 128.

³⁶² Ibid

recognizing the monstrous task they had before them, even noting that General Sheridan stayed for but a day with the two before returning to Louisiana to put down a potential riot.³⁶³ Efforts to register the formerly enslaved were well underway and would likely be completed within a few months, but the state itself would take longer to adjust to the new status quo.³⁶⁴ The two finished their journey by traveling to the Rio Grande in mid-May and returned to their duty under General Grant in Washington having successfully carried out their assignment.³⁶⁵

Babcock's reports were crucial to General Grant's understanding of the existing status of the entire Union while he remained in Washington. This was made all the more important when, in 1868, General Grant ran for and was elected President of the United States. Grant was unanimously nominated as the Presidential Candidate at the 1868 Republican National Convention, and though he did not desire the post, he believed he was the only person who had the chance to reunite the Union.³⁶⁶ The Republicans ran with a campaign centered on Grant's own words, "Let us have peace," and he was bolstered by the votes of African Americans across the nation.³⁶⁷ Grant carried 52.7% of the popular vote and won in an electoral college landslide of 214-80 over his opponent, Democrat Horatio Seymour.³⁶⁸ At 46 years old, Grant was elected as the youngest president to that point in American history, and though he was a complete novice as a politician, hope rippled throughout the nation that his campaign slogan might prove true.³⁶⁹

³⁶³ Ibid

³⁶⁴ Ibid

³⁶⁵ Gen Sheridan to USG, telegraph, May 18, 1867, in Simon, *Papers of Ulysses S. Grant*, 17, 128-129. It is unclear from the existing records if Babcock and Porter visited the Fourth Military District, including Arkansas and Mississippi, as there is no report from either regarding any information from either of these states.

³⁶⁶ Simon, *Papers of Ulysses S. Grant*, 17, 244; Chernow, *Grant*, 614

³⁶⁷ William S. McFeely, *Grant: A Biography*. New York: W.W. Norton, 1981. 264-267.

³⁶⁸ Calhoun, *The Presidency of Ulysses S. Grant*, 55; JE Smith 461

³⁶⁹ McFeely, *Grant*, 284

Once Grant took control of the White House, he began to build the staff that would help him complete the critical tasks involved in running the country. As patronage was the main way that individuals acquired civil service jobs at the time, Grant turned to many whom he knew were capable to fill the numerous positions left open by the change in administration. General William Tecumseh Sherman was promoted to Grant's former post of General-in-Chief, while Elihu Washburne, the Congressman from Illinois who gave Grant his Civil War commission, was named Secretary of State.³⁷⁰ Grant heeded the advice of other influential figures in the Republican Party as he filled out his Cabinet, but when it came to his personal staff, Grant turned back to those who served him in the military to again serve him in the political realm.

At the outset of his first term, President Grant took on four private secretaries, three of whom previously served as his *aides-de-campe* during the war. These three former aides were Orville Babcock, Horace Porter, and Brigadier General Frederick Tracy Dent, Grant's brother in law and friend from West Point.³⁷¹ Grant's fourth private secretary, Robert M. Douglas, formerly served as a private secretary for the Governor of North Carolina and was a fledgling political hopeful in his own right.³⁷² Babcock's posting would later be the center of discussion during inquests into his alleged criminality because he was a military appointee to the White House.³⁷³ The appointment process, which Grant likely did as a favor for Babcock in an effort to maintain his commission and thus improve his pension, meant that Babcock was not subject to any congressional approval process, a major sticking point for those who sought to defame Babcock

³⁷⁰ Washburne would step down shortly after and became the French Ambassador. Josiah Bunting III, *Ulysses S. Grant: The American Presidents Series*. New York, NY: Times Books, 2004; Michael Hill, *Elihu Washburne: The Diary and Letters of America's Minister to France During the Siege and Commune of Paris*. New York: Simon & Schuster, 2012.

³⁷¹ Calhoun, *The Presidency of Ulysses S. Grant*; Jean Edward Smith, *Grant*; Ronald White, *American Ulysses*

³⁷² Douglas Southall Freeman, *Robert E. Lee: A Biography*. Vol IV New York: Charles Scribner's Sons, 1934. 395-419.

³⁷³ *Whiskey Frauds Testimony; United States v. Babcock*, Circuit Court, E.D. Missouri, September 1876.

and Grant.³⁷⁴ Still, at the outset of the administration, Babcock settled in to his new role in the White House as a military and political appointee meant to help his benefactor and the people of the United States in whatever way he was asked.

Grant's trust in awarding Babcock a high-ranking post in his administration marked a high point in Babcock's life. From fairly humble beginnings in Vermont to his time in West Point, he rose through the ranks of the Army Corps of Engineers, making influential contacts along the way, with the most notable being his growing friendship with General Grant as his *aide-de-campe*. He remained in Grant's service after the war, serving as his eyes and ears on various missions across America, and now his successes brought him to a job in the White House as President Grant's right hand. Though he was inexperienced in politics, he had proven that he was an experienced aide, a successful engineer, a dutiful soldier, and a loyal friend, all of which were enough to earn him a prestigious post in the nation's capital. The near future would show that it would be but a matter of time before Babcock proved that he would use each of these strengths to help President Grant, the people of the United States, the nation itself, and, in several nefarious ways, his own self interests.

On Grant and Trust, Duty, and Loyalty

When investigating Babcock's role as a major political player, it is necessary to take a brief interlude to consider the mind of the patron who appointed him to his post in the first place: President Ulysses S. Grant. Grant was arguably the most important political figure in the postbellum era. As Commanding General, Grant oversaw the military reconstruction of the former Confederate states, and in doing so he was second only to President Andrew Johnson in the military chain of command, meaning that he shaped the military of the era more than

³⁷⁴ Ibid; Calhoun, *The Presidency of Ulysses S. Grant*

anyone.³⁷⁵ Once elected President, Grant became the most important individual in shaping political policies as well as the military, and the men he appointed to carry out these policies were not subjected to the rigorous approval process of today's political system. These approval processes were implemented as a result of civil service reforms instituted after Reconstruction, but during Reconstruction, the patronage system took control of the government, and as the man in charge of the entire system, Grant's considerations of what made a good public servant are critical to understanding how his political realm was shaped.³⁷⁶

One of the people who was best qualified to detail Grant's mentality in selecting people to serve the nation was one of his former aides, General Horace Porter (**Figure 1.4**). Porter served with the Union Army during the Civil War, highlighted by his time as Chief of Ordinance in the Army of the Potomac and by his meritorious service at Chickamauga and The Wilderness.³⁷⁷ During the final year of the war, Porter joined General Grant's staff, serving as one of his *aides-de-campe* during the war and following him to Washington during his tenure as Commanding General.³⁷⁸ During Grant's presidency, Porter, like Babcock, was named one of Grant's private secretaries, serving in this position from 1869 to 1872 while simultaneously serving as a colonel in the regular army and as an *aide-de-campe* for the man who replaced General Grant as Commanding General, William Tecumseh Sherman.³⁷⁹ Porter resigned from the Army in December 1873, later serving as a high-ranking executive for multiple railroad companies before William McKinley appointed him U.S. Ambassador to France, a post he held

³⁷⁵ Mantell, *Johnson, Grant, and the Politics of Reconstruction*

³⁷⁶ Van Riper, *History of the United States Civil Service*; USCSC, *History of the Federal Civil Service*; Hoogenboom, *Outlawing the Spoils*

³⁷⁷ Eicher, *Longest Night*, 435-6

³⁷⁸ Ibid

³⁷⁹ Ibid

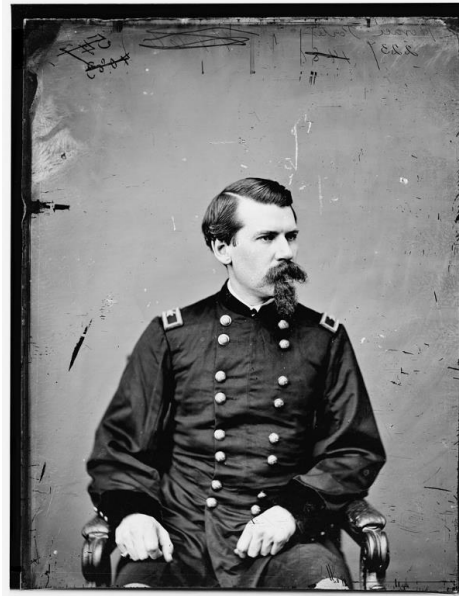


Figure 1.4: Horace Porter: General Horace Porter of Pennsylvania served as one of Ulysses S. Grant's top aides during both the Civil War and Grant's presidency.³⁸⁰

from 1897 to 1905.³⁸¹ Porter played a major role in the construction of Grant's Tomb, and in 1897 he published a memoir of his tenure with the army entitled *Campaigning With Grant*.³⁸²

In May 1894, nearly ten years after Grant's death and before his service abroad, General Porter wrote an article for McClure Magazine entitled "Personal Traits of General Grant," which served as both a remembrance piece honoring the former Commander-in-Chief and an analysis of the man he served for a significant portion of his life.³⁸³ In this piece, Porter identified "five attributes which were pronounced and conspicuous, and stand out as salient points in his character... Truth, Courage, Modesty, Generosity, and Loyalty."³⁸⁴ Porter was clearly beholden to Grant for kickstarting his career, meaning that it is unlikely he would publicly defame his commander, yet his extended tenure alongside Grant made him uniquely qualified to comment

³⁸⁰ *Gen. Horace Porter, U.S.A. [Between 1860 and 1875]*. Courtesy of the Library of Congress.

³⁸¹ *Ibid*

³⁸² Porter, Gen. Horace with Wayne C. Temple, ed. *Campaigning with Grant*. New York: Bonanza Books, 1897; "Horace Porter." *New York Times*, May 30, 1921.

³⁸³ Gen. Horace Porter, "Personal Traits of General Grant." *McClure's Magazine* vol. II, no. 6 (May 1894).

³⁸⁴ Porter "Personal Traits," 507

on the traits he possessed and held as important, meaning he sought similar qualities in those with whom he surrounded himself. Porter wrote this article with the understanding that “the best teachers of humanity are the lives of great men,” hoping that “a close study of the manly traits which were so conspicuous in the life of General Grant will afford a liberal education to American youth in the virtues which should adorn the character of a man in public life.”³⁸⁵ The five traits Porter outlined in his piece are particularly strong in analyzing Grant’s character, and with the aid of more than one hundred years of historical research, they stand even stronger.

Porter began by detailing Grant’s commitment to truth, stating that “he was without exception the most absolutely truthful man I ever encountered in public or private life.”³⁸⁶ He found that this was recognizable in his frankness in correspondence as well as in his “horror of untruth in others.”³⁸⁷ He presented several examples from his time with President Grant that he felt exemplified his case. The first such example identified an occasion in the White House when President Grant retired to write a message to Congress and someone attempted to deliver a message for him. The officer on duty at the door assumed that Grant was not to be disturbed and instructed the messenger that the President was not in. In Porter’s own words, “General Grant overheard the remark, turned around suddenly in his chair, and cried out to the servant, ‘Tell him no such thing. I don’t lie myself and I don’t want anyone to lie for me.’”³⁸⁸ He further suggested that, during the debate and veto of the 1874 Inflation Bill, that a certain unnamed congressman attempted to make his name on the affair by stating to several newspapers that he had materially impacted the veto through his own actions. When Grant read these papers, he attested with contempt “How can So-and-so state publicly such an untruth! I do not see how he can ever look

³⁸⁵ Porter “Personal Traits,” 514

³⁸⁶ Porter “Personal Traits,” 507

³⁸⁷ Ibid

³⁸⁸ Ibid

me in the face again.”³⁸⁹ Porter also recognized that even minor untruths were unacceptable to Grant, as he would recount casual stories in which he would say that “he met a man on the south side of the avenue” only to “return to the subject hours afterward to correct the error and state with great particularity that it was on the *north* side of the avenue that the encounter took place.”³⁹⁰ Grant’s commitment to the truth was one that was recognized by those closest to him even in his most insignificant actions, meaning that it was of critical importance when it came to important matters of state.

Porter continued his remembrance of Grant with an exposition into his “rare and conspicuous courage, which, seen under all circumstances, appeared never to vary.”³⁹¹ Porter colloquially referred to the President as “clean grit,” summing up his feelings on Grant’s courage and overall character.³⁹² Importantly for a man who rose through the ranks of the military, his was “not a courage inspired by excitement; it was a steady and patient courage” in all senses, one which Porter suggested might be better classified as “an unconsciousness of danger.”³⁹³ He displayed this courage as early as his time in West Point, where he exhibited his nerve by “breaking fractious horses in the riding hall.”³⁹⁴ This courage shone through during his service in the Mexican-American War, as well as in his many battles in the Civil War. Porter attested that “he never posed for effect, or indulged in mock heroics,” yet “his exposure to danger when necessary, and his habitual indifference under fire, were constantly noticeable. He was one of the few men who never displayed the slightest nervousness in battle.”³⁹⁵

³⁸⁹ Porter “Personal Traits,” 507-8

³⁹⁰ Porter “Personal Traits,” 508

³⁹¹ Ibid

³⁹² Ibid

³⁹³ Ibid

³⁹⁴ Ibid

³⁹⁵ Ibid

Porter further discussed Grant's "moral courage" as a distinct quality, noting that at Vicksburg Grant "took a grave responsibility in patrolling [sic] the officers and men captured...and sending them home," even in the face of severe outside criticism that was quashed when later events proved him to be correct.³⁹⁶ He was similarly lenient in his terms of surrender at Appomattox, with some thinking that the terms he offered might not be accepted by authorities in Washington, "but without consulting them, General Grant assumed the entire responsibility. There was never a moment's hesitation."³⁹⁷ Porter noted that during Grant's second presidential campaign, he would often take public railcars and freely mingled with the masses, even though that campaign was one of "utmost violence."³⁹⁸ Porter's consideration of Grant's courage concluded with his final battle to complete his memoir while battling cancer, noting that he "held death at arm's length with one hand while with the other he penned the most brilliant chapter in American history" in an effort to save his family from financial issues.³⁹⁹ Porter attested that Grant was courageous to his end, seeming "to live entirely upon his will-power until the last lines were finished, and then yielded to the first foe to whom he had ever surrendered – Death."⁴⁰⁰

Porter rightly acknowledged in this missive that Grant's courage was not entirely a benefit to the President, as he apparently "seemed never to be aware of any danger to himself or to any person about him."⁴⁰¹ This is a kind way for Porter to reference the many scandals that plagued Grant's presidency, many of which were perpetrated by those in his immediate

³⁹⁶ Porter "Personal Traits," 510

³⁹⁷ Ibid

³⁹⁸ Ibid; for more on this election, consider: Dana Bush with David Fisher, *America's Deadliest Election: The Cautionary Tale of the Most Violent Election in American History*. New York: Hanover Square Press, 2024.

³⁹⁹ Porter "Personal Traits," 510-11

⁴⁰⁰ Porter "Personal Traits," 511

⁴⁰¹ Porter "Personal Traits," 508

proximity in the administration. In this way, Grant's courage in the face of potential dangers was both a positive and a negative, as it allowed him to withstand the turbulence before him, but it blinded him to the misdeeds of others that endangered himself and others. Courage here cuts as a double-edged sword for Grant, serving as a critical factor in times of war yet hindering his full potential during his political career by convincing him that no outside danger was too great for him to overcome. What was Grant's courage to Porter might be considered by others to have been naivete.

President Grant's modesty "attracts attention in all of his speeches and letters, and especially in his 'Memoirs,'" according to his former aide.⁴⁰² His memory was like that of a steel trap, and even when he recounted stories from the past, which he loved to do, "he never related an anecdote which was at all off color, or which could be construed as an offence against modesty."⁴⁰³ He was not one to brag himself, and he had "a particular aversion to egoists and braggarts," making him one of the rare politicians without this quality.⁴⁰⁴ Porter's focus for highlighting Grant's modesty came down to his literary masterpiece: his *Personal Memoirs*. He noted that:

"a distinguished literary critic once remarked that that book was the only autobiography he had ever read which was totally devoid of egotism. The General not only abstains from vaunting himself, but seems to take pains to enumerate all the good qualities in which he is lacking, and, while he describes in eulogistic terms the persons who were associated with him, he records nothing which would seem to be in commendation of himself."⁴⁰⁵

⁴⁰² Porter "Personal Traits," 511

⁴⁰³ Ibid

⁴⁰⁴ Ibid

⁴⁰⁵ Ibid

Grant so consistently worked on presenting himself in such a modest manner that one could consider it false modesty, but according to Porter, this was not an act but sincerity on the part of his commander.

Grant's "unbounded generosity was at all times displayed towards both friends and foes," according to Porter, who witnessed this for more than a decade alongside the general-turned-president.⁴⁰⁶ Those who served alongside and under him became attached to him for his "unselfishness" and for the "unqualified praise he gave them."⁴⁰⁷ He consistently wrote high-ranking officials to express his gratitude for their successes, as he did with General Sherman in the West when he stated "what I want is to express my thanks to you and [James] McPherson as the men to whom above all others I feel indebted for whatever I have had of success."⁴⁰⁸ Following Sherman's March to the Sea in Georgia, rumors circulated that Congress intended to promote him to Lieutenant General equal in rank to Grant. Sherman wrote to Grant to assure him that he had no part in these rumors and would decline any such promotion, to which Grant responded with what Porter called "one of the most manly [sic] letters ever penned," in which he stated:

"No one would be more pleased at your advancement than I; and if you should be placed in my position, and I put subordinate, it would not change our relations in the least. I would make the same exertions to support you that you have ever done to support me, and I would do all in my power to make our cause win."⁴⁰⁹

In dealing with his opponents, Grant's generosity was exemplified again in his actions at Appomattox. In his correspondence with Robert E. Lee, he stated "I will meet you, or designate officers to meet any officers you may name, for the purpose of arranging definitely terms upon

⁴⁰⁶ Porter "Personal Traits," 511

⁴⁰⁷ Ibid

⁴⁰⁸ Ibid

⁴⁰⁹ Porter "Personal Traits," 512

which the surrender of the Army of Northern Virginia will be received.”⁴¹⁰ Here he offered Lee, a man with one of the greatest military reputations in American history, an opportunity to avoid the humiliation of surrendering in person, and though Lee turned this down and met in person himself, Grant showed delicacy in his own actions. After the surrender, when Union troops began to fire salutes, Grant ordered to have them stopped, stating that “the war is over, the rebels are our countrymen again, and the best sign of rejoicing after the victory will be to abstain from all demonstrations in the field.”⁴¹¹ Grant’s testimony after the war ensured that many of these rebels did not face trials for treason, firmly showing him to be a generous individual even to those who once took up arms against him.

Porter ended his piece by attesting that “perhaps the most pronounced trait in General Grant’s character was that of unqualified loyalty.”⁴¹² Grant was loyal to “every work and cause in which he was engaged: loyal to his friends, loyal to his family, loyal to his country, and loyal to his God.”⁴¹³ This loyalty engendered a reciprocity amongst those around him and served as a reason that his men became so loyal to him in times of war and peace. Grant was so loyal that he was actually loyal to a fault. As Porter put it, his loyalty so dominated his character that “it sometimes led him into error, and caused him to stand by friends who were no longer worthy of his friendship, and to trust in those in whom his faith should not have been reposed.”⁴¹⁴ Still, Porter found this negative side of his loyalty as something that could be overlooked given that it could be outweighed by all the good that came with it. Porter asserted that this was true because “it showed that he was proof against the influence of malicious aspersions and slanders aimed at

⁴¹⁰ Porter “Personal Traits,” 512-3

⁴¹¹ Porter “Personal Traits,” 513

⁴¹² Porter “Personal Traits,” 513-4

⁴¹³ Porter “Personal Traits,” 514

⁴¹⁴ Porter “Personal Traits,” 514

worthy men, and that he had the courage to stand as a barrier between them and their unworthy detractors.”⁴¹⁵ Grant’s loyalty was both the thing that made him a great leader and the thing that hindered him as a politician.

It is important here to recognize that Grant had a habit of placing his trust in the wrong men. During the course of his administration, President Grant named several individuals to high-ranking posts who abused this trust for personal gain. For instance, Grant’s first Vice President, Schuyler Colfax, was found to have taken monetary gifts and stock shares from officials in the well-publicized Credit Mobilier scandal of 1872, in which officials for railroad companies stole millions of dollars that were to be used on the transcontinental railroad.⁴¹⁶ His Secretary of the Navy George Robeson took financial favors and gifts from several private contractors in exchange for military contracts through the Navy.⁴¹⁷ His Attorney General George Williams received a gift of \$30,000 through his wife to drop a criminal case into fraudulent customhouse entries.⁴¹⁸ His Secretary of War William Belknap took money in exchange for appointments to profitable Native American trading posts.⁴¹⁹ These trust issues even went beyond his administration, as after he left public service Grant understandably trusted his son Buck and Buck’s business partner Ferdinand Ward, who lost most all of Grant’s savings due to bad

⁴¹⁵ Ibid

⁴¹⁶ Robert B. Mitchell, *Congress and the King of Frauds: Corruption and the Credit Mobilier Scandal*. Roseville, MN: Edinborough Press, 2018

⁴¹⁷ Chernow, *Grant*, 782; McFeely, *Grant*, 129-147, 432; Jean Edward Smith, *Grant*, 578; Leonard Alexander Swann, *John Roach, Maritime Entrepreneur: The Years as Naval Contractor, 1862-1886*. Annapolis, MD: United States Naval Institute, 1965. 125-135.

⁴¹⁸ McFeely, *Grant*, 391; Jean Edward Smith, *Grant*, 584

⁴¹⁹ Shawn Francis Peters, *When Bad Men Combine: The Star Route Scandal and the Twilight of Gilded Age Politics*. Baton Rouge: Louisiana State University Press, 2023.

investments and set off the Panic of 1884 in the process.⁴²⁰ Misplaced trust was a consistent problem for Grant over the course of his political life.

This is not to say that Grant's trust was always misplaced. Far from it, as he had faith in several men who proved worthy of that confidence. Arguably Grant's most well-known ally, General William Tecumseh Sherman, served as both acting Secretary of War for a brief period under Grant while succeeding him as Commanding General of the Army, a post in which he maintained control over the West during the Indian Wars while reshaping the military forts according to modern standards.⁴²¹ He repaid Elihu Washburne by making him his first Secretary of State, a role he had to retire from due to illness, but Grant reassigned him as Minister to France, where he played a pivotal role as a diplomat and humanitarian, particularly during the Franco-Prussian War.⁴²² Washburne's replacement as Secretary of State, Hamilton Fish, was a steadfast supporter during his entire administration and is considered by scholars as one of the best Secretaries of State in American history.⁴²³ He trusted such cabinet members as Secretary of the Interior Jacob Cox and Secretary of the Treasury George Boutwell to engage in civil service reforms for the improvement of the flawed political system.⁴²⁴ After his presidency, Grant engaged with a friendship with Mark Twain that afforded him the ability to publish his memoirs and ensure his family's financial stability long after his death.⁴²⁵ Even while Grant's

⁴²⁰ Ronald White, *American Ulysses*, 627-629; McFeely, *Grant*, 486-611; Geoffrey Ward, *A Disposition to Be Rich: How a Small-Town Pastor's Son Ruined an American President, Brought on a Wall Street Crash, and Made Himself the Best-Hated Man in the United States*. New York: Knopf, 2012.

⁴²¹ Lloyd Lewis, *Sherman: Fighting Prophet*. Lincoln: University of Nebraska Press, 1993 (originally 1932); John F. Marszalek, *Sherman: A Soldier's Passion for Order*. Carbondale: Southern Illinois University Press, 2007 (originally 1992)

⁴²² Hill; Chernow, *Grant*; Calhoun, *The Presidency of Ulysses S. Grant*

⁴²³ Allan Nevins, *Hamilton Fish: The Inner History of the Grant Administration*. 2 vols. New York, NY: Dodd, Mead, 1935; Calhoun, *The Presidency of Ulysses S. Grant*; "The Ten Best Secretaries of State..." *American Heritage*. 33(1). December 1981.

⁴²⁴ Calhoun, *The Presidency of Ulysses S. Grant*; Van Riper, *History of the United States Civil Service*; USCSC, *History of the Federal Civil Service*; Chernow, *Grant*; Jean Edward Smith, *Grant*

⁴²⁵ Mark Perry, *Grant and Twain: The Story of an American Friendship*. New York; Random House, 2005.

consideration of trust and loyalty is tainted by poor decisions, his trust in good men is equally important in grasping the full picture of his character.

It feels necessary at this point to add a sixth characteristic that, while omitted by Porter in his piece, runs through several of the traits analyzed therein: Grant's commitment to duty. Grant believed in upholding his duty even when it was not something he desired to do. After Grant's initial departure from the military, he was compelled by his own sense of duty to return to service during the Civil War. He said so himself in his memoir, as he recalled a letter he sent to the Adjutant General of the Army on May 24, 1861 in which he stated that, "having served for fifteen years in the regular army, including four years at West Point, and feeling it the duty of every one who has been educated at the Government expense to offer their services for the support of that Government, I have the honor, very respectfully, to tender my services, until the close of the war, in such capacity as may be offered."⁴²⁶ Grant considered himself a soldier through and through, and he felt himself beholden to the government for what it offered him in terms of societal advancement and wanted to repay that favor in turn. This was something he carried with him throughout his life, as he also stated that "for a soldier his duty is plain...he is to obey the orders of all those placed over him and whip the enemy wherever he meets him."⁴²⁷ Grant was a soldier in times of both war and peace, and he accordingly carried out his duty as ably as he could whenever any enemy was placed before him.

It is in this consideration of duty that the other five traits outlined by Porter lived within Grant's persona. Doing one's duty truthfully, modestly, and generously were each important parts of fulfilling one's responsibilities. Furthermore, doing so courageously in the face of fear

⁴²⁶ Grant, Ulysses S. and John F. Marszalek, ed. with David S. Nolan and Louie P. Gallo. *The Personal Memoirs of Ulysses S. Grant*. The Complete Annotated Edition. Cambridge, MA: Belknap Press, 2017. 167-8.

⁴²⁷ Simon, *Papers of Ulysses S. Grant*, 146.

would instill loyalty in others, and this was a loyalty that he returned in kind time and again. Grant understood that doing one's duty was a part of his job, and he likely assumed this was something held by those he trusted, particularly those alongside whom he served. This again serves as something for which Grant should be commended and something for which he was held accountable when others did not live up to Grant's standards of fulfilling their duty.

Unfortunately, not all people held the same beliefs as Grant, and as such some of the men he appointed to higher positions used them for nefarious means as cited earlier. This of course was not true for all appointments made by the general-turned-president, but it happened enough that the legacy of his administration would be tarnished with claims of corruption for more than a century after his time in office. Yes, Grant himself must be held responsible for the actions of those he put into such positions. However, given the rapid expansion of central powers during the Civil War that had not been regulated, combined with the fact that the nation remained in a state of turmoil during Reconstruction, it was impossible for the president to oversee every aspect of the government personally. He attempted to correct this by placing people he believed he could trust into positions to assist him, but his trust was unfortunately and occasionally misplaced due to his beliefs in duty and honor.

Clearly, Grant's trust was easily abused by others, and it may be correct to refer to him as naïve for misplacing his trust as often as he did. Whether or not this was something that people realized early during his rise to power and continuously abused is something that can only be gauged on a case-by-case basis, and it is beyond the scope of this project to investigate each and every individual who took advantage of this trust. However, we do know that one of the individuals in whom Grant placed his trust was Orville Babcock, and that he continued to do this for more than a decade, for better and worse. At times this trust was well-warranted, as Babcock

proved very successful in many of the tasks he was given during his tenure under Grant. However, this trust was also abused repeatedly for Babcock's own benefit, whether it be for financial, political, reputational, and/or societal gain. Orville Babcock's career, and therefore this narrative, is only thanks to the undeterred trust given to him by Ulysses S. Grant. This is a key reason why previous generations of historians have lambasted Grant's presidency as corrupt, but this overly simplifies a far more complex situation.⁴²⁸ It may be proper to refer to the system as one flooded with corruption during the Grant Administration, or to suggest that many corrupt individuals weaseled their way into positions to take advantage of loopholes in the expanded political system. However, Grant himself was not corrupt, and the mistake he made was mistrusting individuals who only proved untrustworthy after the fact. The corruption of the era, therefore, was caused by pragmaticos who sought to take advantage of others' trust, and through his development as a political agent, Orville Babcock is the ultimate example of this emerging archetype.

⁴²⁸ For examples of these claims of corruption, consider: William Archibald Dunning, *Reconstruction: Political & Economic, 1865–1877*. New York: Harper and Brothers, 1907. Claude G. Bowers. *The Tragic Era: The Revolution after Lincoln*. Cambridge, MA: Riverside Press, 1929; C. Mildred Thompson. *Reconstruction in Georgia, Economic, Social, Political, 1865-1872*. New York: Longmans, Green, and Company, 1915.

Chapter Two: Babcock's Entrenchment and The Fight for Santo Domingo

Upon General Ulysses S. Grant's election to the White House, a sense of renewed hope in the potential of Reconstruction swept through the capital and the nation alike. Several factions began to vie for support, and in some cases, control, of the leader of the free world. There was a greater hope that Grant's tenure in the White House would be a stark contrast to that of his predecessor, Andrew Johnson. Many anticipated that Grant's administration would be less marked by controversy and combativeness with other politicians than that which marred Johnson's tenure. Grant spent much time in his conversations with President Lincoln discussing plans for Reconstruction. Many northern politicians who sought to reconstruct the South rather than reconcile with the existing structures believed Grant would uphold his former commander's wishes. Some likely believed that Grant would be malleable in his new role as politician, far more than he was as a general, in part because of his inexperience within the legal and political realms. What's more, several career politicians, chief among them Senator Charles Sumner of Massachusetts, assumed that the time had come for their ascension to higher roles in the government, reaching what would be the culmination of their political work. For a variety of reasons, hope for the future of the nation reached new heights under the newly elected President Grant.

With friends and enemies alike at the metaphorical gate, Grant was determined to surround himself with trusted individuals during his time in the nation's capital. At the onset of his administration, Grant linked his trust to individuals who earned it, particularly by aiding him during his military career. He was beholden to Senator Elihu Washburne of Illinois, the man who gave him his commission during the Civil War and who hailed from the same town he did before

the war.⁴²⁹ Grant sought to afford him any post he desired in his administration in gratitude for his actions, and Washburne elected to serve briefly as Grant's Secretary of State before accepting the role of United States Minister to France, a post he held for the entirety of Grant's administration.⁴³⁰ Others such as aide Horace Porter and staff officer Adam Badeau were afforded positions as Private Secretary and United States Consul in London, respectively.⁴³¹ Perhaps his most well-known ally, General William Tecumseh Sherman, was left in a unique position after Grant's election. Sherman was adamantly a military man who sought to continue his service after the war in spite of those who sought to elect him to political posts. In his memoirs, Sherman asserted that "Then, as now, neatness in dress and form, with a strict conformity to the rules, were the qualifications required for office, and I suppose I was found not to excel in any of these," poking fun at himself for not fitting the mold of contemporary politicians.⁴³² Yet Grant's friendship remained steadfast regardless of what others said, as Sherman attested that "Grant stood by me when I was crazy, and I stood by him when he was drunk, and now we stand by each other."⁴³³ Grant appointed Sherman to replace him as the Commanding General of the United States Army during his presidency, a post akin to a Cabinet position in terms of military importance but without the full political circus that Sherman sought to avoid.⁴³⁴

⁴²⁹ This was a personal sense of indebtedness, not a real or societal pressure upon Grant to offer anything to Washburne. Further, Washburne became a friend and confidante to Grant as he embarked on his political career, so this "reward" fell squarely within the existing parameters of the era's patronage appointments.

⁴³⁰ Jean Edward Smith, *Grant*. New York, NY: Simon & Schuster, 2001; Ronald C. White, *American Ulysses: A Life of Ulysses S. Grant*. New York, NY: Random House, 2016.

⁴³¹ John H. Eicher, and David Eicher. *Civil War High Commands*. Stanford: Stanford University Press, 2001; John Russell Young, *Around the World with General Grant*. Baltimore: Johns Hopkins University Press, 1879.

⁴³² William Tecumseh Sherman, *Memoirs of General William T. Sherman*. Second Ed. New York: D. Appleton & Co., 1889. Chapter I.

⁴³³ Linus Pierpont Brocket, *Our Great Captains: Grant, Sherman, Thomas, Sheridan, and Farragut*. Bedford, MA: Applewood Books, 1865. 162.

⁴³⁴ Sherman also served temporarily as Acting Secretary of War in Autumn 1869.

Orville Babcock was chief among those Grant trusted, and as such the President ensured that his friend should hold a role in his administration. In an effort to assure that Babcock maintained his military commission, President Grant appointed him as his Private Secretary, a job that is akin to the modern-day Chief of Staff with some significant differences.⁴³⁵ This post was not subject to the processes of approval that many high-ranking posts go through, so this was instead a matter of the Commander-in-Chief appointing a military officer to a new position. As Private Secretary, Babcock held a key role. With many clawing at the gates, attempting to gain access to the President, Babcock served as the gatekeeper. He established his presence in an office just beyond the door of the President, making him his steadfast sentinel. He handled matters that an aide would: responding to letters, keeping the President's schedule, providing counsel, and more. He continually took on additional roles during his time with the Grant Administration. Perhaps his most important role was not listed on any job description. Babcock regularly served as Grant's eyes and ears in situations where the President himself could not be in multiple locations. Grant's trust in his friend, his proven track record, his military training with the Army Corps of Engineers, and his understanding of the President's desires made him an exceptional candidate to be sent on reconnaissance missions on behalf of the administration while gathering enough information for those with more power to make determinations. Babcock had a defining opportunity to make such strides when the potential to expand the Union into the Caribbean arose with the possible annexation of Santo Domingo emerging front and center on the agenda of the administration (**Figure 2.1**).

⁴³⁵ This role will be discussed in further detail in Chapter Three.



Figure 2.1: “The Embarkadero, or Wharf, of Santo Domingo, showing the Columbus Tree in the background,” a watercolor painting by James E. Taylor, 1871. This portrait depicts the thriving marketplace in the Caribbean the Grant Administration sought to add to the United States.⁴³⁶

The Santo Domingo Question

President Grant’s handling of domestic affairs, such as Reconstruction in the South and the emerging Ku Klux Klan, is oft examined, but his handling of foreign affairs is also critical to understanding his Presidency.⁴³⁷ Grant’s initial presidential opinion of foreign policy took but a short passage of his inaugural address, stating that he “would respect the rights of all nations, demanding equal respect for our own. If others depart from this rule in their dealings with us, we may be compelled to follow their precedent.”⁴³⁸ Grant took on the precedent set by presidents

⁴³⁶ James E. Taylor “Dominican Republic: The embarkadero, or wharf, of Santo Domingo, showing the Columbus Tree in the background,” ca. 1871. Photograph of original watercolor painting. Courtesy of the Library of Congress.

⁴³⁷ This dissertation covers some of these important chapters in additional detail, but this is not meant to be a synthetic coverage of the Grant Administration. For more on the domestic affairs of the Grant Administration, consider: Henry W. Brands, *The Man Who Saved the Union: Ulysses Grant in War and Peace*. New York, NY: Random House, 2012; Josiah Bunting III, *Ulysses S. Grant: The American Presidents Series*. New York, NY: Times Books, 2004; Charles W. Calhoun, *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017; Ron Chernow, *Grant*. Waterville, ME: Thorndike Press, a Part of Gale, a Cengage Company, 2018; and Eric Foner, *Reconstruction: Americas Unfinished Revolution, 1863-1877*. Updated Edition. New York, NY: Harper Perennial, 2014. (originally 1988) (this is by no means an extensive list to consult).

⁴³⁸ Ulysses S. Grant, “First Inaugural Address,” March 4, 1869.

before him by adhering to the Monroe Doctrine, tasking the United States as the overseers of the Western Hemisphere while seeking to prevent European powers from finding footholds in the developing areas of Latin America.⁴³⁹ Issues between the United States and Spain sprang up quickly over the handling of insurgents in Cuba, and Grant remained wary of the French in the wake of their attempts to establish an empire in Mexico during the Civil War.⁴⁴⁰ One of the more pressing concerns that required an expeditious resolution was the dispute with England over the *Alabama* claims, an issue in which the British sought repayment for crafting ships for the Confederacy.⁴⁴¹ Grant and the United States argued that by their own actions, the British removed themselves from a neutral position, and as such they owed damages to the United States while the British sought their outstanding Confederate payments.⁴⁴² These were but a few of the challenges that the new Grant Administration faced at its onset, but the episode that pertains most directly to the development of Babcock, our prime pragmatico, relates to an effort to acquire land and establish a naval presence in the Caribbean.

During the first year of Grant's presidency in 1869, the administration began to explore the possibility of annexing Santo Domingo, what we refer to today as the Dominican Republic. Santo Domingo, essentially a republic at the time, occupied the eastern section of Hispaniola and suffered from decades of political instability. In the late 1860s, the nation of Santo Domingo occupied 21,000 square miles of land, making it larger than eight states in the Union with a wealth of rich farmland that could be used to grow significant commodities for export to the

⁴³⁹ For more complete coverage concerning the Grant Administration's foreign policy and foreign affairs, consider: Calhoun, *The Presidency of Ulysses S. Grant*; Ryan Semmes, *Exporting Reconstruction: Ulysses S. Grant and a New Empire of Liberty*. Columbia, SC: University of South Carolina Press, 2024; Chernow, *Grant*; and Richard White, *The Republic for Which It Stands: The United States during Reconstruction and the Gilded Age, 1865-1896*. New York, NY: Oxford University Press, 2017.

⁴⁴⁰ Calhoun, *The Presidency of Ulysses S. Grant*, 151-178

⁴⁴¹ Calhoun, *The Presidency of Ulysses S. Grant*, 179-198

⁴⁴² Ibid

world at large.⁴⁴³ The population of the nation was likely near 100,000, though some sources suggest it was closer to 300,000, with a demography that was primarily black or mixed race with a smaller white population descended from the previous Spanish regime.⁴⁴⁴ The nation gained its independence from the Spanish in 1821, though it quickly fell to occupation by their neighbors on Hispaniola, the Haitians, who they overthrew in 1844 to officially become an independent nation.⁴⁴⁵ Though Santo Domingo had its independence, regular interference from the Haitians and stark factionalism led to a continually changing system of governance in the nation's earliest years.⁴⁴⁶ The Spanish attempted to regain control of Santo Domingo in 1861, but Dominican resistance proved to be too much for the Spanish who withdrew in 1865.⁴⁴⁷ Early 1868 led to another governmental upheaval, as the government of President José Cabral fell to the upstart troops of Buenaventura Báez, who had previously held the office three times but now faced armed opposition from Cabral and his allies.⁴⁴⁸ Further complicating Báez's new regime was the fact that the Dominican coffers were running dry, and with the enemy at the gate, Báez sought help from outside forces through either protectorate status or annexation, the latter of which the United States found particularly intriguing.⁴⁴⁹

⁴⁴³ M.M. Gautier, memorandum, March 9, 1869, in Joseph Fabens to Hamilton Fish, April 1, 1869, Notes from the Legation of the Dominican Republic, Records of the Department of State, Record Group 59; DeB. Randolph Keim, *San Domingo*. Philadelphia: Claxton, Remsen, and Haffelfinger, 1870.

⁴⁴⁴ Ibid

⁴⁴⁵ Howard J. Wiarda, *The Dominican Republic: Nation in Transition*. New York, NY: Praeger, 1969; Howard J. Wiarda and Michael J. Kryzanek. *The Dominican Republic: A Caribbean Crucible*. Second Edition. Boulder, CO: Westview Press, 1992; Otto Schoenrich, *Santo Domingo: A Country with a Future*. New York, NY: The Macmillan Company, 1918; Frank Moya Pons, *The Dominican Republic: A National History*. Princeton, NJ: Markus Wiener Publishers, 1998; William Javier Nelson, *Almost a Territory: America's Attempt to Annex the Dominican Republic*. Newark: University of Delaware Press, 1990.

⁴⁴⁶ Ibid

⁴⁴⁷ Ibid

⁴⁴⁸ Ibid

⁴⁴⁹ Ibid

Planning for a potential annexation project began long before the Grant Administration, dating back to the 1840s, though no real progress had been made. During the 1840s and 1850s, different presidents dispatched officers to Hispaniola in an attempt to gauge the potential of the island in terms of both economic and military strategy.⁴⁵⁰ One of these men, a young Army engineer Captain George McClellan, reported earnestly in 1854 that the United States should attempt to establish a base on the island.⁴⁵¹ The Bay of Samaná was of particular interest to the United States, as it served as a lookout point to the Atlantic from the easternmost point of the island, and the location could be used as a military base and a fueling station for American forces in the Caribbean.⁴⁵² After a brief pause due to Spanish occupation of Santo Domingo during the American Civil War, negotiations between new President Andrew Johnson's Administration and that of Santo Domingo commenced again, though these were halted in 1868 when the Dominican government changed hands again to Báez.⁴⁵³

The potential acquisition of Santo Domingo was driven largely by a desire to maintain the Monroe Doctrine and prevent a new European presence in the Western Hemisphere. From a military standpoint, Grant learned during the American Civil War that the nation needed to pursue a more active naval presence in the Caribbean, particularly to defend its own interests.⁴⁵⁴ During the Civil War, the Spanish were able to enter and occupy Cuba for nearly four years before being chased out in 1865, so recent precedents were clear regarding how such a presence

⁴⁵⁰ Calhoun, *The Presidency of Ulysses S. Grant*, 200; Senate Executive Document No. 17, 41st Congress, 3rd Session.

⁴⁵¹ Ibid

⁴⁵² Ibid

⁴⁵³ Ibid

⁴⁵⁴ Ulysses S. Grant, "Reasons Why San Domingo Should Be Annexed to the United States," 1869.

could be attained in the region.⁴⁵⁵ There remained the real possibility that the Spanish may attempt to reclaim their former territory. The Caribbean posed a quandary in the earliest years of Reconstruction. In 1867, the Johnson Administration attempted to complete a treaty with Denmark to acquire the thirty-one square mile St. Thomas as the American foothold in the region.⁴⁵⁶ This proved to be untenable, as the island suffered repeat natural disasters that led to a decline in America's interest, and the proposed deal fell through.⁴⁵⁷ Concerns over the area ramped up in March 1868, as Senator Sumner wrote to Secretary of State William Seward of his fears that the North German Confederation sought to "obtain a naval station in the West Indies."⁴⁵⁸ Perhaps in response to such growing concerns, President Grant outlined that Santo Domingo was exactly the answer his nation sought, labeling the island nation "the gate to the Carib[b]ean" in a memo that aptly outlined the "Reasons Why Santo Domingo Should Be Annexed to the United States."⁴⁵⁹ This message became a critical piece of what historian Ryan Semmes refers to as the "Grant Doctrine," which was an effort by "the United States finally to divest itself from the slave society of Cuba" by attempting to "export citizenship rights to the Dominican people, build up its economy with free labor, and, in doing so, gradually strangle the slave economy of Cuba."⁴⁶⁰ Under President Grant, it became clear that a reassertion of the Monroe Doctrine was necessary to prove the United States remained the watchdog of the Americas, and the yard it protected sought to expand to include Santo Domingo.

⁴⁵⁵ M.M. McAllen, *Maximilian and Carlota: Europe's Last Empire in Mexico*. San Antonio, TX: Trinity University Press, 2014; Kevin Peraino, *Lincoln in the World: The Making of a Statesman and the Dawn of American Power*. New York: Crown Publishers, 2013.

⁴⁵⁶ Charles Callan Tansill, *The Purchase of the Danish West Indies*. Baltimore: Johns Hopkins Press, 1932.

⁴⁵⁷ Ibid

⁴⁵⁸ Senate Executive Document No. 17, 41st Congress, 3rd Session.

⁴⁵⁹ Grant, "Reasons Why San Domingo Should Be Annexed to the United States"

⁴⁶⁰ Semmes, *Exporting Reconstruction*, 15-16

In addition to the enforcement of the Monroe Doctrine and the potential for military and economic presence in the Caribbean, the social considerations of Dominican annexation were significant, particularly when factoring in considerations of race and the persistence of slavery in the Western Hemisphere. After the United States's successful abolition of slavery, many slaveholders left for foreign shores to maintain their control over labor, absconding to Brazil and Cuba.⁴⁶¹ President Grant acknowledged the American role in this shift, as well as America's culpability in the perpetuation of the practice, by claiming that America was the Western Hemisphere's "largest supporter" of slavery by continuing to use products and pay export duties "to support slavery and Monarchy."⁴⁶² He charged that, through annexation of Santo Domingo, slave labor in the Americas would become "unprofitable," as these nations would have to adapt to the new order or fall by the wayside.⁴⁶³ This also enabled President Grant to weigh in on the opportunities the island brought for advancement of the freed people in the United States. He argued that "caste had no foothold" in Santo Domingo, an oversimplification by modern standards, but a marked improvement over contemporary considerations, particularly in the American South.⁴⁶⁴ As Americans continued to debate whether the United States could be a nation with interracial tolerance or if repopulation efforts of people of African descent would be best for all parties in the future, Grant offered that Santo Domingo could serve as a relocation site, but that it could also prove to be a bastion of new tolerance:

⁴⁶¹ Grant, "Reasons Why San Domingo Should Be Annexed to the United States"; Rebecca Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery*. Cambridge, MA: Belknap Press, 2008; Leonardo Marques, *The United States and the Transatlantic Slave Trade to the Americas, 1776-1867*. New Haven, CT: Yale University Press, 2016. For more on the considerations of race in the Santo Domingo affair, see: Nicholas Guyatt, "America's Conservatory: Race, Reconstruction, and the Santo Domingo Debate," *Journal of American History*, vol 97, March 2011; and Eric T. Love, *Race over Empire: Racism and U.S. Imperialism, 1865-1900*. Chapel Hill: University of North Carolina Press, 2004.

⁴⁶² Grant, "Reasons Why San Domingo Should Be Annexed to the United States"

⁴⁶³ Ibid

⁴⁶⁴ Ibid

The colored man cannot be spared until his place is supplied, but with a refuge like San Domingo, his worth here [in the United States] would soon be discovered, and he would soon receive such recognition as to induce him to stay; or, if Providence designed that the two races should not live together he would find a home in the Antilles.⁴⁶⁵

In short, Santo Domingo offered not only a solution for Reconstruction's political and financial issues, but it also afforded several avenues forward for the great sociocultural shift that abolition brought.

At the request of the new Baez government in Santo Domingo, American businessmen with ties to Hispaniola began to petition for a potential annexation deal with the American government. These businessmen were exactly the allies for whom Báez was looking – men with economic ties to his nation that were not entirely opposed to his rule and who could offer connections to the American government that was considering annexation. Three of these men warrant mention by name due to their roles in the events to come. One was J. Somers Smith, an American Commercial Agent who served as the State Department representative in Santo Domingo and who earlier requested permission from Secretary of State William Seward to negotiate an agreement for Samaná Bay.⁴⁶⁶ The Dominicans enlisted the aid of Joseph W. Fabens, an American businessman who long advocated for American investment in the island republic.⁴⁶⁷ Tied to Fabens was William L. Cazneau, an American-turned-Dominican who ventured to the island on behalf of the State Department in the 1850s.⁴⁶⁸ Smith was more of an operative of the government, while Fabens and Cazneau were independent contractors seeking to

⁴⁶⁵ Ibid

⁴⁶⁶ Calhoun, *The Presidency of Ulysses S. Grant*, 200-201; Senate Executive Document No. 9, 42nd Congress, 1st Session; Charles Callan Tansill, *The United States and Santo Domingo, 1798-1873: A Chapter in Caribbean Diplomacy*. Baltimore: Johns Hopkins Press, 1938.

⁴⁶⁷ Semmes, *Exporting Reconstruction*, 25-26

⁴⁶⁸ Ibid

make a fortune as a part of the annexation process.⁴⁶⁹ In Spring 1868, Báez asked Fabens to travel to Washington to stir up interest in a potential American-Dominican merger that might resolve many of his issues as a leader.⁴⁷⁰ Around the same time, Smith sent his own son to the United States to convey a desire for annexation.⁴⁷¹ At one point Smith prevented the Dominicans from simply raising the American flag and claiming their allegiance “by acclimation,” as this would circumvent the necessary processes in America, though Smith continued to push for annexation as soon as possible.⁴⁷² Fabens meanwhile worked to enlist support for the Dominican cause by courting influential American businessmen to consider new opportunities should annexation come to fruition while simultaneously developing relationships with key politicians like fellow Massachusettsan General Benjamin Butler, through whom Fabens hoped to acquire the ear of President-elect Grant.⁴⁷³

The Johnson Administration took the initial forays to add the island nation to the Union, though the majority of this back-and-forth occurred under President Grant. In January 1869, Fabens first broached the possibility of adding Santo Domingo as an American protectorate.⁴⁷⁴ Fabens’s ally Nathaniel Banks, who served as chairman of the House Committee on Foreign Affairs, proposed an effort that would extend American protection to both Santo Domingo and their neighbor on Hispaniola, Haiti.⁴⁷⁵ Opponents believed this would create entangling alliances for the United States with these nations, which would violate the long-held Monroe Doctrine,

⁴⁶⁹ Ibid; Senate Report No. 234, 41st Congress, 2nd Session, also referred to as the Hatch Report; J. Somers Smith to William Seward, January 9, 18, March 19, 1869 and Smith to Hamilton Fish, April 9, 1869, Dispatches from US Consuls in Santo Domingo, Records of the Department of State, RG 59

⁴⁷⁰ Ibid

⁴⁷¹ Ibid

⁴⁷² Ibid

⁴⁷³ Tansill, *United States and Santo Domingo*; Allan Nevins, *Hamilton Fish: The Inner History of the Grant Administration*. 2 vols. New York: Dodd, Mead, 1935. 255-262; Nathaniel P. Banks to Joseph Fabens, February 17th, 1869, Joseph W. Fabens Papers and Fabens Family Papers, Peabody Essex Museum.

⁴⁷⁴ Tansill, *United States and Santo Domingo*, 260-277; *Congressional Globe*, 40th Congress, 3rd Session, 317-340.

⁴⁷⁵ Ibid; Nevins, *Hamilton Fish*

and the House voted to table the resolution in a landslide vote, 126 to 36.⁴⁷⁶ Undeterred, Fabens pushed for the outright annexation of Santo Domingo, bolstered by a message from Dominican Foreign Minister M.M. Gautier that his nation was in fact “prepared for the great event.”⁴⁷⁷ In support, a colleague of Banks on the House Committee of Foreign Affairs, Indiana Congressman Godlove Orth, put forth a resolution to annex Santo Domingo as a territory, and after the establishment of a republican government, its admission to the Union as a state.⁴⁷⁸ However, at this point there was no official data offered to support the desirability of Santo Domingo’s annexation, and the House tabled this resolution as well.⁴⁷⁹ Banks convinced Johnson’s Secretary of State William Seward to send Fabens on a fact-finding mission, and he returned with a detailed report after a month, but by the time he returned, Seward’s office was held by Grant’s Secretary of State Hamilton Fish (**Figure 2.2**).⁴⁸⁰

Though he was the prime agent for the Grant Administration on annexation, Secretary Fish was new to his post and had several pressing matters that required resolution in addition to Santo Domingo. Before the Civil War, Fish served in numerous elected offices, including as a member of the House of Representatives from 1843-1845, the Governor of New York from 1849-1850, and as a Senator from New York from 1851-1857.⁴⁸¹ He hailed from a wealthy family and held many of the same beliefs as other former Whigs who joined the Republican Party. During the Civil War, Fish raised money for the Union troops while serving on President

⁴⁷⁶ Ibid

⁴⁷⁷ Tansill, *United States and Santo Domingo*, 267-280; *New York Times*, February 2, 1869; Joseph Fabens to Nathaniel Banks, January 18, 1869, Nathaniel P. Banks Papers, Library of Congress.

⁴⁷⁸ Ibid; *Congressional Globe*, 40th Congress, 3rd Session, 769; Semmes, *Exporting Reconstruction*, 27-31

⁴⁷⁹ Ibid

⁴⁸⁰ Joseph Fabens to Nathaniel Banks, February 18, March 24 (telegram), 1869, Nathaniel P. Banks Papers, Library of Congress; William H. Seward to J. Somers Smith, February 15, 1869, Diplomatic Instructions, Special Missions, American Hemisphere, Records of the Department of State, RG 59

⁴⁸¹ Nevins, *Hamilton Fish*, 1-65



Figure 2.2: Hamilton Fish: As Secretary of State under President Ulysses S. Grant, Hamilton Fish was responsible for the efforts to annex Santo Domingo to the United States⁴⁸²

Abraham Lincoln's commission on prisoner exchanges.⁴⁸³ After the war, Fish returned to his private legal practice, seemingly done with politics until Grant appointed him his Secretary of State.⁴⁸⁴ Fish is noted by historians as a reformer, particularly in the civil service, and he is credited with moderation in diplomatic strategies.⁴⁸⁵ As Grant's Secretary of State, Fish carried out his duties to his president with vim and vigor, particularly regarding Santo Domingo.⁴⁸⁶

One of the most important elements in the progress of this annexation treaty was the persuasion of the politically powerful Chair of the Senate Foreign Relations Committee, Senator Charles Sumner of Massachusetts. Sumner was a known opponent of slavery and an early supporter of racial equality, making him a target for Southerners and leading to his infamous

⁴⁸² *Hamilton Fish*. [No Date Recorded on Caption Card]. Photograph. Courtesy of Library Congress

⁴⁸³ Nevins, *Hamilton Fish*, 66-88

⁴⁸⁴ Nevins, *Hamilton Fish*, 89-104

⁴⁸⁵ A. Elwood Corning, *Hamilton Fish*. New York: The Lanmere Publishing Company, 1918; "The Ten Best Secretaries of State..." *American Heritage*, 33v1. December 1981.

⁴⁸⁶ Calhoun, *The Presidency of Ulysses S. Grant*, 199-261; Nevins 309-371

caning on the Senate floor by Preston Brooks of South Carolina.⁴⁸⁷ Sumner was a member of the Free Soil Party before becoming a founding member of the Republican Party, though he certainly allied with the Radical Republicans in chastising Lincoln for his moderation towards the South.⁴⁸⁸ During the Civil War, Sumner used his position to ensure that foreign powers like Britain and France did not interfere on the grounds that this was not a foreign war but an internal issue for the United States to resolve on its own.⁴⁸⁹ After the war, Sumner was a significant force among the Radical Republicans in the push for the Reconstruction Amendments while leading the fight for equal civil and voting rights among black and white men.⁴⁹⁰ Sumner was a key player in American politics at the outset of the Grant Administration, particularly in foreign affairs, and he was a close friend of Secretary Fish. As such, President Grant sought to include him in the conversations surrounding Santo Domingo with the hope that he could persuade the senator to support his aims in the region.

Unfortunately, by this time the animosity between Grant and Sumner regarding foreign affairs may have been Washington's worst kept secret. Senator Sumner built a reputation as an able statesman and a dedicated public servant. His covetous desire for the position of Secretary of State was well known in Washington circles, and he was sorely disappointed to be overlooked for the post.⁴⁹¹ Secretary Fish attempted to sway his friend Sumner to support the administration by acknowledging that he "hoped that [he] could rely upon [his] friendship...experience and

⁴⁸⁷ Stephen Puleo, *The Great Abolitionist: Charles Sumner and the Fight for a More Perfect Union*. New York: St. Martin's Press, 2024.

⁴⁸⁸ Puleo, *The Great Abolitionist*; George H. Haynes, *Charles Sumner: American Crisis Biographies*. Philadelphia, PA: George W. Jacobs & Company, 1909.

⁴⁸⁹ Ibid

⁴⁹⁰ Puleo, *The Great Abolitionist*; Haynes, *Charles Sumner*; David Donald, *Charles Sumner and the Rights of Man*. New York, NY: Alfred A. Knopf, 1970.

⁴⁹¹ Charles Sumner to S.G. Howe, March 28, April 25, 1869, Charles Sumner Papers, Princeton University Library

ability” in his new role.⁴⁹² Sumner, however, simply responded with requests for patronage posts in the State Department, brusquely brushing off the attempt at conciliation.⁴⁹³ This led to a stretch of disagreement between Sumner’s Senate Foreign Relations Committee and Grant’s State Department in the first year of the administration. Regarding the *CSS Alabama* claims surrounding the question of payment for Confederate ships made by the British, Sumner supported the efforts of John Lothrop Motley, America’s Minister to the Court of St. James, and he made himself an integral voice between Motley and the administration, circumventing the existing state department hierarchy.⁴⁹⁴ Sumner encouraged Motley to pursue a course more aligned with his own desires instead of the one sought by the Grant Administration, which was not well received by Grant and Fish.⁴⁹⁵ This was made all the worse by newspapers that circulated stories which claimed that Grant believed Sumner’s stance on the matter was “good rhetoric” but contained “bad logic.”⁴⁹⁶ Eventually, Grant removed Motley from his post for listening to Sumner and not himself, further widening the gap between Grant and Sumner.⁴⁹⁷ Tensions between the two were exacerbated by rising tensions over the question to support Spanish claims to Cuba or instead provide support to the insurgents on the island, heightening sensitivity regarding American foreign policy in the Caribbean.⁴⁹⁸ These tensions came to a head over Santo Domingo.

Upon Fabens’s return to Washington with his report on Santo Domingo, he presented his report to Fish on the island nation’s vast natural resources and its favorable economic and stable

⁴⁹² Ibid; Hamilton Fish to Charles Sumner, March 13, 1869, Charles Sumner Papers

⁴⁹³ Ibid

⁴⁹⁴ Calhoun, *The Presidency of Ulysses S. Grant*, 151-178

⁴⁹⁵ Ibid

⁴⁹⁶ Ibid; *New York Herald*, June 3, 1869

⁴⁹⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 158-178

⁴⁹⁸ Calhoun, *The Presidency of Ulysses S. Grant*, 179-198

political situation, Fish in turn presented it to Grant and his cabinet.⁴⁹⁹ Fish proved not to be in Fabens's camp when it came to annexation, leaving Fabens with the belief that the secretary's "impressions were against it."⁵⁰⁰ Fabens's suspicions were confirmed when Fish presented this report to the cabinet, telling them that he was "opposed to considering it at present," as the impetus for such actions would have to arise in Congress, and since the legislature was in a short session at the time, there would be insufficient time to debate such a proposal.⁵⁰¹ In response, President Grant, a proponent of annexation, did not wish to act in haste on the matter and heeded Fish's council.⁵⁰² Fish continued to act on behalf of his president and pursue annexation efforts, but he seems to have done so begrudgingly. At one point, Fish disclosed his concerns with the plan to a colleague, stating that he had "no intention whatever of yielding" to the requests made by the Dominican government, and offering that while the United States may consider the chance to "annex countries inhabited by the Anglo-Saxon race and accustomed to self Government, the incorporation of those peopled by the Latin race would be but the beginning of years of conflict and anarchy."⁵⁰³ Given the recent developments in Santo Domingo and the seemingly ever-shifting political structures on the island, combined with ideas about the inferiority of those of non-Anglo-Saxon descent by many across the American polity, these claims by Fish portended very real issues that the electorate and the elected alike would have to consider should annexation debates progress.⁵⁰⁴ Still, the location of Santo Domingo, particularly

⁴⁹⁹ Joseph Fabens to Hamilton Fish, March 27, April 1, 1869, Notes from the Legation of the Dominican Republic, RG 59; Hamilton Fish diary, April 5-6, 1869, Hamilton Fish Papers, Library of Congress

⁵⁰⁰ Joseph Fabens to Nathaniel P. Banks, telegram, March 24, 1869, Nathaniel P. Banks Papers; Joseph Fabens to [?], April 7, [1869], Joseph Fabens Papers (it is unclear who the exact recipient of this letter was, but based on the evidence within the letter, it is safe to assume that its intended recipient was Mrs. Fabens).

⁵⁰¹ Hamilton Fish diary, April 5-6, 1869

⁵⁰² Tansill, *United States and Santo Domingo*, 350-354

⁵⁰³ Edward Thornton to the Earl of Clarendon, May 17, 1869, Public Record Office Microfilm Records, Library of Congress

⁵⁰⁴ Many scholars have devoted their entire careers to considering the dynamics of race and race relations in Reconstruction-Era America, and still more considerations are emerging from new scholars. For readers interested

the Bay of Samaná, and its value to prohibiting continued European interference in the Western Hemisphere seemed to have won out among members of Congress and the Grant Administration, and as such the push for annexation continued.

With many obstacles present, it appeared the best road toward the cause of annexation was to compile a report supporting a motion like Congressman Orth submitted so Congress could appropriately consider the possibility of adding Santo Domingo to the Union. Just a week before such a report was requested, the navy ordered an investigation into Samaná Bay and its potential use as a fueling station.⁵⁰⁵ As the State Department only consisted of about two dozen members at the time, they coordinated their efforts with those of the navy and the two missions were consolidated.⁵⁰⁶ The navy dispatched the USS *Nipsic* under Civil War veteran Thomas Selfridge Jr. to conduct this dual investigation.⁵⁰⁷ However, the *Nipsic*'s propeller broke off just off the coast of Cuba, and the ship sailed to Haiti before returning to the United States, never making it to its original destination of Santo Domingo, resulting in the failure of both missions.⁵⁰⁸ After the *Nipsic* incident, Fabens continued to push the administration toward annexation by appealing to Assistant Secretary of State J.C. Bancroft Davis.⁵⁰⁹ The administration still needed an investigative report and decided to obtain a civilian report. They chose Benjamin Hunt, an

in more detail on considerations of race during Reconstruction, consult the following: Foner, *Reconstruction*; Elizabeth Clark-Lewis, *First Freed: Washington, D.C. in the Emancipation Era*. Washington: Howard University Press, 2002; John Hope Franklin, *Reconstruction: After the Civil War*. Chicago, IL: University of Chicago Press, 1961; Robert Harrison, *Washington during Civil War and Reconstruction: Race and Radicalism*. New York: Cambridge University Press, 2011; Charles Lane, *Freedom's Detective: The Secret Service, the Ku Klux Klan and the Man Who Masterminded America's First War on Terror*. New York: Hanover Square Press, 2019; and Richard White, *Republic for Which It Stands*

⁵⁰⁵ Calhoun, *The Presidency of Ulysses S. Grant*, 206; Senate Executive Document No. 34, 41st Congress, 3rd Session

⁵⁰⁶ Ibid

⁵⁰⁷ Ibid

⁵⁰⁸ Ibid

⁵⁰⁹ Joseph Fabens to J.C. Bancroft Davis, May 27, 1869, J.C. Bancroft Davis Papers, Library of Congress

investigator with more than a decade's experience in the Caribbean, to complete the task.⁵¹⁰ Fish relayed his desires to Hunt, whom he considered to be "particularly well qualified" for the task, and a private ship called the *Tybee* was chosen as the vessel to carry Hunt to the Caribbean in early June.⁵¹¹ Just before the voyage, however, the sixty-one-year-old Hunt fell ill, and by time Fish could appoint a replacement, the *Tybee* set sail from New York, leaving the administration yet again without the necessary information to continue its push for annexation.⁵¹²

Even with two failed attempts at gathering information to assist the annexation efforts, the Grant Administration continued to do its due diligence on the matter. Fabens continued to serve as an intermediary between the United States and Santo Domingo. He hastened actions by the administration by presenting information that Dominican rebel vessels were threatening the island nation and American merchant ships.⁵¹³ After sending in naval ships to quell this matter, President Grant realized that they still needed a full report on the situation, and with the *Tybee* set to sail to the island nation once again in July, he entrusted the job to his Private Secretary, Orville Babcock. Babcock's selection was an interesting one, to say the least. He previously served as Grant's reconnaissance man on domestic trips before into the American South and West, but never on an international trip, and he could hardly be qualified as a regional expert as someone like Benjamin Hunt could.⁵¹⁴ He was not fluent in Spanish, nor had he participated in administrative discussions surrounding Santo Domingo, and he had no diplomatic status as an

⁵¹⁰ Ibid; Senate Executive Document No. 17, 41st Congress, 3rd Session

⁵¹¹ Senate Executive Document No. 17, 41st Congress, 3rd Session; Hamilton Fish to Benjamin P. Hunt, June 2, 1869 [misfiled], Diplomatic Instructions, Special Missions, RG 59;

⁵¹² Ibid; Spofford, Tilleston to Hamilton Fish, June 8, 1869, Hamilton Fish Papers; John Simon, ed., *The Papers of Ulysses S. Grant*, 21. Carbondale: Southern Illinois University Press, 1998. 290

⁵¹³ Joseph Fabens to Hamilton Fish, July 1, 9, Notes from the Legation of the Dominican Republic, RG 59

⁵¹⁴ Hatch Report; Orville Babcock diary, August 9, 1869, Orville Babcock Papers, Ulysses S. Grant Presidential Library

operative of the State Department.⁵¹⁵ In fact, he recently left Washington to go to New York for the summer, though he quickly returned once summoned by the president.⁵¹⁶ What Babcock did possess though was a keen eye for details, an ability for sizing up both men and situations, and an unending commitment to his patron Grant, and as such he agreed to set off on the task before him.⁵¹⁷

Babcock arrived in Washington on July 13, 1869, just days before the *Tybee* was to set sail from New York.⁵¹⁸ He met with the President and informed his patron that he should not accept free passage from those who had interests in either Santo Domingo or the commercial steamship passage to the Caribbean to avoid the perception that they were beholden to them.⁵¹⁹ Grant agreed and had the State Department pay for the trip out of the official budget.⁵²⁰ As this was a matter of the State Department, Babcock met with Secretary of State Fish and received his official written instructions, which replicated the earlier instructions intended for Benjamin Hunt to look into Santo Domingo's resources with an added missive to investigate such economic factors as the condition of the currency and the interest on the public debt.⁵²¹ These were not the only instructions given to Babcock though. President Grant gave him verbal instructions to ascertain the veracity behind the mixed reports the administration had been receiving surrounding the local population's perception surrounding potential annexation. Later, Grant recounted that "Gen. Babcock was sent to Sto Domingo [sic] to ascertain so far as he could the wishes of the Dominican people and Government with respect to annexation to the United States.

⁵¹⁵ Ibid

⁵¹⁶ Ibid

⁵¹⁷ Ibid

⁵¹⁸ Ibid

⁵¹⁹ Ibid; Hamilton Fish to Orville Babcock, July 13, 1869, Notes from the Legation of the Dominican Republic, RG 59; Senate Executive Document No. 17, 41st Congress, 3rd Session

⁵²⁰ Ibid

⁵²¹ Ibid

If he found them favorable he was directed to ascertain the terms on which they desired annexation.”⁵²² In other words, this was an exploratory mission only, meaning Babcock had no official authority to negotiate on behalf of the United States in any matters – that would have to be done by someone else with diplomatic authority at a later date using the information Babcock acquired. With these orders, Babcock readied himself and made haste back to New York to meet the *Tybee* for its departure on July 17, just four days after his meeting with Grant.⁵²³

Orville’s Adventures in Santo Domingo

By all accounts, Babcock’s initial journey began as smoothly as possible. He arrived in New York on time and met with Fabens and their fellow American passengers to the Caribbean, whom Babcock assumed one was traveling for “business (?)” and another as “an adventurer, nothing more.”⁵²⁴ Not knowing the other passengers, Babcock was hesitant to speak with them on matters of substance regarding his mission. He began to speak with Fabens, as he considered him earnestly interested in annexation, but even at that he deemed it was too early to tell anything about these men as there was “too much interest” on their end.⁵²⁵ He did find that some of his fellow passengers were from Santo Domingo and spoke with them about their nation, including one merchant who suggested that the people might be hesitant of annexation at first, but that they “would in a short time all vote for it.”⁵²⁶ Babcock began to warm to some of his fellow travelers, particularly Fabens, on their journey to Santo Domingo.

⁵²² Hatch Report; Simon, *Papers of Ulysses S. Grant* 20:179; Orville Babcock Diary, August 13, 1869, Orville Babcock Papers, Ulysses S. Grant Presidential Library

⁵²³ Hatch Report; Orville Babcock Diary, July 17-August 25, 1869, Orville Babcock Papers, USGPL

⁵²⁴ Ibid

⁵²⁵ Ibid

⁵²⁶ Ibid

Before arriving at their final destination, the *Tybee* journeyed to a coal station in Samaná Bay so Babcock could properly investigate the area's potential as a naval station.⁵²⁷ Here he remarked that an American naval presence could solve many of the problems caused by Dominican rebel ships, even if it was a single ship, let alone a larger military base.⁵²⁸ He found the nearby terrain to be favorable to the annexation cause due to its potential as a site of cultivation, but his experiences with the local population were not as fruitful.⁵²⁹ Babcock referred to the Dominicans as "indolent and ignorant" while suggesting that "the best class of people [on the island] are the American Negroes who have come here from time to time."⁵³⁰

After their brief stop at Samaná Bay, the passengers reboarded the *Tybee* and continued on to the capital city of Santo Domingo, Santo Domingo, arriving on July 27th.⁵³¹ Babcock was met by Dominican Foreign Minister Gautier, as President Báez was away at the time, and the minister offered Babcock lodging at the presidential palace, though Babcock declined this and took up residence in a local hotel to avoid misperceptions.⁵³² Fabens soon took Babcock to meet American ex-pat William Cazneau and his wife to learn more about the island.⁵³³ Babcock at first kept the other Americans in Santo Domingo at arm's length, but the poor condition of his hotel and the commonalities he shared with them made him yearn for palatial lodging and more escapes with Fabens to the Cazneau plantation.⁵³⁴ One of the other Americans on the journey,

⁵²⁷ Ibid; Orville Babcock to Annie Campbell Babcock, July 31, 1869, Orville Babcock Papers, Newberry Library

⁵²⁸ Ibid

⁵²⁹ Ibid

⁵³⁰ Ibid

⁵³¹ Orville Babcock Diary, "Tuesday, July 26 [27]," 1869, Orville Babcock Papers, USGPL; Babcock marked that this landing took place on Tuesday July 26th, but for the year and month in question, that Tuesday was July 27th. The evidence within this diary entry indicate that this was the correct date for Babcock's party's landing in Santo Domingo.

⁵³² Ibid

⁵³³ Ibid; Robert E. May, "Lobbyists for Commercial Empire: Jane Cazneau, William Cazneau, and U.S. Caribbean Policy, 1846-1878." *Pacific Historical Review* 48 (1979): 383-412.

⁵³⁴ Ibid

Senator Cornelius Cole of California, became a sounding board for Babcock, offering so much assistance to Babcock that he showed him his written instructions from Secretary Fish “all in confidence – on his word.”⁵³⁵

Babcock’s new friends were so impassioned in their desire for annexation that they convinced him to take the *Tybee* to President Báez, who was away on business, to begin discussions.⁵³⁶ Babcock agreed to journey the sixty-odd miles to the city of Azua and met with Báez for the first time, though little was accomplished other than honorifics at this meeting due to the presence of others preventing substantial conversations on annexation.⁵³⁷ Babcock then returned to the Dominican capital and explored the area per his instructions for a week before Baez returned.⁵³⁸ During this time, Babcock was impressed by the area’s potential in agriculture and commerce, and his relationships with Fabens and Cole deepened, particularly as Fabens showed Babcock his own private correspondence with the Dominican government concerning annexation.⁵³⁹ After looking at these “papers,” Babcock remarked that there existed “a much more favorable state of affairs than I expected – it looks as if something might be done” once he was able to speak with President Baéz.⁵⁴⁰ During this period Babcock also interacted with US Commercial Agent J. Somers Smith, who Babcock deemed “perfectly unfit” for his role, “simply a tool of Seward” and the old guard, who opposed Báez’s government and supported the

⁵³⁵ Ibid

⁵³⁶ Orville Babcock Diary, July 28-August 3, 1869, Orville Babcock Papers, USGPL; Orville Babcock to “Mr. Ringwood,” July 26, 1869, Orville Babcock Papers, USGPL

⁵³⁷ Ibid

⁵³⁸ Ibid

⁵³⁹ Ibid

⁵⁴⁰ Ibid

revolutionaries in the region.⁵⁴¹ Perhaps because of this, Babcock omitted Smith from his conversations with the Dominican leaders in the days to come.⁵⁴²

President Báez returned to his capital on August 7th, and at that point Babcock trusted Cazneau enough to ask him to serve as his interpreter while showing him some of his papers.⁵⁴³ Cazneau agreed to interpret for Babcock, and in doing so he informed Babcock about one of the most important things that could affect the potential annexation: the Hartmont Loan.⁵⁴⁴ The Hartmont Loan was an agreement the Dominican government entered into with a British firm just months prior in a desperate attempt to acquire funds. The firm lent the Dominicans £420,000, with a £100,000 commission, an initial payment of £37,000, and a promise to provide the rest by the end of the year, with repayment to come over the following 25 years.⁵⁴⁵ With an effective annual interest rate of 18%, the Dominican government pledged customs revenue, guano deposits, coal and other mines, and timber as guarantees of repayment while the Hartmont firm raised the funds by attempting to float bonds in Europe.⁵⁴⁶ Though there was an exit clause if the firm did not successfully raise the money by the end of the year, this arrangement hung over the potential annexation deal like the Sword of Damocles, as the possibility of the United States taking on the burden of such a large debt could kill the deal before it even began.⁵⁴⁷ Yet Cazneau pointed out that American failure to become involved via annexation could also prove problematic since the British could lay claim to Samaná Bay should the Dominicans default on

⁵⁴¹ Ibid

⁵⁴² Ibid

⁵⁴³ Orville Babcock Diary, August 7-22, 1869, Orville Babcock Papers, USGPL; Tansill, *United States and Santo Domingo*, 345-350; Nelson, *Almost a Territory*

⁵⁴⁴ Ibid

⁵⁴⁵ Ibid; The Hartmont firm expected a repayment of £50,000 on the payment of £37,000

⁵⁴⁶ Ibid

⁵⁴⁷ Ibid

their repayment.⁵⁴⁸ This left Babcock in a difficult position, but, armed with this new knowledge, he entered discussions with Dominican officials more prepared than he had ever been.

Babcock met with Báez during the second week of August, calling on Cazneau and Fabens for assistance while excluding Smith.⁵⁴⁹ Here, Babcock laid bare his knowledge of the situation and was as transparent as could be without revealing state secrets. He informed the president that he had not come in an official capacity to offer to buy the island, but instead that he came at the behest of President Grant to investigate the varying reports coming from the island and to determine the potential benefits and drawbacks that could come from Santo Domingo joining the Union.⁵⁵⁰ Báez responded equally honestly that the nation had been “going backward,” and that he was convinced that, moving forward, they had “no chance but Annexation.”⁵⁵¹ Babcock encouraged Báez to make an offer, but Báez was afraid that any official proposal he put forth would be rejected, so Babcock instead took it upon himself to draw up suggested terms alongside Cazneau.⁵⁵² Among the suggestions made were that Santo Domingo should cede Samaná Bay to the United States, and in return he believed that President Grant would be able to offer money and munitions to aid with the efforts to suppress Dominican rebels.⁵⁵³ Babcock remained steadfast that he was only authorized to present proposals made by Báez to President Grant, but he continued to aid Báez by making suggestions for the official proposal. He advised him to have Foreign Minister Gautier write a memorandum that would outline suggested terms, providing some of his and Cazneau’s notes to help in this endeavor, and served as a sounding board when Báez asked about the path ahead for annexation in the

⁵⁴⁸ Ibid

⁵⁴⁹ Ibid

⁵⁵⁰ Ibid

⁵⁵¹ Ibid

⁵⁵² Ibid

⁵⁵³ Ibid

American government.⁵⁵⁴ Babcock insisted that “Genl Grant [sic] would not enter into any treaty without weighing the matter well, and feeling assured that it would be approved,” leaving Báez and Gautier to formally write up an offer that he could take back to Washington.⁵⁵⁵

Though Babcock overstepped in his role by suggesting terms during his meetings with President Báez, it would be difficult to assert that there was a preplanned effort for Babcock to engage in corrupt activities on this initial trip. His diary records suggest as much, noting that he initially distrusted those with whom he became close on the island, and he continually insisted that he was unable to officially offer any terms.⁵⁵⁶ He took up residence in a local hotel instead of the presidential palace to avoid the perception of impropriety. He was extremely forthcoming with Báez, other members of the Dominican government, and even a select few other Americans who sought to make this deal happen. Yes, he certainly overstepped his authority by helping the Dominican government to prepare their proposal in as much detail as he did, and he further circumvented protocol by leaving Smith, an American Commercial Agent, out of the bulk of the discussions. However, he did this knowing that it was his patron’s desire to annex the nation, and seeing as he had little to no training on how to behave as a member of the State Department, it is easy to attribute these actions as those of a friend attempting to do what he could to the best of his ability to ensure the success of such an historic endeavor.

Although the Santo Domingo journey did not begin in any effort to engage in nefarious behavior, the road to Hell is paved with good intentions. For Babcock, this was the initial slide down a slippery slope toward both his personal fortune and damning political pragmatism. Báez and Babcock decided to pause the talks of annexation so the Dominicans could prepare their

⁵⁵⁴ Ibid

⁵⁵⁵ Ibid

⁵⁵⁶ Orville Babcock Diary, 1869, Orville Babcock Papers, USGPL

offer as effectively as possible. At that point, Babcock went on a tour of the country, guided by Fabens, in an effort to gather more information for the Grant Administration per his orders.⁵⁵⁷ Babcock and Fabens had already grown close during his time in Santo Domingo, but this trip deepened their friendship in new ways. Babcock observed more areas that he deemed “susceptible of the highest cultivation,” and they attempted to find the nation’s gold mines, though they had little success in this matter.⁵⁵⁸ After a fruitful trip in which Babcock learned much of the nation, he exposed himself by writing in his diary “I shall be pleased to have the 1000 acres of Palenque promised me in case of annexation, it may make my fortune.”⁵⁵⁹ Palenque, one of the locations Babcock and Fabens visited, was a region of savanna that extended to beaches, a land ripe with possibility should annexation efforts succeed. Babcock did not indicate who made him this offer, though it is believed it was Fabens given a later letter to express his desire to “interest you [Babcock], in a *material* way, in our Survey Company.”⁵⁶⁰ Babcock was wise enough to turn down official government offers for land, namely one later made by Báez in thanks for his assistance, stating that that was the kind of thing that could jeopardize their entire enterprise.⁵⁶¹ Still, this private offer was enough to tempt Babcock with a more personal stake in the matter in Santo Domingo. This was an offer Babcock could not refuse, and it not only deepened his relationship with Fabens, but it ensured his vigor as he worked to confirm the island’s annexation by the Union.

As a result of the new possibilities unfurled before Babcock, he fell back on his military training and redoubled his efforts to resolve the issues currently before him surrounding

⁵⁵⁷ Orville Babcock Diary, August 16-18, 1869, Orville Babcock Papers, USGPL

⁵⁵⁸ Ibid

⁵⁵⁹ Orville Babcock Diary, August-November 1869, Orville Babcock Papers USGPL; Hatch Report; Joseph Fabens to Orville Babcock, September 12, 1869, quoted in Nevins, *Hamilton Fish*, 276

⁵⁶⁰ Ibid

⁵⁶¹ Ibid

annexation so he could return to America with haste. To this end, he approached Báez about the Hartmont Loan, and the president confided in him that he was merely desperate for money, which satisfied Babcock enough to continue aiding Báez.⁵⁶² Annexation talks were interrupted by Smith, who entered the discussion to protest the treatment and unfair imprisonment of an American named Davis Hatch by Báez.⁵⁶³ Smith asserted that Hatch was an influential American who was on the island tending to the business interests of an American railway baron and that his only crime was opposing Báez, not the government, which Báez countered with a claim that Hatch's house had been made into "the arsenal and armory" for rebel forces.⁵⁶⁴ Babcock remained silent on this matter, which would later become a sticking point for several Americans in the calls for annexation, particularly as Babcock's role meant he should have placed the interest of America and Americans, including Hatch, above all else, including that of his own potential fortune.

As annexation talks resumed, Babcock became frustrated with the dragging pace of the process, noting at one point that the Dominicans "act like children" with their negotiations.⁵⁶⁵ Báez tried to assuage Babcock's worries concerning the Hartmont Loan, insisting that the deal could be canceled, even offering that annexation could happen if the United States took on Dominican debts.⁵⁶⁶ Báez further asked for total annexation rather than splitting the nation by annexing only Samaná Bay, and he also asked for protection from American war vessels to scare off nearby rebel forces during the time when the proposal was under consideration.⁵⁶⁷ Babcock instructed Báez to put his thoughts on paper so he could deliver them to President Grant for his

⁵⁶² Orville Babcock Diary, August 22-23, 1869, Orville Babcock Papers, USGPL

⁵⁶³ Hatch Report

⁵⁶⁴ Orville Babcock Diary, August 22-23, 1869, Orville Babcock Papers, USGPL

⁵⁶⁵ Orville Babcock Diary, August 26-28, 1869, Orville Babcock Papers, USGPL

⁵⁶⁶ Orville Babcock Diary, August 24-28, 1869, Orville Babcock Papers, USGPL

⁵⁶⁷ Orville Babcock Diary, August 24-28, 1869, Orville Babcock Papers, USGPL

consideration, and foreign minister Gautier presented him with a draft outlining their suggested terms.⁵⁶⁸ Babcock ensured that the US warship *Tuscarora* would maintain a presence in the area to chase off rebel ships should Báez settle matters on his end, to which he agreed.⁵⁶⁹ Babcock remained uninvolved on the matter of Davis Hatch, posing it as a matter for Báez to deal with, which so infuriated Smith that he wrote to Hamilton Fish that Babcock ignored him entirely on his trip, correctly insisting that “he goes home with impressions derived chiefly from Cazneau and Fabens.”⁵⁷⁰ On September 4th, Gautier ran to Babcock in the harbor with the finalized proposal in hand as the *Tybee* prepared for its trip home to the United States.⁵⁷¹ Though nothing was officially settled, Babcock and the Dominicans took several steps along the road to annexation before Babcock left the island for the first time.

Babcock Returns: A Report at Last

Babcock returned to Washington in mid-September 1869, eager to share his good news with President Grant. The President was out of town at this point, though, so Babcock made his report to Secretary Fish, who then advised Grant via letter before Babcock was able to inform him directly upon his return.⁵⁷² The terms were laid out to the administration: for an asking price of \$1.5 million – which would take care of the Dominican debt, pay their troops, and cover the transfer of power – the Dominicans would vote on annexation, and any money paid to the government would go to the purchase of Samaná Bay should the ratification of an annexation treaty fall through.⁵⁷³ Further, Fish informed Grant that the Dominicans would “arrest” the

⁵⁶⁸ Orville Babcock Diary, August 24-31, 1869, Orville Babcock Papers, USGPL

⁵⁶⁹ Orville Babcock Diary, September 1, 1869, Orville Babcock Papers, USGPL

⁵⁷⁰ Orville Babcock Diary, September 2, 1869, Orville Babcock Papers, USGPL; J. Somers Smith to Hamilton Fish, September 2, 1869, Dispatches from US Consuls in Santo Domingo, RG 59

⁵⁷¹ Orville Babcock Diary, September 2-14, 1869, Orville Babcock Papers, USGPL

⁵⁷² Nevins, *Hamilton Fish*, 268; Semmes, *Exporting Reconstruction*, 47-49; Hamilton Fish to Ulysses S. Grant, September 17, 1869, Hamilton Fish Papers, Library of Congress

⁵⁷³ Ibid

Hartmont Loan once they were informed that annexation was being strongly considered by the United States, attempting to remove arguably the biggest obstacle in the path forward.⁵⁷⁴

President Grant returned to Washington a few days later and received Babcock's report on the matter, and he instructed Fish to message Gautier that he generally approved of the proposal but that some of the details needed to be negotiated further.⁵⁷⁵ Unfortunately, at this time domestic events took priority as the Gold Corner came to light and required the immediate attention of the administration, moving annexation talks to the back burner for the time being.⁵⁷⁶ Fish was tasked with remaining *en communiqué* with the Dominicans and working on negotiations, while Babcock remained in conversation with Cazneau and Fabens, yet again circumventing Smith.⁵⁷⁷ Babcock's enmity for Smith and Smith's displeasure with how matters of State were handled in Santo Domingo were enough to reach a breaking point, particularly when Gautier requested the appointment of a new commercial agent who could assist with "carrying into effect" annexation.⁵⁷⁸ This role required someone who was accredited with diplomatic status, meaning that Babcock was not suitable, and with news arriving that the Hartmont Loan was failing, haste and secrecy in this search took priority.⁵⁷⁹ President Grant decided on Raymond H.J. Perry, a thirty-three year old former-Union Army major who had written the president that he was "ready

⁵⁷⁴ Ibid; Hamilton Fish to John Lothrop Motley, September 20, 1869, Hamilton Fish Papers

⁵⁷⁵ Hamilton Fish, Memorandum for a letter to the Secretary of State of San Domingo, September 22, 1869, Dispatches of Special Agents of the Department of State, Records of the Department of State, RG 59

⁵⁷⁶ This event is covered further in Chapter 3 in an attempt to maintain the continuity of the Santo Domingo story at present.

⁵⁷⁷ Hamilton Fish, Memorandum for a letter to the Secretary of State of San Domingo, September 22, 1869, Dispatches of Special Agents of the Department of State, Records of the Department of State, RG 59; Orville Babcock to William Cazneau, September, 1869, Orville Babcock Papers, Newberry Library

⁵⁷⁸ Calhoun, *The Presidency of Ulysses S. Grant*, 218-222; Hatch Report; "Memorandum Accompanying Proposition for Annexation," September 2, 1869, in *New York Times*, April 30, 1870

⁵⁷⁹ Hatch Report; John Lothrop Motley to Hamilton Fish, October 6, November 11, 20, 1869 (each typescript), Hamilton Fish Papers; Orville Babcock to Hamilton Fish, October 20, 1869, Ulysses S. Grant Papers, Library of Congress; Hamilton Fish Diary, December 21, 1869

to go at an hour's notice to any part of the World alone or in company as you wish; and in any position to serve you."⁵⁸⁰

Raymond Perry was, in no uncertain terms, a pragmatico like Babcock, though he initially had different intentions behind his actions: he desired to make "a reputation not money" as his path forward in politics.⁵⁸¹ Perry joined the United States Army in 1858, and he served under General Phillip Sheridan during the Civil War.⁵⁸² During his time in the military, Perry had a history of impulsivity and violence, including slapping a superior officer, shooting and cutting men for refusing to obey orders, and even killing a comrade in what he claimed was an act of self-defense.⁵⁸³ Perry was court-martialed in 1865, and that October he submitted his resignation to Sheridan.⁵⁸⁴ Sheridan however converted Perry's resignation into an honorable discharge and hired him as a civilian scout in Texas during Reconstruction before seeking an appointment as a US Marshal.⁵⁸⁵ He was passed over for the position of US Marshal, but his persistence in reaching out to President Grant regarding "any rough work to do that requires nerve and activity and a man that will do his duty regardless of anything or anybody" struck a chord with Grant, who sent him to Santo Domingo to replace Smith.⁵⁸⁶

⁵⁸⁰ Hatch Report; Raymond H.J. Perry to Ulysses S. Grant, October 20, 1869, Raymond H.J. Perry Papers, University of Rhode Island; Hamilton Fish Diary, October 19, 1869

⁵⁸¹ Raymond H. J. Perry to Fannie Perry, November 14, 1869, Raymond H.J. Perry Papers

⁵⁸² Calhoun, *The Presidency of Ulysses S. Grant*, 220-222

⁵⁸³ Ibid; Orville Babcock to Hamilton Fish, October 20, 1869, Ulysses S. Grant Papers, Library of Congress; Hatch Report; Raymond H.J. Perry to "the Select Committee of the United States Senate in the case of the Hatch imprisonment," June 22, 1870, Raymond H.J. Perry Papers, University of Rhode Island

⁵⁸⁴ Ibid

⁵⁸⁵ Ibid

⁵⁸⁶ Copy of Perry to Grant, 1869, Raymond H.J. Perry Papers, University of Rhode Island. This document has "Dec" written upon it, but this dating seems to be added after the fact, and perhaps mistaken, as Perry was in Santo Domingo in December 1869. He was in Washington that October, so it seems likeliest that this is when this memo was written.

Upon Perry's appointment and arrival in Santo Domingo, he was thrust into his new role at the eleventh hour. Perry was initially unsure of his fit in this new role, suggesting to Fish that he "might be better employed to better advantage in the states."⁵⁸⁷ Still he sailed to Santo Domingo aboard the *Tybee* as ordered and began to acquaint himself with the players involved. He met Fabens aboard the *Tybee*, who hinted that he had the "great opportunity for making a rapid fortune" in this role, while Cazneau suggested he could get "a fine plantation" on the island.⁵⁸⁸ Historians don't believe Perry ever took these offers, as again, he sought to make a reputation for himself. Perry though wanted to ensure annexation so much that he informed Báez that if he gave him 250 mounted men, he would resign from his current post and put down the rebellion on the island to remove further obstacles in the path forward.⁵⁸⁹ This did not come to fruition, but his reliance on his military prowess proved him willing to ensure that he accomplished his goals as the blunt instrument he was, even if it meant that he would be scoffed at by others. Perry sought reputational advancement instead of monetary gain which made him a different breed than Babcock, but his ambition, his position as an appointee, and his desire to accomplish tasks effectively for his benefactor regardless of public perception, as proven through his relationships with Sheridan and Grant, certainly qualifies him as another pragmatic.

In October 1869, with a new commercial agent in place, the administration put plans into motion which highlighted both Perry and Babcock to further negotiate annexation. On October 19th, Fish presented a draft annexation treaty to the cabinet that was met with lukewarm reception, but the project carried forth as Fish continued to work on an additional draft to

⁵⁸⁷ Raymond H.J. Perry to Hamilton Fish, October 24, 1869, Hamilton Fish Papers

⁵⁸⁸ Raymond H. J. Perry to Fannie Perry, November 14, 1869, Raymond H.J. Perry Papers

⁵⁸⁹ Ibid; Raymond H.J. Perry to Hamilton Fish, October 24, 1869, Hamilton Fish Papers; Raymond H.J. Perry to Hamilton Fish, June 7, 1870, Dispatches from US Consuls in Santo Domingo, RG 59

purchase Samaná Bay should annexation fall through.⁵⁹⁰ President Grant outlined a new plan of attack with Babcock at the center, taking both the proposed treaty and the draft to Santo Domingo for negotiations. The treaty posited that the United States would pay \$1.5 million to Santo Domingo to be used for their debts in exchange for annexation.⁵⁹¹ It also stipulated for a plebiscite by the Dominican people, and until that time the United States would protect the island nation from outside interference.⁵⁹² The proposal required ratification from both sides within four months with no further debts to be taken on by the Dominicans in that time.⁵⁹³ The accompanying sale proposal for Samaná Bay indicated a down payment would be made, and that in the off chance annexation fell through, it would pay annual rent for ninety-nine years on Samaná Bay with an option to buy it outright for \$2 million.⁵⁹⁴

In early November, Fish met with Babcock to provide his and Perry's orders moving forward, prioritizing annexation over the sale of Samaná Bay. By this point, Perry had already been dispatched to Santo Domingo with instructions that did not include anything about annexation, as the administration was still working on finalizing its policies on the matter when he left.⁵⁹⁵ Upon Perry's arrival in Santo Domingo, he recognized the divide amongst Americans supporting annexation and the Báez government and those opposed with other interests, and he made a marked change to his predecessor Smith's policies by ordering that the consulate no longer be used as an asylum for Báez's opponents.⁵⁹⁶ Fish instructed Perry that he had "full powers from the President" to complete the treaty and proposed sale Fish drafted, but he

⁵⁹⁰ Hamilton Fish Diary, October 16-25, 1869, Hamilton Fish Papers

⁵⁹¹ Senate Executive Document No. 17, 41st Congress, 2nd Session, 81-90

⁵⁹² *Ibid*

⁵⁹³ *Ibid*

⁵⁹⁴ *Ibid*

⁵⁹⁵ Hamilton Fish Diary, October 16-25, 1869, Hamilton Fish Papers

⁵⁹⁶ Raymond H.J. Perry to Orville Babcock, November 16, 1869 (typescript), Raymond H.J. Perry Papers; Raymond H.J. Perry to Hamilton Fish, November 16, 1869 (typescript), Raymond H.J. Perry Papers

encouraged him that it was “the desire of the President that you should confer with General Babcock in every step of these negotiations,” as Babcock was acutely aware of the President’s stance on the matter.⁵⁹⁷ Babcock’s instructions were far longer than Perry’s. These instructions were detailed regarding the parameters for negotiations and instructing Babcock to coordinate with the American Navy in the area to ensure the validity of a plebiscite, but in short they directed him to “advise unofficially” with Perry regarding annexation, and should that fail, then to make the best deal that they could.⁵⁹⁸ It was clear from these instructions that Babcock would serve in the role of negotiator and that once he was satisfied with the terms, Perry would serve as the figurehead on behalf of the administration and sign whatever deal Babcock negotiated into effect. Babcock set off to New York with an armed envoy where he picked up \$100,000 in gold and another \$50,000 worth of arms to take to Santo Domingo as the down payment, alongside two high-ranking military officials serving in advisory and interpreting roles.⁵⁹⁹ Babcock arrived on the island on November 18th, quickly meeting with Perry and delivering their orders, and the two set out to begin the negotiations once again.⁶⁰⁰

The next day, an unofficial committee comprised of Americans and Dominicans assembled to discuss annexation and to begin to nail down the specifics of such a deal. Much of the proposed deal was agreed to, but one stumbling block was put forth by the Dominicans. Gautier desired that an article be added to the treaty protecting the Dominicans’ ability to legislate their own mode of paying back the debt, ensuring that they would maintain their own

⁵⁹⁷ Hatch Report; Senate Executive Document No. 17, 41st Congress, 2nd Session, 80-95

⁵⁹⁸ Ibid

⁵⁹⁹ Orville Babcock Diary, November 8-10, 1869, Orville Babcock Papers; Hatch Report

⁶⁰⁰ Orville Babcock Diary, November 18, 1869; Hatch Report

management of their debts.⁶⁰¹ Cazneau, who was asked by President Báez to serve as an interpreter, should have had no hand in these negotiations but devised a new article ensuring Gautier's wishes, and besides this one clause, the draft treaties looked almost identical to those created by Fish.⁶⁰²

In late November, with the treaty ready to be signed, Báez attempted to halt the negotiations in order to show his gratitude to the Americans, namely Babcock, for their role in the treaty. The treaty stated that the Dominican government could issue no new land concessions once the treaty was enacted, and following existing practices on the island, Báez sought to grant Babcock a plot of land. Báez wanted to consult his senate about repaying this man for his "great kindness" in ensuring the island's safety via the presence of the *Tuscarora* as well as his efforts to replace commercial agent Smith, thereby forwarding the cause of annexation.⁶⁰³ Babcock refused this official offer, allegedly declaring "My God! Anything of that kind would ruin the treaty; it would not do!"⁶⁰⁴ Babcock was aware that this official offer would be enough to ruin the treaty given his standing as a representative of the Grant administration, but he did indicate that "as a citizen of the U.S. I should like to go into Business with him, but could not accept a gift now."⁶⁰⁵ He made no mention of further discussions regarding future endeavors between himself and Báez, nor of the offer of land previously made by Fabens, focusing only on this offer by the state as improper. With these obstacles finally removed, Perry and Gautier signed the documents as the official negotiators, though it was clear this was a deal between Babcock and

⁶⁰¹ Orville Babcock Diary, November 19-28, 1869, Orville Babcock Papers; Hatch Report; Senate Executive Document No. 17, 41st Congress, 3rd Session; Buenaventura Báez to Orville Babcock, December 3, 1860, Notes from the Legation of the Dominican Republic, RG 59

⁶⁰² Ibid

⁶⁰³ Hatch Report; Orville Babcock Diary, August 20, November 29, 1869, Orville Babcock Papers

⁶⁰⁴ Ibid

⁶⁰⁵ Ibid

Báez.⁶⁰⁶ Perry later indicated that “General Babcock ought to have the credit as he had had the labor” involved in the process.⁶⁰⁷ Babcock finally departed the island in early December, leaving a military presence in Samaná Bay under the newly-raised American flag, and returned to the capital having ably accomplished the task assigned to him.⁶⁰⁸

Issues Domestic Because of Issues Foreign

Upon Babcock’s return, he presented both the lease treaty and the annexation treaty that were approved in Santo Domingo to the Cabinet. When the President called for discussion of the matter, he encouraged cabinet members to discuss the lease proposal, but to remain tightlipped about annexation until the effects of the Hartmont Loan concluded at the end of the year.⁶⁰⁹ The president remained excited about the prospects of annexation, so much so that he insisted on its strategic importance as “the gate to the Carib[b]ean” in his memo “Reasons Why Santo Domingo Should Be Annexed to the United States.”⁶¹⁰ Grant hoped that this matter could be resolved quickly, and that the annexation of this new territory to the Union could serve as a crowning achievement for his first term, possibly even earning him a second term in the process. He discussed the potential of the deal as “carrying out Manifest destiny” while suggesting that the deal was nothing but common sense: “Can anyone favor rejecting so valuable a gift who voted \$7,200,000 for the icebergs of Alasca [sic]?”⁶¹¹ The key here was ensuring the deal’s secrecy

⁶⁰⁶ Hatch Report; Orville Babcock Diary, November 29- December 2, 1869, Orville Babcock Papers; Joseph Fabens to Hamilton Fish, December 30, 1869, Notes from the Legation of the Dominican Republic, RG 59; Buenaventura Báez to Orville Babcock, December 3, 1869, Notes from the Legation of the Dominican Republic, RG 59; Raymond H.J. Perry to Hamilton Fish, December 10, 28, 1869, Dispatches from US Consuls in Santo Domingo, RG 59

⁶⁰⁷ Ibid

⁶⁰⁸ Ibid

⁶⁰⁹ Hamilton Fish to Elihu Washburne, December 24, 1869, Elihu Washburne Papers, Library of Congress; Hamilton Fish to John Lothrop Motley, December 24, 1869, Hamilton Fish Papers

⁶¹⁰ Grant, “Reasons Why San Domingo Should Be Annexed to the United States”; Semmes, *Exporting Reconstruction*, 49-59

⁶¹¹ Ibid

until the major issues were resolved, leaving no room for concern from political opponents. Unfortunately, on December 23rd, only two days after Babcock's return, discussions surrounding annexation leaked in a very detailed and accurate story in the *New York Herald* that could have only been written with assistance from someone with insider knowledge of the matter.⁶¹²

The response to the information about annexation getting out was less than ideal, particularly when Charles Sumner decided to speak on the matter himself (**Figure 2.3**). Sumner, a long-time advocate of racial equality in the United States and an opponent of relocation arguments, began to publicly comment on the idea of acquiring territory in the West Indies, insisting that "we should neither purchase them nor assist in wresting them from the powers to which they belong."⁶¹³ Grant previously encountered difficulties with Sumner and his Foreign Relations Committee on such matters as the *Alabama* claims, and he did not desire to instigate another drawn out debate on something he deemed so important for the future of the Union.⁶¹⁴ In an effort to assuage Sumner, Grant felt it necessary to give Sumner a personal preview of the treaty before revealing it to Congress in an effort to alleviate concerns about Hartmont.⁶¹⁵ With this decision made, the idea of secrecy surrounding this project was abandoned and the fight for ratification stateside was on.

This battle opened with the President desiring peace between his faction and Sumner, and as such he believed that "a personal visit, & the communication to him, the *first* outside of his Cabinet, was proper, & would be received as a suitable recognition of his position & as a mark of

⁶¹² *New York Herald*, December 23, 1869

⁶¹³ *New York Herald*, December 29, 1869

⁶¹⁴ Calhoun, *The Presidency of Ulysses S. Grant*, 179-198

⁶¹⁵ Simon, *Papers of Ulysses S. Grant* 28, 320-321

confidence.”⁶¹⁶ As such, Grant used the tool of the politician, deference, and personally journeyed to Sumner’s home to discuss the matter at hand.⁶¹⁷ Grant arrived to find Sumner entertaining two journalists at dinner, and at one point in the evening they were joined by Secretary of the Treasury George Boutwell.⁶¹⁸ President Grant expressed that he had come as a courtesy to the longtime senator and laid out both the outlines and the benefits of the treaty as it existed.⁶¹⁹ Sumner listened to the President throughout his explanation without raising any objection, though he would later contest such congeniality through the press during his assaults on the administration for their handling of the matters at hand.⁶²⁰ At one point Sumner

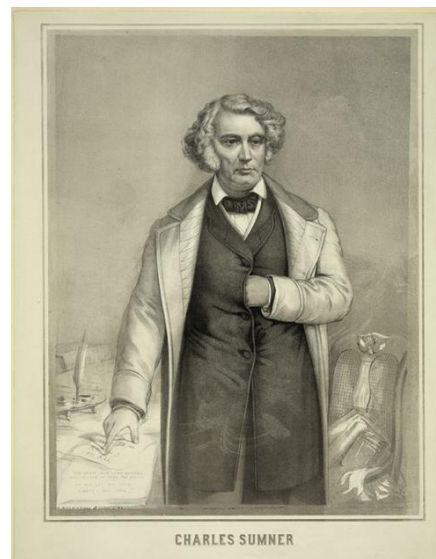


Figure 2.3: Charles Sumner: The above lithograph of Senator Charles Sumner, depicts him as a champion of his fight for equality, with his hand resting on a paper that reads “Equal rights to all.”: Lithograph of Charles Sumner, three-quarter length portrait, standing, facing slightly right, hand resting on paper that reads: "Equal rights to all." By Henry Schile, 1874.⁶²¹

⁶¹⁶ Hamilton Fish Diary, December 31, 1869; Hamilton Fish to George Boutwell, November 22, December 1, 1877, Hamilton Fish Papers; Ulysses S. Grant to Hamilton Fish, November 14, 1877, Hamilton Fish Papers

⁶¹⁷ Ibid; Semmes, *Exporting Reconstruction*, 59-60

⁶¹⁸ Hamilton Fish Diary, December 21, 1869 and December 23, 1870, Hamilton Fish Papers; *Congressional Globe*, 41st Congress, 3rd Session, 242-245; *New York Herald*, December 22-23, 1869; Ulysses S. Grant, interview in the *New York Herald*, February 22, July 24, 1878; Charles Sumner and Edward L. Pierce, ed., *Memoir and Letters of Charles Sumner*. Boston: Roberts Brothers, 1894. Vol 4. 433

⁶¹⁹ Ibid

⁶²⁰ Ibid

⁶²¹ Henry Schile, *Charles Sumner*. ca. 1874. New York: Published by H. Schile, 36 Division St. Photo of original lithograph. Courtesy of the Library of Congress

interjected to bring forth a patronage case amid their discussions which soured the mood of the evening, but overall the events of the night seemed promising for annexation.⁶²² Grant left Sumner's home feeling that the senator "had assured him, in the presence of another person, of his friendship to the Treaty," and Boutwell remembered Sumner saying on their departure "I expect, Mr. President, to support the measures of your administration."⁶²³ Sumner's later actions, however, suggested exactly the opposite was true.

The contention surrounding this matter quickly rose to a boiling point. Sumner's committee received the proposed treaty on January 10, 1870, where it sat untouched for several months. Following the meeting at Sumner's home, the senator put forth a drastically different recollection of the events that occurred that evening and assailed the administration's proposed plan for annexation. Sumner argued that he had long held the idea of the United States maintaining a protectorate in the Caribbean, though this was never something that he brought forth until after he saw the annexation proposal.⁶²⁴ Perhaps even worse, because of his dislike for the plan, Sumner circulated rumors that Grant imbibed of alcohol far too freely during their meeting, once again returning to the tired old practice of claiming Grant's drunkenness made him an ineffective leader.⁶²⁵ Sumner made this claim to Fish months after the meeting rather than directly after, placing in question his motives for revealing this as he could have easily reported it directly after, but instead he waited for a heightened moment during their debates.⁶²⁶ Multiple reports from that night suggest that Grant did not have a single drink on the evening in question,

⁶²² Ibid; Simon, *Papers of Ulysses S. Grant* 28, 321; *Journal of the Executive Proceedings of the Senate of the United States*, 41st Congress, 1st Session, 114-122

⁶²³ Hamilton Fish Diary, May 3, 1870; Ulysses S. Grant to Hamilton Fish, November 14, 1877, Hamilton Fish Papers; George Boutwell, "Memorandum," November 12, 1877 (typescript), Hamilton Fish Papers; George Boutwell to Hamilton Fish, November 28, 1877, Hamilton Fish Papers

⁶²⁴ *Congressional Globe*, 41st Congress, 3rd Session, 242-253; Semmes, *Exporting Reconstruction*, 77- 79

⁶²⁵ *Bangor Whig & Courier (ME)*, October 29, 1877; Hamilton Fish Diary, December 23, 1870

⁶²⁶ Ibid

including one from Boutwell who attested that “Grant was entirely free from alcoholic influence on that occasion,” unlike others in attendance that evening.⁶²⁷ The attacks on the proposed annexation became personal attacks, and Grant realized that Sumner was attempting to draw out the process until the end of March, at which point the treaty would expire and annexation would be killed.

Suddenly, the Grant Administration was forced to consider several new options in the process of achieving annexation while remaining true to his word on others. In an effort to hold up their end of the negotiated deal with the Dominicans, American forces continued to protect the Dominican government under Báez until annexation was voted on by the general population of the island nation and until annexation could be considered by Congress, aiding with assaults from insurgents and neighboring Haitians.⁶²⁸ By early March, the administration received word that the plebiscite on annexation was completed and was in favor of the effort, perhaps showing the lack of speed exerted by Sumner on the matter.⁶²⁹ In response, Sumner led the Foreign Relations Committee through a rushed investigation into both the practicality of annexation and the negotiation efforts Babcock undertook.⁶³⁰ The investigation left the committee members doubting the process and reluctant to move forward.⁶³¹ President Grant reached out to Sumner in an effort to remind him of the upcoming expiration deadline at the end of March, and the next day the committee voted down the treaty by a 5-2 vote.⁶³² In response, Grant himself traveled to

⁶²⁷ Ibid

⁶²⁸ Hamilton Fish Diary, January 29, February 5, 1870, Hamilton Fish Papers; Senate Executive Document No. 34, 41st Congress, 3rd Session, 10-25

⁶²⁹ Charles Sumner to Orville Babcock, March 10, 1870, Orville Babcock Papers, Newberry Library; *Congressional Globe*, 41st Congress, 3rd Session, 252-266; *New York Herald* March 2, 12, 16, 1870; Hamilton Fish Diary, March 15, 1870, Hamilton Fish Papers; *Journal of the Executive Proceedings of the Senate*, 41st Congress, 2nd Session, 392-406

⁶³⁰ Ibid

⁶³¹ Ibid

⁶³² Ibid

the Capitol in an effort to lobby on behalf of the annexation treaty, an act that bothered Sumner so deeply that he wrote to Fish “must I accept every thing without any exercise of my own judgement?”⁶³³ Sumner was so upset by these developments that he launched into a two-day filibuster against the proposed annexation deal, warning the committee that this deal meant the acquisition of a land filled with debt and a tumultuous history while denigrating the Dominican population as unfit for inclusion in American society.⁶³⁴ In response to this speech, Grant garnered the support of Mississippi Senator Hiram Revels, America’s first black Congressman, who argued that annexation was “the duty of our powerful, wealthy, and Christian nation, regardless of the trouble and expense which may attend to it.”⁶³⁵ The debate over annexation found Sumner as its latest hurdle, and with such an obstruction in his path, Grant was forced to consider new options, including extending the timeline for ratification, seeking a joint resolution on the matter of annexation, sending a new team of commissioners to investigate Santo Domingo and generate another report, and even highlighting the importance of an American presence in the Caribbean through other legislation like the creation of a canal across the Isthmus of Panama.⁶³⁶

Issues Foreign Because of Issues Domestic

While issues festered in Washington, new problems emerged in Santo Domingo that further threatened the treaty’s ratification. Commercial Agent Raymond Perry continued to send

⁶³³ *New York Times*, March 18, 22, 1870; *New York Herald*, March 18, 1870; *Boston Daily Advertiser*, April 4, 1870; Orville Babcock to Hamilton Fish, March 16, 1870, Ulysses S. Grant Papers, Library of Congress; Beverly Wilson Palmer, ed. *The Selected Letters of Charles Sumner*. Boston: Northeastern University Press, 1990. 2:502

⁶³⁴ The Senate was in an executive session, meaning there is no written record of these events. The contents of this speech were leaked to the press shortly after, which is where we can take the majority of this material. *New York Herald*, March 25, 26, 1870; *New York Tribune*, March 25, 1870; *Journal of the Executive Proceedings of Senate*, 41st Congress, 2nd Session, 400-408.

⁶³⁵ Hiram Revels to Charles Sumner, March 30, 1870, Charles Sumner Papers (microfilm)

⁶³⁶ James D. Richardson, ed. *Compilation of the Messages and Papers of the Presidents*. Washington: Bureau of National Literature and Arts, 1903. 7:57; Lester H. Brune, *Chronological History of United States Foreign Relations: 1776 to January 20, 1981*. New York: Garland, 1985. 1:321

reports to Hamilton Fish regarding annexation, and in some of these missives he informed the secretary that self-interest was at the heart of some of the principal players involved.⁶³⁷ Contrary to his initial pleas to President Grant, Perry also grew enamored by the financial opportunity presented to him on the island. Early in his posting to Santo Domingo, Perry expressed his interest in making a quick buck on the island, and Fabens and Cazneau both attempted to aid with this, though it did not pan out.⁶³⁸ Perry quickly grew unhappy with these men and their actions, particularly with Cazneau, who claimed to be an American agent and used letters from Babcock as a form of currency to support that claim.⁶³⁹ Perry made these reports as early as December 1869, but his displeasure rooted deep in February 1870, as it was “time my Govmt [sic] should be informed” of the characters of such “dishonest” men.⁶⁴⁰ Fish showed the missives to the president as a warning in mid-March, but Grant was more focused on acquiring Santo Domingo.⁶⁴¹

Perry’s exchanges were not limited to those sent to Fish, as he also kept Babcock appraised of the situation he long worked to achieve. Perry assured Babcock that “everything is working favorably for annexation,” though he did make him aware of the growing discord between himself and Cazneau, warning Babcock “they are not true men, General, they are full of little dirty tricks, and will use or abuse their Gvt. [sic] or friends for their own interest.”⁶⁴² This development surprised Babcock, who received conflicting reports from Cazneau that Perry was

⁶³⁷ Hamilton Fish Diary, March 18, 1870, Hamilton Fish Papers; Raymond H.J. Perry to Hamilton Fish, December 10, 28, 1869, February 8, 20, 1870, Dispatches from US Consuls in Santo Domingo, RG 59

⁶³⁸ Ibid

⁶³⁹ Ibid

⁶⁴⁰ Ibid

⁶⁴¹ Ibid

⁶⁴² Raymond H.J. Perry to Orville Babcock, January 20, February 8, 20, 1870 (typescript), Raymond H.J. Perry Papers

“embarrassing affairs” due to his lack of “tact, forethought, and experience.”⁶⁴³ Babcock, perhaps recalling the thousand acres of island land he was promised, attempted to appease Perry by suggesting he keep private and official matters separate, as this dispute, among others, was being used by anti-annexation forces at home for their cause.⁶⁴⁴ This attempted cajoling bothered Perry, who insisted that he “shall never hesitate from any motives of personal prudence to explore any intrigues against my Government which may come to my knowledge,” omitting that he had applied to serve as US Marshal for Santo Domingo should annexation occur.⁶⁴⁵ What’s more, the matter of annexation rapidly re-enmeshed with the case for freeing Davis Hatch, the American businessman who was imprisoned by the Dominicans since mid-1869 and who was a rival of Fabens and an ally of Báez’s political opponent.⁶⁴⁶ The Hatch situation escalated as political tensions grew in both Santo Domingo and the United States until J. Somers Smith reiterated his claims that Babcock’s inaction and attempts to schmooze Báez were the reason for Hatch’s sustained incarceration.⁶⁴⁷ Fish insisted on Hatch’s release, and Báez, near desperate for annexation, acceded, at which point Hatch assailed Babcock for his role in continuing his imprisonment: “you ought to have been born in the days of the Inquisition... you certainly would not go so far [on] one side of your line of duty as to encourage Mr. Báez in persecuting me, were it not for the hope of some favor – some reward – directly or indirectly.”⁶⁴⁸ The Hatch case continued to serve as a thorn in the side of the annexationists over the course of the debate, as well as for Babcock and his accused impropriety.

⁶⁴³ Hatch Report; Orville Babcock to Raymond H.J. Perry, March 30, 1870 (typescript), Raymond H.J. Perry Papers

⁶⁴⁴ Ibid

⁶⁴⁵ Raymond H.J. Perry to Ulysses S. Grant, March 17, 1870, Raymond H.J. Perry Papers; Raymond H.J. Perry to Orville Babcock, April 15, 1870 (typescript), Raymond H.J. Perry Papers

⁶⁴⁶ Hatch Report

⁶⁴⁷ Ibid; Senate Executive Document No. 54, 41st Congress, 2nd Session

⁶⁴⁸ *New York World*, March 26, 1870, quoted in Hatch Report; *Congressional Globe*, 41st Congress, 2nd Session, 1444, 1774-1775.

On March 29, 1870, the treaty ratification deadline passed, leaving those in favor of annexation at a standstill. In April, Massachusetts Representative and Grant ally Benjamin Butler attempted to attain a joint resolution on annexation through Congress to no avail.⁶⁴⁹ Around this time, Fabens travelled stateside to speak with members of the administration in a new capacity as a representative from the Dominican Republic.⁶⁵⁰ Upon his arrival in Washington, Fabens showed his inexperience in diplomacy, bypassing proper protocol in meeting with Secretary of State Fish and instead heading straight to the White House to plot out annexation strategy with Grant and Babcock.⁶⁵¹ He also met with Senator Sumner for four hours in an effort to quell his concerns, and eventually he was pacified enough for Fabens and Fish to sign an extension on the ratification deadline until July 1st.⁶⁵²

Once the deadline was extended, the Grant Administration began a fierce battle to ensure the success of the treaty. In early May, Grant asked Fish to work with the Senate to float amendments that might ensure the treaty's passage.⁶⁵³ The administration sought to make the treaty more palatable through such stipulations as limits to American responsibility for Dominican debts and the appointment of commissioners to oversee the repayment of debt while also ensuring Fabens and Báez that the amendments would "not very materially" affect annexation efforts but that the changes "may obtain the assent of the Senate."⁶⁵⁴ The administration sought to sway public opinion through press efforts proclaiming Santo Domingo

⁶⁴⁹Nevins, *Hamilton Fish*, 325; Hamilton Fish Diary, April 29, May 3, 14, 1870, Hamilton Fish Papers; *Congressional Globe*, 41st Congress, 2nd Session, 2442-4442 (particularly pages 2495, 2547, 2602, 2660, 2861, 2286, & 3977)

⁶⁵⁰ Ibid

⁶⁵¹ Ibid

⁶⁵² Ibid; Joseph Fabens to [Hamilton Fish], undated (believed to be early June 1870), letterpress, Joseph Fabens Papers

⁶⁵³ *Journal of the Executive Proceedings of the Senate*, 41st Congress, 2nd Session, 500-503; Hamilton Fish Diary, May 3, 6, 1870, Hamilton Fish Papers; JC Bancroft Davis to Raymond H.J. Perry, May 3, 1870, Raymond H.J. Perry Papers

⁶⁵⁴ Ibid

as the “Gem of the Antilles.”⁶⁵⁵ Fish sought to curry favor with influential citizens as well, focusing on Santo Domingo as “the key to the Gulf” that would compel Spain to forfeit its claims in Cuba and encourage Britain to do the same.⁶⁵⁶ Babcock continued to work to achieve the treaty as well, thanking those who spoke favorably of the treaty for their “decided success” in swaying public opinion.⁶⁵⁷ The *piece de resistance* of this plan was a letter from President Grant to the Senate, once again laying out the benefits of the annexation treaty, heavily focusing on the economic implications to appease the radical wing of the Republican Party.⁶⁵⁸

Even with the efforts of the Grant Administration, opposition to the treaty remained strong in the Senate. To some, like the editorial staff of the *New York Herald*, the reason for this opposition was clearly linked to allegations of corruption rather than to any policy issues with the treaty.⁶⁵⁹ In an editorial for the *Herald*, one writer commented “is there ever a question of territorial purchase or acquisition without a job – without there being certain parties who will make money from it?”⁶⁶⁰ Rumors surrounding Fabens, Cazneau, and Babcock made their rounds, and opponents continued to circulate these rumors, and more, to the point that people began saying that it was commonplace for such corruption to occur. This exacerbated to the point that Senator Carl Schurz of Missouri, as close an ally as Sumner had in Congress, called for the Foreign Relations Committee to conduct a hearing to “inquire into the conduct of certain agents connected with the negotiation of the treaty.”⁶⁶¹ Though this proposal was narrowly defeated in

⁶⁵⁵ *New York Times*, April 30, 1870

⁶⁵⁶ Hamilton Fish to James A. Hamilton, March 13, 1870, Hamilton Fish Papers

⁶⁵⁷ Orville Babcock to F.J. Fithian, May 19, 1870, Orville Babcock Papers, Newberry Library

⁶⁵⁸ Richardson, *Compilation of the Messages and Papers of the Presidents*, 7:61-63

⁶⁵⁹ *New York Times*, May 14, 1870; *New York Herald*, May 14, 1870

⁶⁶⁰ *Ibid*

⁶⁶¹ *Journal of the Executive Proceedings of the Senate*, 41st Congress, 2nd Session, 390-479

the Senate, those devoted to defeating the treaty could now focus on the how rather than the what.⁶⁶²

Another wrench thrown into the works of the Grant Administration was Perry's return stateside on a leave of absence in late May, one which occurred amidst the animosity between himself and other operatives in Santo Domingo. Before his leave, Perry was outraged by a proposal put forth to the Dominican senate to establish a land grant for immigrant refugees that would violate the pending treaty with the United States.⁶⁶³ Perry made such a ruckus that he even accused Foreign Minister Gautier of having a hidden financial interest in the plan, leading Gautier to ask Fish to "prevent" Perry's return to Santo Domingo.⁶⁶⁴ Cazneau echoed these concerns to Fish, painting him as "a man of reckless and violent impulses" who was not cut out for his current post.⁶⁶⁵ Perry responded in turn, arguing that Fabens and Cazneau were taking up land concessions from Báez, while labeling Babcock as a "damned rascal" who encouraged him to support Fabens's and Cazneau's respective applications for land, and in return, he "could be a rich man before he left the Island."⁶⁶⁶ Perry presented his suspicions to Fish, who in turn presented them to President Grant since they implicated Babcock, a noted member of the administration. Perry also presented his correspondence to Sumner, who capitalized on the tumult to paint the efforts of the administration as even more corrupt.⁶⁶⁷ With these issues aired like dirty laundry to the masses, Grant was forced to comment on the matters, assuring Fish that

⁶⁶² Ibid

⁶⁶³ Raymond H.J. Perry, to Hamilton Fish, May 14, 1870, Dispatches from US Consuls in Santo Domingo, RG 59

⁶⁶⁴ Ibid; M.M. Gautier to Hamilton Fish, May 16, 1870, Notes from the Legation of the Dominican Republic, RG 59; Hatch Report

⁶⁶⁵ Hatch Report; William L. Cazneau to Hamilton Fish, May 17, 1870, Notes from the Legation of the Dominican Republic, RG 59

⁶⁶⁶ Hamilton Fish Diary, May 28, June 1,, 3, 4, 1870, Hamilton Fish Papers; Hatch Report; *New York Herald*, June 2, 1870

⁶⁶⁷ Ibid

he warned Babcock “that if anything dishonorable or dishonest was proved,” then he would “answer it with his Commission.”⁶⁶⁸

In the wake of these claims of impropriety, members of the Grant Administration continued to act to prove they were on the side of moral duty. The *New York Herald* reported that “President Grant has implicit confidence in the honor and integrity of General Babcock” and called for an investigation into Perry’s claims, which he felt would show “there has been nothing in [Babcock’s] conduct in this matter which should justly expose him to adverse criticism.”⁶⁶⁹ Grant further stipulated that any land grants awarded by the Dominicans since the signing of the treaty would be “treated as null and void by the United States government,” indicating that any of the alleged backroom deals for land on the island would not be tolerated by the administration.⁶⁷⁰ Fabens too attempted to rebuke Perry’s account, even going so far as to accuse Sumner of misrepresenting meetings the two shared “to meet his personal ends.”⁶⁷¹ Caught in the middle of all of this was Fish, who had to try to hide his ill feelings towards both Fabens and Sumner over this matter in an effort to achieve the ratification of the treaty. Fish asked Perry to submit his accusations against Babcock in writing in a letter that reflected his “reluctance to do or say any thing [sic] that would influence the Senate” regarding annexation.⁶⁷² This letter made no mention of Babcock, and in doing so he left an opportunity for Fish to claim that his refusal to mention any specific misdeeds constituted a retraction and that Perry’s claims were “as now

⁶⁶⁸ Ibid

⁶⁶⁹ *New York Herald*, June 3, 4, 1870

⁶⁷⁰ Ibid

⁶⁷¹ *New York Herald*, June 7, 1870; Joseph Fabens to Orville Babcock, June 6, 1870, Orville Babcock Papers, Newberry Library; Joseph Fabens to [Hamilton Fish], undated (believed to be early June 1870), letterpress, Joseph Fabens Papers

⁶⁷² Hatch Report; Raymond HJ Perry “to Prevaricator,” June 7, 1870, Raymond HJ Perry Papers

withdrawn.”⁶⁷³ After this point, the relationship between Perry and the Grant Administration was so strained that it was likely impossible to reconcile, though he retained his post for a time.

Opponents of annexation realized their existing approach was not working, and as such they returned to the case of Davis Hatch as their standard for further assailing the administration. In May, as these other conversations took place, Hatch sent a petition to Senator Orris Ferry, asking for the American government to assist with his release from the Dominicans as he also sought compensation upwards of \$60,000 for lost property as well as pain and suffering.⁶⁷⁴ Hatch’s request was a last-chance, grasping at straws attempt to make something of his imprisonment abroad with little possibility of achieving his goal, but by sending it to a Senator, he was able to restir the political pot. Senator Ferry transported this letter to the Senate, championing Hatch as an excuse to get involved in the Santo Domingo affair and assailing Babcock for his efforts “to keep an innocent citizen in prison.”⁶⁷⁵ Sumner quickly followed this by stating that Babcock “ought to be cashiered at once” with his name “struck from the roll of honorable men,” further chastising Babcock, and by association President Grant, for his efforts in Santo Domingo. As a result, Ferry called for an investigation into the matter by the Senate Foreign Relations Committee, which would place Sumner in charge of the affair.⁶⁷⁶ One senator with ties to the administration lamented that this investigation was “simply the Senate undertaking to investigate the conduct of the President for the purpose of affecting action upon a pending treaty,” fully identifying this as a political maneuver instead of a needed investigation.⁶⁷⁷

⁶⁷³ Ibid

⁶⁷⁴ Hatch Report; *Congressional Globe*, 41st Congress, 2nd Session, 4190-4203

⁶⁷⁵ Ibid

⁶⁷⁶ Ibid

⁶⁷⁷ Ibid

The Hatch investigation was anything but impartial. Vice President Schuyler Colfax was unable to pack the select committee exclusively with administration supporters, but he was able to give them a majority with seven seats.⁶⁷⁸ Hatch did not return to the mainland to address his concerns in person, and as a result, the investigation took on a different tone – the investigation became less about Hatch’s actual case and more about how it could be used as a political tool to embarrass the administration.⁶⁷⁹ The lines were drawn taut as pro- and anti-administration officials aligned themselves according to their allies’ opinions on the matter. It was clear that the opponents of the treaty desired nothing but to discredit the motives of those favoring annexation itself rather than hearing the case of Hatch- he was instead used as a pawn to push forth a political agenda.

Babcock quickly found himself thrust into the midst of this imbroglio as his name continued to be dragged through the mud by anti-administration factions and by Perry, who quickly became the star witness for the prosecution. At the outset of the hearing, Babcock contacted the chairman of the committee, Senator James Nye of Nevada, to provide him some tips on how to counter Sumner’s “misstatements,” adding new layers of impropriety to the matter by attempting to sway things in his favor.⁶⁸⁰ Still this was not enough to put the matter behind him, particularly once Perry took the stand. To the surprise of many, Perry arrived in the committee room armed with his revolver, explaining to the awestruck officials that he never went anywhere without it.⁶⁸¹ Regardless of his state of arms, Perry’s testimony was critical to this debate. Perry asserted that Babcock advised him not to intervene on the Hatch matter because doing so would affect annexation in a negative manner, and he further claimed that

⁶⁷⁸ Hatch Report; *New York Herald*, June 14, 1870

⁶⁷⁹ Ibid

⁶⁸⁰ Ibid; Orville Babcock to James W. Nye, undated [June 1870], Orville Babcock Papers, Newberry Library

⁶⁸¹ Ibid

Babcock scolded him for protesting the government's issuing of grants in the Spring of 1870, which again Perry claimed Babcock said would hurt the annexation deal.⁶⁸² Perhaps most damning was Perry's assertion that Babcock told him that he, Fabens, and Cazneau held real estate interests on the island, placing Babcock at the center of a potentially huge scandal.⁶⁸³

Babcock was quick to defend himself from these charges, denying each of Perry's claims in turn. Babcock had the aid of the diary that he kept while in Santo Domingo to remind himself of events and dates, but he conveniently omitted acknowledging its existence to the committee, which could have subpoenaed it, including the damning real estate entries, had they known of it.⁶⁸⁴ This knowledge allowed Babcock to remain calm under questioning, a stark contrast from the more excitable Perry.⁶⁸⁵ Babcock admitted that he did not move on the Hatch affair because he did not have the diplomatic authority to do so, which was true given the limited capacity that Grant and Fish afforded him.⁶⁸⁶ Babcock further asserted that he had not made claims of any desire to keep Hatch imprisoned, particularly as it related to annexation, because, as he understood it, "Mr. Hatch was in favor of annexation of the island of San Domingo."⁶⁸⁷ Fish later confirmed both of these points, asserting that Babcock was sent to merely negotiate a treaty and nothing more, while also asserting that Babcock's instructions "did not anticipate any case of [Hatch's] kind," but that he could not conceive of an officer acting on behalf of the United States asking Perry not to intervene.⁶⁸⁸ Babcock further asserted that, regardless of his authority, he

⁶⁸² Ibid

⁶⁸³ Ibid

⁶⁸⁴ Hatch Report

⁶⁸⁵ Ibid

⁶⁸⁶ Ibid

⁶⁸⁷ Ibid

⁶⁸⁸ Ibid

understood Hatch to be working with Dominican rebels to undermine the existing government, presenting evidence that linked him with pirate vessels in the area.⁶⁸⁹

Perhaps the most important dynamic to the Hatch investigation lies in the administration's decision not to engage on matters of politicking in the committee room, but instead trying the allegations as they were charged, which enabled them to focus on Hatch's impropriety rather than any in which Babcock may have been involved. Babcock testified that he "believed Mr. hatch [sic] was guilty of joining the rebellion, and I was not going to have anything to do with his case."⁶⁹⁰ According to his diary, Babcock told Báez that he "would trust" Báez to handle the Hatch situation, and in his testimony he took this a step further, indicating that he communicated the following to the Dominican leader:

Mr. President, you must be certain that you are right in the question of the law, if you try Mr. Hatch for any such thing; if you have the proof positive that he has been attempting to overthrow your government, I do not suppose our government will in any way interfere in the case; but you must be very certain that your evidence is entirely correct.⁶⁹¹

Fish substantiated Babcock's claims by presenting a lengthy document with Hatch's charges and the evidence against him, and the committee decided by a majority vote that the judicial process of Santo Domingo was in line in this case with precedent and did not warrant intervention or complaint from the United States.⁶⁹² The tactic of focusing on the facts themselves rather than the political circus it carried with it proved effective for the administration, though in the aftermath the committee minority members ironically decried the investigation as "a barbarous farce – a transparent act of persecution."⁶⁹³

⁶⁸⁹ Hatch Report; Orville Babcock Diary, September 1, 1869, Orville Babcock Papers, USGPL

⁶⁹⁰ Ibid

⁶⁹¹ Ibid

⁶⁹² Ibid

⁶⁹³ Ibid

A highpoint in the trial came when Babcock was directly pressed to reveal his motives for promoting the annexation efforts. The treaty's opponents continued to use the investigation to discredit annexation and its supporters, and they focused on Perry's claims that Fabens, Cazneau, Báez, and Babcock destroyed any credibility for the project through their self-serving actions.⁶⁹⁴ Perry asserted that "Babcock often told me that I must stand by Cazneau and Fabens, and advise with them, that they represented large interests on the island; that he had interests with them," a claim Babcock continuously denied.⁶⁹⁵ In his testimony to the committee, Babcock recounted that Báez attempted to give him a land grant as thanks for his assistance with the treaty preparations, but that he turned it down as it would destroy the chances of ratification.⁶⁹⁶ A committee member went further, asking of his financial ties to Cazneau and Fabens, to which Babcock insisted that "It is not true. I never had one cent interest with either gentleman on the island."⁶⁹⁷ This was a shrewd, carefully maneuvered effort to not perjure himself. Babcock carefully omitted the fact that he stated in his diary that would have changed the entire line of questioning: "I will be pleased to have the 1000 acres of Palenque promised in case of annexation."⁶⁹⁸ Because he did not have any investments as yet, technically Babcock did not lie, but this smoking gun could have completely changed the perception of the annexation treaty.

These hearings on the matter of Davis Hatch show the deep divide between those in favor of annexing Santo Domingo and those against such an effort. Sumner, Schurz, and Perry proved to be against the treaty and continually assailed those involved with annexation and others who supported it.⁶⁹⁹ Grant's administration and its supporters continued to stand behind their efforts,

⁶⁹⁴ Hatch Report; Orville Babcock Diary, August 20, 1869, Orville Babcock Papers, USGPL

⁶⁹⁵ Ibid

⁶⁹⁶ Ibid

⁶⁹⁷ Ibid

⁶⁹⁸ Ibid

⁶⁹⁹ Hatch Report; Hamilton Fish Diary, June 14, 1870, Hamilton Fish Papers

even when Grant became convinced that his opponents sought only to injure him, stating that it was “strange that men cannot allow others to differ with them, without charging corruption as the cause of the difference.”⁷⁰⁰ Grant continued to speak “warmly and affectionately to Babcock, whose innocence of the charges against him he confidently believes” after warning him that he would lose his commission should anything immoral be proven against him.⁷⁰¹ Babcock held similar suspicions to Grant, writing to Adam Badeau in the aftermath of the investigation that “they were after the President and hoped to hitch something onto me – and thus hurt the old man.”⁷⁰² The investigation ultimately concluded with divided statements from the two sides. The majority, consisting of annexation and administration supporters, found the charges against Babcock to be “totally unfounded” and that “the treaty is free from any fraud or unfairness” as “the agents employed by the respective governments have all acted with becoming frankness and sincerity.”⁷⁰³ The minority report, authored by Carl Schurz, characterized Babcock’s relationship with Cazneau as “most suspicious,” and that Babcock’s influence was used against Hatch in this case, but that “committee acquired only incidental information” regarding any actual corruption and therefore could not bring forth official charges.⁷⁰⁴ Thus, the minority succeeded in sewing doubt and discord regarding the potential annexation treaty, which proved to be a victory in its own right.

After the conclusion of the Hatch affair, the deadline for ratification remained, and President Grant was determined to acquire the island territory. Babcock referenced as much in a letter, stating that “the fight has opened, and [Grant] is as much in earnest, as he was in the

⁷⁰⁰ Simon, *Papers of Ulysses S. Grant*, 20, 163

⁷⁰¹ Ibid; Orville Babcock Diary, August 20, 1869, Orville Babcock Papers, USGPL

⁷⁰² Ibid

⁷⁰³ Hatch Report

⁷⁰⁴ Ibid

Wilderness.”⁷⁰⁵ The President sought to use one main tactic to accomplish his goal: relying on the loyalty of those in patronage positions and his appointees in the Cabinet. Fish noted that Grant would not “consider those who oppose his policy as entitled to influence in obtaining positions under him,” alluding to Sumner’s desire to take control of foreign affairs from his post in the Senate.⁷⁰⁶ Grant continued to attempt to stop Sumner’s assault, his noted opposition, with a handwritten note that he was confident that Sumner, at their previous winter meeting, used “such language as to leave no doubt upon my mind that he would support” the treaty.⁷⁰⁷ Meanwhile, Grant’s Cabinet left some questions of loyalty, as some like Fish supported their patron, while others like Secretary of the Treasury George Boutwell, Secretary of the Interior Jacob Cox, and Attorney General Ebenezer Hoar stood in opposition.⁷⁰⁸ At the time, Hoar posed the biggest problem, as his approach to patronage in his department upset multiple senators on the hill.⁷⁰⁹ President Grant requested Hoar’s resignation on June 15th, 1870, at which point it was offered immediately, and the president nominated Amos Akerman of Georgia as his replacement.⁷¹⁰ By this point it was clear that Grant was willing to work with forces in the legislature to ensure Santo Domingo’s annexation, but one obstinate roadblock remained in their path forward: Senator Charles Sumner, who, alongside his supporters, voiced objections to the proposed acquisition to anyone within earshot.

Sumner’s forces continued their assault on Babcock in relation to his role in the Santo Domingo annexation efforts. These were led by Carl Schurz, who claimed Babcock represented

⁷⁰⁵ Simon, *Papers of Ulysses S. Grant* 20, 164

⁷⁰⁶ Ibid

⁷⁰⁷ Ibid

⁷⁰⁸ Hamilton Fish Diary, June 13-17, 1870, Hamilton Fish Papers; Jacob Cox, “How Ebenezer Hoar Ceased to Be Attorney General,” *Atlantic Monthly* 76, August 1895

⁷⁰⁹ Cox; Simon, *Papers of Ulysses S. Grant*, 20, 170

⁷¹⁰ Ibid

an attempt to institute a militaristic government in the United States under Grant. In the minority report for the Hatch investigation, Schurz asserted that Babcock initially introduced himself to Báez as an “aide-de-camp to the President,” which they wrote into the protocol of the treaty as a sign of respect for Babcock’s military service.⁷¹¹ Further, Schurz argued that, because the *Tybee* was set to sail quickly after receipt of the proposal from the Dominicans, Babcock did not have time to correct a statement that the President would “privately...use all his influence” to achieve annexation, and to leave the legislature out of the matter “until he shall be certain that it will be approved by a majority.”⁷¹² By levying these claims, Schurz’s plan was laid bare. Either Babcock went against his instructions from Fish and Grant, thus invalidating the proceedings, or that Grant himself ordered such an overreach. Schurz made this clear by asserting that Babcock had gone “so far beyond his instructions as to seriously compromise the name of the President.”⁷¹³ President Grant expressed his concern with these attacks to Ohio governor Rutherford B. Hayes, expressing that he felt “‘much embittered’ against Sumner for unjust attacks on Major Babcock,” who could not defend himself – “‘I can defend myself, but he is merely a major of engineers with no opportunity to meet a Senator.’”⁷¹⁴ In response to Schurz’s claims, Grant stood by his secretary, writing to Senator James Nye that “Gen. [sic] Babcock did not exceed my wishes or my verbal instructions,” pointing out that the protocol in question “was not binding, or intended to be binding upon either government” until both governments continued negotiations.⁷¹⁵ He concluded that “Gen. [sic] Babcock’s conduct throughout meets

⁷¹¹ Hatch Report; Orville Babcock Diary, September 4, 1869, Orville Babcock Papers, USGPL; Simon, *Papers of Ulysses S. Grant*, 20 179

⁷¹² Ibid

⁷¹³ Ibid

⁷¹⁴ Rutherford B. Hayes Diary, July 1, 1870 (dated as such, though the meeting in question took place June 27th, according to his notes), in *Diary and Letters of Rutherford Birchard Hayes*, ed. Charles Richard Williams. Columbus: Ohio State Archaeological and Historical Society, 1924. 3:111-112

⁷¹⁵ Hatch Report; Simon, *Papers of Ulysses S. Grant*, 20 179

my entire approval,” leaving the president open to continued claims of executive overreach but standing between his secretary/soldier and the enemies at the gate.⁷¹⁶

In early June, amidst the ongoing debates around Babcock, an opportunity arose that breathed promise into the annexation treaty – potentially nominating Sumner as Minister to Great Britain. The standing Minister, John Lothrop Motley, was an abrupt individual with limited diplomatic capacities who proved himself less than efficient when dealing with disputes concerning the *CSS Alabama*.⁷¹⁷ The administration thus began to search for potential replacements to the Court of St. James, and Fish, months prior and in passing, had suggested to Sumner that he could be a viable replacement.⁷¹⁸ Between that time and Motley’s removal, much transpired between Sumner and the administration, and Sumner therefore claimed that Fish had done this in an attempt at bribery to cease his opposition to annexation.⁷¹⁹ Though Fish denied this claim, Grant’s allies in the Senate urged the president to consider such an appointment as an olive branch that could unite the Republican Party, confident that they could pass the treaty with him gone and that he would lose sympathy if he were to turn the post down, thus strengthening their case in either event.⁷²⁰ Fish finally suggested this at a meeting of Grant’s Cabinet, at which point the President laughed and offered that he would gladly offer the post to Sumner “on condition that he first resign his seat in the Senate, & with the understanding that he would remove him as soon as the nomination was confirmed.”⁷²¹ Grant’s efforts extending political good will and deference to Sumner had been permanently burned like the many bridges by

⁷¹⁶ Ibid

⁷¹⁷ Donald, *Charles Sumner*, 279

⁷¹⁸ *New York Times*, October 20, 1877; *The Selected Letters of Charles Sumner*, ed. Beverly Wilson Palmer. Boston: Northeastern University Press, 1990. 2:561-562

⁷¹⁹ Ibid

⁷²⁰ Ibid; Hamilton Fish Diary, June 27, 1870, Hamilton Fish Papers

⁷²¹ Ibid; Hamilton Fish Diary, June 28-30, 1870, Hamilton Fish Papers

Grant's previous adversaries in war. It was utterly clear that this fight would be settled between Grant and Sumner for better or worse.

Formal consideration of the treaty began in the Senate on June 29th.⁷²² Sumner, so sure that he had done his part to defeat the annexation efforts, offered no remarks on the proposal. The administration was not so blasé as Sumner, though. In an attempt to gain the favor of those senators still sitting on the fence, Grant and Fish, through Senator Jacob Howard, offered their amendments to the treaty meant to limit American liability for the debt accrued by the Dominicans.⁷²³ Each of these amendments was adopted, but by this point their efforts proved to fall short of the administration's goal. During the official vote, the Senate did not meet the required two-thirds majority to adopt the treaty, finishing with a vote of 28-28, as Sumner and Schurz led a contingent of nineteen Republican Senators who voted against the proposal.⁷²⁴

In the wake of the treaty's defeat, President Grant continued to fight, hoping that the work he and his cabinet had done wasn't for naught. Shortly following the treaty's defeat, Fish agreed with Fabens to extend the ratification date for the separate Samaná Bay lease agreement for a year in hopes that more could be achieved on this front, though this offer was not formalized into a law in effect in the United States.⁷²⁵ The administration further hoped that a joint resolution could present an avenue for annexation, but this too proved to be a nonstarter as no such proposal was offered.⁷²⁶ Perhaps in retaliation for Sumner's vocal opposition to his proposal, President Grant sought the resignation of John Motley, the American Minister to

⁷²² *New York Herald*, June 30, 1870; *Journal of the Executive Proceedings of the Senate*, 41st Congress, 2nd Session, 500-504

⁷²³ *Ibid*

⁷²⁴ *Ibid*

⁷²⁵ Hamilton Fish Diary, July 1-7, 1870, Hamilton Fish Papers; Senate Executive Document No. 11, 41st Congress, 3rd Session

⁷²⁶ *Ibid*

England who had erred regarding the *Alabama* affairs and who was a close confidant of Sumner, claiming that he would “not allow Mr. Sumner to ride over me.”⁷²⁷ Sumner subsequently launched into a tirade defending Motley on the floor of the Senate, but by this point Grant proved that Sumner was not untouchable in foreign affairs, even if his main goal was not met.⁷²⁸ For all intents and purposes, Grant’s dream of a new, permanent American presence in the Caribbean was dashed.

Failed Annexation Efforts

The attempted annexation of Santo Domingo meant several steps back for the Grant Administration. President Grant’s split with Senator Sumner proved that divisions existed within the Republican Party that maintained control over the nation during Reconstruction, and Sumner emerged as a leading opponent of the administration. The affair further led to dissension within Grant’s own ranks. Hamilton Fish attempted to resign from his post as Secretary of State, intimating that he had not agreed with Grant on such key matters as Santo Domingo or Babcock’s role in this matter, but he instead took much of the blame for the administration’s failures in the attempted annexation.⁷²⁹ Grant assured Fish that he would not accept his resignation, that his performance as Secretary pleased both his President and the nation he served, and Fish, though not elated, agreed to continue to serve.⁷³⁰ Perhaps most lasting, the failure of the annexation treaty and the vocal opposition to those who supported it contributed to a growing reputation of Grant’s administration as one laden with corruption and incompetence.

⁷²⁷ Ibid; Ulysses S. Grant, interview, *New York Herald*, September 25, 1877.

⁷²⁸ *Journal of the Executive Proceedings of the Senate*, 41st Congress, 2nd Session, 542-547; *Boston Daily Advertiser*, July 16, 1870; *New York Herald*, July 16, 1870

⁷²⁹ Hamilton Fish Diary, April 20-July 10, 1870, Hamilton Fish Papers; Hamilton Fish to Ulysses S. Grant, July 7, 1870 (typescript), Hamilton Fish Papers

⁷³⁰ Ibid

The attempt at annexation that began with such potential for American growth turned into a festering pox on the Grant Administration.

Babcock's centrality to this important moment elevated him as a major player in national debate and international affairs, though he returned to his post in the White House. Still, the notoriety he attained due to his role in these events brought the eye of the masses upon him, and not always in a good way. He was labeled a "damned rascal" in the eyes of some important Washingtonians, as well as the public, once discussions of his activities were reported in print. His actions were deemed impermissible by opponents of the administration, and by allowing him to remain at his post, Grant virtually accepted additional critiques levied against him and his administration.

While Babcock was offered land by Baez, he did not accept it in an official capacity because it could derail the treaty he was sent to oversee. His diary suggests that he was excited for a separate offer of land in Santo Domingo, but this land was never acquired because of the failure of the annexation treaty. He allowed personal issues with individuals like Perry to block some avenues that could help the annexation efforts, but these types of mistakes may be considered typical of novice political agents in their first true operation in the field. Babcock missed out on the fortune that could have supported him for years, but he gained a taste of what could be if he were to engage with other like-minded individuals in the future.

Whether Babcock was actually involved in illicit activities in the case of Santo Domingo may never be officially proven. However, we can safely state that this event tainted Babcock as an individual believed to be involved in corrupt behavior. We can assume through historical documentation that Babcock was, at the very least, exposed to corrupt activities and tempted by the opportunities to secure his financial nest egg in the Caribbean. He goes on to seek other

questionable financial and personal opportunities in his political career after his escapades in Santo Domingo. With individuals in political circles, the press, and the general public bombarded with claims of impropriety, and the nature of this occurring to not only a White House official, but also a close personal friend of the President, assumptions that Babcock was corrupt became par for the course. The stigma that came with his actions in this important moment in history led to an assumption amongst the masses that Babcock could be linked to corrupt activities during the Reconstruction Era, and by association, the entire Grant Administration was tainted by such claims, whether justified or not. Nevertheless, Babcock remained in good standing with the one person that mattered- his employer, Grant- and as a result his position within the nation's capital was secure for the moment.

Chapter Three: Public Works and Private Workings: How Beautifying the Capital Led to Forgiveness for Alleged Grift

Orville Babcock escaped the Santo Domingo imbroglio relatively unscathed save from rumors about his alleged improprieties. He was unsuccessful in his efforts to annex the island, but he accomplished his assigned tasks ably, and, to the knowledge of the President Grant, he did so without succumbing to the corruption claimed by opponents. As such, Grant afforded him an increased presence in the nation's capital. Babcock became a mouthpiece for the President, taking on new roles in the administration based on the trust he engendered from his former general. He became a key member of Washington society through his leadership improving the physical landscape of the city. He was thus in contact with other politically savvy individuals, for better or worse, as he worked publicly for the good of the many, and privately for the good of the few, namely himself and these new unsavory friends. While rumors about Babcock's alleged immorality resurfaced, his successes in the public sphere, combined with Grant's trust, made him nigh untouchable (**Figure 3.1**).

The very presence of these allegations of scandal and corruption are what matters most to Babcock's story and to those of other pragmaticos during the Reconstruction Era, particularly in the nation's capital. Several of the patronage positions filled by military men were filled by individuals who did not have experience in these roles, as no one had any experience in these new roles. This was especially true in Washington, as the city faced such challenges as a restructured system of government and a potential relocation of the federal government to the American Midwest. The landscape of the city was in shambles, ravaged by warfare training sites and makeshift defenses. The capital was ill-equipped for the influx of freedpeople after the Emancipation Proclamation, and the poorly constructed temporary housing these people lived in



Figure 3.1: “A Subtle and Unscrupulous Iago”: Ulysses S. Grant (seated) flanked by two of his staffers, Adam Badeau (left) and Orville Babcock (right). Here, Babcock looms over Grant, less comfortable in his pose than Badeau, perhaps reflecting the way his presence cast a pall over the Grant presidency.⁷³¹

made crime far easier than even in preexisting neighborhoods. Perhaps worst of all, the federal government spurned its home city when it came to funding, never appropriately covering the budget for which it was burdened and leaving residents of the capital to essentially fend for themselves. The capital, to say the least, was in a sorry state.

The many problems facing the capital required new thinking and new ways of doing things to improve the city. Along with the necessary improvements to the city, a new form of government emerged that caused those entrenched in the old way of doing things to cry “foul” of novel approaches to accomplishing tasks. Claims of corruption ran rampant through every level of Washington politics, whether these claims were verifiable, suspected, or politically motivated. The glut of corruption assertions served to water down the effectiveness of such claims by creating a “boy-who-cried-wolf” effect, especially when partisanism was involved in the claims. However, it also served as a smokescreen of protection for those actually engaged in corruption,

⁷³¹ C. Vann Woodward. “The Lowest Ebb.” *American Heritage* vol 8, issue 3 (April 1957); Photo Courtesy of James A. Bultema, President of the Ulysses S. Grant Association

as they could assert that partisanism or old-fashioned political gamesmanship were behind these allegations while continuing their nefarious business. Babcock is the lead actor in this Washingtonian political drama, and his role with the Office of Public Buildings and Grounds is the epitome of this new pragmatic archetype that emerged during Reconstruction.

Duties of a Major White House Player

Upon his return from Santo Domingo, Babcock hit his stride in his civil service duties, and the more he accomplished in his role as President Grant's Private Secretary, the more he was able to make connections to individuals that would shape the public's perception of him. He assumed additional roles when tasked by President Grant, which served to expand his role in the administration, strengthen his loyalty to his patron, and enhance his societal standing amongst the capital's elite.⁷³² Babcock had often served as the President's eyes and ears, but he found a new capacity as well: that of his voice. Babcock increasingly served as a mouthpiece for the president to the Cabinet and to the general public, and at times he even spoke on behalf of the First Lady. Babcock's willingness to aid Grant in these additional roles only strengthened his place in the White House as the President's Private Secretary.

Babcock was, in many ways, Grant's intermediary to the Cabinet. He made regular contact with cabinet members and their staffs, and in these communications, he forwarded requests, referrals, and recommendations made by the president or even on behalf of Grant when he felt qualified to speak for him.⁷³³ He made some innocuous requests of other Cabinet offices,

⁷³² Kathryn Allamong Jacob, *Capital Elites: High Society in Washington, D.C. after the Civil War*. Washington: Smithsonian Institution Press, 1995.

⁷³³ Most instances of this resulted in Babcock's endorsement on an envelope that was sent between departments. Examples include WM Dunn to Orville Babcock, Re: Paul Beckworth, July 2, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Ulysses S. Grant to Orville Babcock, March 14, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock re: Charles Lentz, October 3, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library;

asking for anything from translations from the State Department to stamps from the Postmaster to scheduling the Marine Corps Band's attendance at official events.⁷³⁴ One of Babcock's most common tasks was inquiring on behalf of Grant as to Cabinet members' thoughts of certain bills, asking for their expert opinions on legislation that came across Grant's desk.⁷³⁵ At times Babcock was responsible for attending Cabinet meetings, even scheduling them on occasion.⁷³⁶

Orville Babcock endorsement, December 16, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock for Ulysses S. Grant to William Belknap, June 3, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Columbus Delano, February 7, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George S Boutwell, March 10, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to William Belknap, June 8, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Levi Luckey, August 25, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Benjamin Bristow, November 13, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷³⁴ Again, these were mainly endorsements with a "thoughts?" note written on the envelope or document itself. Examples include Orville Babcock to John A Joyce, January 3, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Hamilton Fish, October 15, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George Robeson, May 10, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to J Delano, April 19, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Chas Hale, September 13, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George M Robeson, December 28, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George Robeson, January 7, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George H Williams, January 28, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to HE Offley, February 19, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library.

⁷³⁵ Here we see endorsements again from Babcock to various cabinet officials. Examples include Orville Babcock to Amos Akerman, February 2, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George Boutwell, February 9, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to William Belknap, March 4, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Columbus Delano, March 12, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George Williams, May 21, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Columbus Delano, May 21, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Columbus Delano, March 2, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to William A Richardson, March 4, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George M Robeson, January 27, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Benjamin H Bristow, February 18, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷³⁶ Marshall Jewell to Orville Babcock, November 27, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Marshall Jewell, November 27, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Cabinet Members, December 9, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Cabinet Members, May 16, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

Babcock's placement between the President and his Cabinet made Babcock a target for ill feelings amongst members of the administration. Babcock's presence as Grant's unofficial sentinel meant he had the power to rebuff those who sought meetings with their leader. What's more, Babcock had the ear and implicit trust of the President, meaning that his advice was heeded with as much weight, if not more, than that of Cabinet members.⁷³⁷ This rankled several members of the administration, namely Hamilton Fish, who expressed his displeasure with Babcock in his own diaries.⁷³⁸ In a way this meant that Babcock was doing his job by serving as an effective gatekeeper, though he was also ensuring that his voice would be heard first and foremost on matters, cementing his place in the administration.

Babcock also represented the President to members of the general public requesting favors from Grant and the White House. As patronage was a primary method of acquiring appointments in the American political system, President Grant received many requests for appointments or for assistance from the White House.⁷³⁹ Babcock fielded a great deal of these requests, in some instances referring them to Cabinet members or their staffs, and in others returning them with notice that their request was not feasible at the time.⁷⁴⁰ Babcock sent

⁷³⁷ Hamilton Fish, *Diary Entry of Hamilton Fish, October 25*. October 25, 1869. Manuscript/Mixed Material. Hamilton Fish Papers, Library of Congress

⁷³⁸ Hamilton Fish, *Hamilton Fish Diaries*. Manuscript/Mixed Material. Library of Congress.

⁷³⁹ Patronage was a common manner of obtaining jobs in the American government, particularly in civil service, before the Pendleton Act in 1883. For more on the impact of patronage during this time and earlier, consider: Richard White, *The Republic for Which It Stands: The United States During Reconstruction and the Gilded Age*. New York: Oxford University Press, 2017; Max Matherne, "'The Jacksonian Reformation: Political Patronage and Republican Identity'." PhD diss., University of Tennessee, 2019.; Culver H. Smith, *The Press, Politics, and Patronage: The American Government's Use of Newspapers, 1789-1875*. Athens, GA: University of Georgia Press, 1977; Ari Hoogenboom, *Outlawing the Spoils: A History of the Civil Service Reform Movement, 1865-1883*. Champaign, IL: University of Illinois Press, 1961; Paul Van Riper, *History of the United States Civil Service*. Westport, CT: Greenwood Press, 1958; United States Civil Service Commission. *History of the Federal Civil Service, 1789 to the Present*. Washington, DC: United States Government Printing Office, 1941; Carl Russell Fish, "Lincoln and the Patronage." *The American Historical Review* 8, no. 1 (1902): 53-69.

⁷⁴⁰ Examples of this type of document include Orville Babcock to William Belknap Re: Leni H Platt, January 29, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; HP Duclos to Orville Babcock, February 10, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; CD Macdougall to Orville Babcock, December 8, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S.

missives of thanks and congratulations on Grant's behalf for both personal and official matters, as well as rejection notifications to those requesting his attendance at events and for people soliciting sales to the President.⁷⁴¹ He handled the President's datebook, scheduling formal and informal meetings with the executive, and in an era where presidential security was more lax, he even informed those interested in meeting with Grant when he would be traveling if they desired to journey with him or meet him along the way.⁷⁴²

Babcock even served as the spokesperson of the First Lady, Julia Grant. This era predated First Ladies being fully engrossed in formal politics via the vote and therefore did not maintain full political staffs.⁷⁴³ As a result, it was commonplace for the President to ask his staffers to

Grant Presidential Library; RB Ayres to Orville Babcock re Charles G Ayres, April 5, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Oliver O Howard to Orville Babcock, April 11, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁴¹ Some examples include Orville Babcock to Mrs. KG Van Auken, December 6, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to LS Felt, February 26, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Felt, February 20, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to BP Poore, May 20, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to JC Welling and JA Boles, May 20, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to LC Dodge, May 31, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to CJ Foulkner, September 2, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁴² Some such examples include Orville Babcock to Jacob Cox, April 27, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Rufus Ingalls, November 11, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Benjamin Butler, November 21, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to William Belknap, January 23, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to George S. Boutwell, January 23, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to HB Anthony, April 10, 1874; RMB Young to Orville Babcock, May 20, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Columbus Delano to Orville Babcock, April 26, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Columbus Delano, April 26, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁴³ This is not to say that women did not hold political agency or maintain a semblance of political power in their own right. During the mid-nineteenth century, women were as involved in the political realms in several ways, be it through benevolence work and campaigns, activism for specific causes, and through discussions behind closed doors and at parties where they worked to convince those who held legalized political power to work on their behalf. For more on the political role of women in the Reconstruction Era and the mid-nineteenth century, consider the following: Catherine Allgor, *Parlor Politics: In Which the Ladies of Washington Help Build a City and Government*. Charlottesville: UVA Press, 2000; Ellen Carol DuBois, *Feminism and Suffrage: The Emergence of an Independent Women's Movement in America, 1848–1869*. Ithaca: Cornell University Press, 1978; Lori D. Ginzberg, *Women and the Work of Benevolence: Morality, Politics, and Class in Nineteenth-Century New York*. New Haven: Yale

assist the First Lady with any matters that might arise as a part of her daily schedule. When Babcock acted on behalf of the First Lady, many of the missives he wrote regarded such matters as thanking someone for a gift, acknowledging receipt of a letter, or inquiring about payment on behalf of the First Family.⁷⁴⁴ There were however instances where Babcock handled Julia's official business, whether it be in her capacity as the First Lady, or as a lady in good standing in Washington's social circles, suggesting that his responsibilities went beyond simple cursory assistance to a friend's wife.⁷⁴⁵ While it was a typical practice in the White House, it is important to note that President Grant would have given this task only to a man whom he trusted. Grant entrusted not only his good name, but that of his beloved wife to Babcock, showing just how deeply his trust in his friend truly went.

Even as he served as the President's Secretary, Babcock continued to represent Grant on fact-finding missions. President Grant retained several Private Secretaries on his staff, including Robert M. Douglas, Colonel Levi Luckey, Brigadier General Frederick Tracy Dent, and Colonel

University Press, 1990; Stephanie McCurry, *Confederate Reckoning: Power and Politics in the Civil War South*. Cambridge: Harvard University Press, 2010; and Thavolia Glymph, "'I'm a Radical Black Girl': Black Women Unionists and the Politics of Civil War History," *Journal of the Civil War Era*, vol. 8, no. 3 (September 2018): 359-387.

⁷⁴⁴ Such instances include Orville Babcock to Missouri and Pacific Mills, November 10, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Kittie Felt, December 22, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; F.G. Smith and Co. to Orville Babcock, September 30, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Mrs. T. Pierce, December 6, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Tiffany and Co. to Orville Babcock, September 17, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; CC Sniffen to Orville Babcock, May 3, 1876, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁴⁵ Orville Babcock to William T. Richardson, November 11, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to James A. Garfield, February 21, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to L. Jones, May 24, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Mrs. R. Wallace, December 13, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Mr. French, March 3, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to N. Ertinge, December 30, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; JDG to Mrs. Orville Babcock, December 31, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

Horace Porter, and each but Douglas served with Grant during the Civil War.⁷⁴⁶ Grant asked Babcock to go on exploratory trips or to take care of matters on his behalf as he did in Santo Domingo while Porter or Dent could stay in Washington and handle the White House clerical work. Babcock's work kept him away from the White House for lengthy stretches of time. He is on record as having been sent to West Point, Philadelphia, and Harrisburg, Pennsylvania on behalf of the President at different moments.⁷⁴⁷ He regularly traveled to New York City given the federal institutions that were located there like the Treasury Department and the Secret Service, and some of these travels led to future assumptions by Grant's opponents that Babcock was visiting not on official business, but to meet with nefarious New Yorkers such as Tammany Hall's Boss Tweed.⁷⁴⁸ He further traveled within New York in order to deliver materials to, meet with, and serve President Grant during summers while the President was at his family's summer home in Long Branch.⁷⁴⁹ The amount of traveling that Babcock did on behalf of the President

⁷⁴⁶ Charles Calhoun, *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017.

⁷⁴⁷ Horace Porter to Orville Babcock, June 24, 1869, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Horace Porter, October 2, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Levi P. Luckey to Orville Babcock, October 27, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; William Belknap to Orville Babcock, May 7, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁴⁸ Gen. John McDonald, *Secrets of the Great Whiskey Ring: And Eighteen Months in the Penitentiary. Containing a Complete Exposure of the Illicit Whiskey Frauds Culminating in 1875, with Documentary Proofs. to which is Added the Author's Remarkable Experiences while a Convict in the Missouri Penitentiary, at Jefferson City*. St. Louis: W. S. Bryan, 1880; Terry Golway, *Machine Made: Tammany Hall and the Creation of Modern American Politics*. New York: Liveright, 2014; H.V. Boynton, "The Washington Safe Burglary Conspiracy." *American Law Review* 11, no. 3 (April 1877): 401-446; *More About The Washington Tammany: Its Tool in Congress Unmasked, Letter From John H. Crane to Norton P. Chapman, Delegate in Congress from the District of Columbia, In Which the Frauds of the District Ring are Shown Up, and the Mendacious Falsehoods of Their Delegate in Congress Exposed*. Washington: Harvard University, February 21, 1873; Horace Porter to Orville Babcock, March 11, 1869, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Horace Porter to Orville Babcock, January 31, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Horace Porter to Orville Babcock, June 10, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Levi P. Luckey to Orville Babcock, September 20, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Levi P. Luckey to Orville Babcock, June 25, 1874; HT Crosby to Orville Babcock, September 12, 1876, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁴⁹ Horace Porter to Orville Babcock, September 20, 1870, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Horace Porter to Orville Babcock, July 3, 1871, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Horace Porter to Orville Babcock, August 16, 1872, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; William Belknap to Orville Babcock, July 19, 1873, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; William

made it even more impressive how much he was able to accomplish in Washington as his Private Secretary, not to mention his successes in other offices.

Shaping the Capital: Washington's Early Landscaping and Boss Shepherd's Rule

Babcock served ably in his post within the Grant Administration, so much so that when a post fit for a military engineer in the capital came open, Grant saw no problem offering his friend's name forth. While retaining his post in the White House, Babcock became the Superintendent for the Washington Office of Public Buildings and Grounds. During his tenure in this position, Babcock became a part of a complex century-long history of those who shaped the physical landscape of the nation's capital. The city of Washington is located in a swampy area of the Chesapeake Watershed, and the nature of the soil combined with its location near rivers and the ocean made properly structuring the city a necessity. The original plans for the city were crafted by French military engineer Pierre L'Enfant, and his plans for a city that doubled as both a political symbol and a commercial center were based on Paris, Amsterdam, and Milan – cities with broad streets that radiated out from a city center, located near a national mall.⁷⁵⁰ However, during the first half of the nineteenth century, major discrepancies developed between the original plans for the city and its reality. Many of the city's roads remained but lines on a plan, while those that did exist were a mess, kicking up dust storms during dry periods and creating muddy trenches that were difficult to traverse when wet.⁷⁵¹ The Washington Canal, central to

Belknap to Orville Babcock, June 23, 1874, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; M V Sheridan to Orville Babcock, July 29, 1875, Ulysses S. Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁷⁵⁰ John P. Richardson, *Alexander Robey Shepherd: The Man Who Built the Nation's Capital* (Athens, OH: Ohio University Press, 2016) 4-6; Anna Minta, "Planning a National Pantheon: Monuments in Washington, D.C. and the Creation of Symbolic Space." In Klaus Benesch, Jeffrey Meilke, David E. Nye, & Miles Orvell (eds.), *Public Space and the Ideology of Place in American Culture*. New York, Rodopi B.V., 2009. 21-50

⁷⁵¹ John Richardson, *Alexander Robey Shepherd*, 11-20

L'Enfant's plan for the city's commercial futures, was polluted and stagnant.⁷⁵² The primary blame for these issues belonged to Congress, which controlled the purse strings for the capital but rarely acknowledged this obligation, especially when presidents like Thomas Jefferson and Andrew Jackson were in office and feared that a large capital city would become a den of corruption.⁷⁵³ As a result, the capital became a run-down city not befit to house the center of governance. After a visit in 1842, Charles Dickens described Washington as a crumbling locale:

“It is sometimes called the City of Magnificent Distances, but it might with greater propriety be termed the City of Magnificent Intentions... Spacious avenues that begin in nothing, and lead nowhere; streets, miles-long, that only want houses, roads, and inhabitants; public buildings that need but a public to be complete; and ornaments of great thoroughfare – which only lack great thoroughfares to ornament – are its leading features.”⁷⁵⁴

Due to federal control of the city, the Army Corps of Engineers was left to deal with the majority of upkeep and improvements with a threadbare budget. Though some corps commanders made significant strides, as was the case with Montgomery Meigs, the father of both the Washington Aqueduct and Arlington National Cemetery, most found the unsupported battle in the capital futile.⁷⁵⁵

The 1860s served as a major turning point for the physical landscape of the nation's capital; unfortunately, not all change was for the benefit of the city. The onset of the Civil War made for an even worse situation for the city that was referred to as “a southern town, without the picturesqueness, but with the indolence, the disorder, and the want of sanitation.”⁷⁵⁶ The proximity of Washington to the border of the Confederacy placed the city at risk of potential

⁷⁵² John Richardson, *Alexander Robey Shepherd*, 11-20

⁷⁵³ John Richardson, *Alexander Robey Shepherd*, 11-20

⁷⁵⁴ Charles Dickens, *American Notes for General Circulation*, 2 vols. (London, 1842), I:281-282

⁷⁵⁵ Pamela Scott, *Capital Engineers: The U.S. Army Corps of Engineers in the Development of Washington, D.C. 1790-2004* (Alexandria, VA, Office of History, Headquarters, US Army Corps of Engineers, 2008)

⁷⁵⁶ John Richardson, *Alexander Robey Shepherd*, 14-15; Margaret Leech, *Reveille in Washington, 1860-1865* (New York, 1941), 9-10

invasion, and the capture of the capital would place the Union in dire straits. As a result, Union forces quickly acted to fortify the city, again with the Army Corps of Engineers taking the leading role.⁷⁵⁷ Troop encampments were placed in poor locations and created health hazards according to the local Board of Health, as was the case with Camp Fry, one of the city's largest military encampments that was not only lousy with mosquitoes, but also noxiously odiferous due to its proximity to livestock.⁷⁵⁸ The city became a destination for criminals who came from the surrounding areas to take advantage of the influx of unsophisticated soldiers. The wartime efforts that were necessary to protect the capital also made it a dank and dangerous destination.

This is not to say that the city was well off before the war. Congress, charged with budget oversight for the city in which they were housed, neglected it in favor of other national issues, or in some cases issues that dealt with representatives' home districts. As a result, the city festered. The Washington Canal, at one point intended to serve as the key to commerce and respectability for the city, was left unfinished with pungent odors rolling off the stagnant water. Prostitution filled areas like the diseased Louse Alley, and with Congress paying a hoard of young soldiers housed therein while refusing to pay for an adequate police force to protect and serve the city, the capital became a den of debauchery.⁷⁵⁹ Even more to consider were the shantytowns and "contraband camps" that emerged as many formerly enslaved individuals fled to Union lines but were unable to establish themselves in society as they had few possessions in the first place.⁷⁶⁰

⁷⁵⁷ Pamela Scott, *Capital Engineers*, 65-70; J.D. Dickey, *Empire of Mud: The Secret History of Washington DC* (Guilford, CT: LP Press, 2014)

⁷⁵⁸ Dickey, *Empire of Mud*, 169-170

⁷⁵⁹ Dickey, *Empire of Mud*, 144-167; Chris Myers Asch and George Derek Musgrove. *Chocolate City: A History of Race and Democracy in the Nation's Capital*. The University of North Carolina Press, 2017; Allison Suppan Helmuth, "'Chocolate City, Rest in Peace': White Space—Claiming and the Exclusion of Black People in Washington, DC." *City & Community*, vol. 18, no. 3, 2019, pp. 746–769; Kate Masur, *An Example for All the Land: Emancipation and the Struggle over Equality in Washington, D.C.* Chapel Hill: University of North Carolina Press, 2010.

⁷⁶⁰ Dickey, *Empire of Mud*, 182-184

These spaces and these people were seen as less worthy of attention by authorities, leading some to become truly lawless places. One infamous neighborhood had such a high crime rate that it became known as “Murder Bay,” reflecting the public opinions of the mess the city had become.⁷⁶¹ By the end of the Civil War, Washington was left in a state of physical disarray, social strain, and in many ways, it reached rock bottom.

During Andrew Johnson’s Administration, the majority of the work done on the capital’s landscapes remained the responsibility of the Army Corps of Engineers and its deficient budget. Lawmakers removed the care of public buildings from a civilian commissioner and transferred it to the Corps of Engineers alongside “the superintendence of the Washington Aqueduct and all the public works and improvements of the government of the United States in the District of Columbia.”⁷⁶² Chief of Engineers General A.A. Humphreys appointed Major Nathaniel N. Michler to serve as the head of the newly formed Office of Public Buildings and Grounds in the nation’s capital.⁷⁶³ Michler “continued the precedent set by L’Enfant... and others of the gentlemen-engineer tradition,” combining family histories of public service with education far surpassing mere matters of war.⁷⁶⁴ Michler excelled at map-making and surveying, and he used this expertise to outline new plans for the Washington Mall based on schematics developed by Andrew Jackson Downing in 1851, beginning the park beautification process while lobbying for additional funding to provide for his office’s work.⁷⁶⁵ Michler’s mission also included finding suitable locations for new public parks and for a potential new Executive Mansion should the need arise while maintaining the numerous public parks and triangular land masses created by

⁷⁶¹ Dickey, *Empire of Mud*, 182-184

⁷⁶² Pamela Scott, *Capital Engineers*, 72; William Tindall, *Standard History of the City of Washington from a Study of the Original Sources*. Knoxville, TN: HW Crew and Co., 1914. p472; *US Statutes at Large*, vol 14, p466.

⁷⁶³ Pamela Scott, *Capital Engineers*, 72

⁷⁶⁴ Pamela Scott, *Capital Engineers*, 72-3

⁷⁶⁵ Pamela Scott, *Capital Engineers*, 72-74

L'Enfant's grid-radial street system for the city.⁷⁶⁶ Michler's role in the revitalization of the city is often dwarfed by discussions of others in the same era, but his contributions were the necessary first step in the process of revitalizing the nation's capital.⁷⁶⁷

In addition to his post as Personal Secretary to the President, Orville Babcock was appointed as Major Michler's successor to the Office of Public Buildings and Grounds by President Grant in 1871.⁷⁶⁸ Babcock's efforts were instrumental to revitalizing the public landscape, but his presence also served as a shift in the tradition of "gentlemen-engineers" within the nation's capital. Whether real or simply the product of assumption by political opponents, Babcock's time as the Superintendent of the Office of Public Buildings and Grounds represented a major turning point in both the capital's physical landscape and how the man in that post accomplished his tasks.

During his tenure with the Office of Public Buildings and Grounds, Babcock began to work closely with Alexander Robey Shepherd, the Vice President of the Board of Public Works and the Governor of the Washington Territorial Government (**Figure 3.2**). Alexander Robey Shepherd was born in January 1835 in southwest Washington City, the second child and first son of Alexander Shepherd Sr. and Susan Davidson-Robey, both of whom hailed from prominent planter families in the Washington area. His early life consisted of schooling, attending church

⁷⁶⁶ Pamela Scott, *Capital Engineers*, 72-75; This street system is also referred to as a "spoke-and-wheel" system.

⁷⁶⁷ Most of the scholarship considering the capital's revitalization focuses on Alexander Robey Shepherd, who played a critical role in this process during Reconstruction. For more on this scholarship, consider: John Richardson, *Alexander Robey Shepherd*; William M. Maury, *Alexander "Boss" Shepherd and the Board of Public Works*. Washington: George Washington University Washington Studies, 1975; Constance McLaughlin Green, *Washington: Village and Capital, 1800-1878*. Princeton: Princeton University Press, 1962; Tom Lewis, *Washington: A History of Our National City*. New York: Basic Books, 2015; Carl Abbott, *Political Terrain: Washington, D.C., From Tidewater Town to Global Metropolis*. Chapel Hill: UNC Press, 1999; H. Paul Caemmerer, *A Manual on the Origin and Development of Washington*. Washington: United States Government Printing Office, 1939; and James Huntington Whyte, *The Uncivil War: Washington During the Reconstruction, 1865-1878*. New York: Twayne Publishers, 1958.

⁷⁶⁸ Pamela Scott, *Capital Engineers*, 75

with his family, and supporting the local fire company, in some cases participating in its rivalries with other firehouses, perhaps beginning his lifelong passion for public service.⁷⁶⁹ Shepherd dropped out of school by the time he was thirteen in order to support his mother and his five siblings upon his father's death, showing his willingness to act quickly when the moment required it, a talent and a curse that would later define his public career.⁷⁷⁰ He worked many jobs as a young man, including a store clerk, a carpenter's apprentice, and eventually a clerk and head bookkeeper at a plumbing and gas-fitting contractorship he later took over.⁷⁷¹

Shepherd, like Babcock, was a man who fit the mold of the emerging pragmaticos. As an adult, Shepherd was a strapping young man, "an Apollo in form, a giant in strength" with a voice that maintained "a richness and fullness of tone as an implement of conversation [and] a laugh that was ...musical and unconstrained," all of which made him a presence in every room he

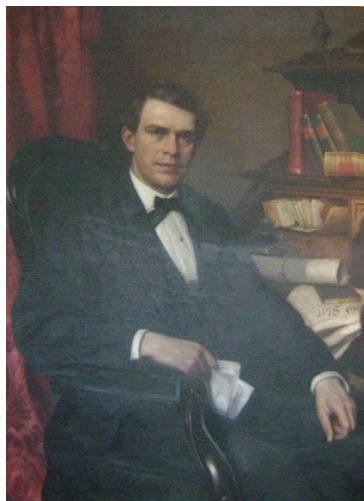


Figure 3.2: Alexander Robey Shepherd: First a Washingtonian businessman and then the Governor of the District of Columbia, Shepherd worked on several different projects to advance the reputation of the capital.⁷⁷²

⁷⁶⁹ John Richardson, *Alexander Robey Shepherd*, 1-7

⁷⁷⁰ John Richardson, *Alexander Robey Shepherd*, 7-9

⁷⁷¹ John Richardson, *Alexander Robey Shepherd*, 8-9

⁷⁷² Portrait of Governor Alexander Robey Shepherd that currently hangs in the offices of the D.C. Council. Photo Courtesy of The Association of Oldest Inhabitants of DC

entered.⁷⁷³ He took advantage of his larger-than-life presence in several areas of Washington society, combining an active church life with membership in several sporting clubs.⁷⁷⁴ In many organizations he served leadership roles, including his time as director of the Metropolitan Literary Association and the Washington Library Company; as a founding member of the Undine Boat Club; with the Fourth Presbyterian Church and then the newly formed New York Avenue Presbyterian Church, signaling a shift from new-school to old-school Presbyterianism.⁷⁷⁵ At the outbreak of the Civil War, a twenty-six year old Shepherd, alongside his brother, enlisted in the National Rifles, a volunteer Washington militia, where he served as a private for ninety days.⁷⁷⁶ He married Mary Grice Young in January 1862, the daughter of an elder of the Fourth Presbyterian Church.⁷⁷⁷ Shepherd's presence, experiences, and connections led him to a life in politics in addition to his private enterprises. He won his first elected position on the Common Council of Washington in 1861 while still on active military duty, a post he held until 1863, winning three terms.⁷⁷⁸ After his time in the Common Council, Shepherd continued to serve as a voice for Washingtonians, pressing Congress to pay their fair share in the upkeep of Washington while championing the cause of the consolidation of local Washington jurisdictions in order to streamline efficiency.⁷⁷⁹ His favorite approach to accomplish his goals was to schmooze Congressmen and local politicians at soirees that either he hosted or that were put on by

⁷⁷³ William Tindall was a longtime aide to Alexander Robey Shepherd and wrote about him after his time in Washington. William Tindall, "A Sketch of Alexander Robey Shepherd," *Records of the Columbia Historical Society* 14 [1911]:50

⁷⁷⁴ John Richardson, *Alexander Robey Shepherd*, 8-10

⁷⁷⁵ John Richardson, *Alexander Robey Shepherd*, 10-25

⁷⁷⁶ John Richardson, *Alexander Robey Shepherd*, 17-23; in 1863, Shepherd and his brother, Thomas, were both drafted into military service, but Thomas paid \$800 for substitutes for the pair, potentially because Alexander did not want his name on the record as having paid to opt out of military service; Certificate no. 893.510, Civil War and Later Survivors' Records, RG 15, NARA.

⁷⁷⁷ John Richardson, *Alexander Robey Shepherd*, 24-25

⁷⁷⁸ John Richardson, *Alexander Robey Shepherd*, 23-26

⁷⁷⁹ John Richardson, *Alexander Robey Shepherd*, 26-62

organizations with which he was associated.⁷⁸⁰ Shepherd was keenly aware of the ever-changing perceptions surrounding the wartime and postwar political realm. During one debate early in his political career, Shepherd expressed his opinion on the outside perceptions of what he did, offering that he “did not care about the appearances, ridiculous or not. The only question with him was whether it was right, and he would do his duty let others think what they may,” effusing an attitude that he would accomplish the tasks he deemed necessary regardless of public perception.⁷⁸¹

Shepherd was a long-time proponent of revitalizing Washington’s physical landscape, and he recognized the biggest issue standing in the way of progress was the way Washington’s governance was structured. The corporeal chaos of the capital left a figurative stain on those who visited and inhabited it. After the war, several key Washingtonians realized the problem as rumors began to circulate that the capital for the nation may fare better in a more centralized location, with St. Louis, MO serving as the favorite landing spot.⁷⁸² On June 15, 1868, Illinois Representative John A. Logan, a Republican and former Union general, spoke these opinions into existence in the halls of Congress. Citing the alleged “disloyalty” of local residents, given the conservative Confederate sympathies among the residents in what still operated as a southern city, Logan accused Washingtonians of “render[ing] the city undesirable as a residence, and an unsafe and unfit place for Congress to assemble.”⁷⁸³ Washington businessmen began a campaign to keep the capital where it was, fearing that a relocated capital would mean a decline in the importance of the city and thus a dip in their profits.

⁷⁸⁰ John Richardson, *Alexander Robey Shepherd*, 26-62

⁷⁸¹ John Richardson, *Alexander Robey Shepherd*, 31; *Washington Evening Star*, May 13, 1862,

⁷⁸² John Richardson, *Alexander Robey Shepherd*, 69-70

⁷⁸³ *Congressional Globe*, 40th Congress, 2nd Session, June 15, 1868. Pg 3174

For a select group of these Washingtonian businessmen, beautifying the city to make it worthy of serving as the seat of American government was the first goal. Headlined by Shepherd, the first task for this group to accomplish that goal was to streamline the efficiency of the local governments. By the end of the Civil War, the area we associate with present-day Washington was divided into three separate entities, each with its own jurisdiction: Washington City, Washington County, and Georgetown. The separate jurisdictions and individual concerns of each combined with their close proximities made it so municipal projects like those desired by these businessmen required three separate approval processes, overcomplicating the entire ordeal. As a result, in early 1870, the local Republican Party, with Shepherd at the fore, established the Citizens Reform Association (CRA) with the intent of reorganizing the municipal government.⁷⁸⁴ After an extended campaign, on February 21st, 1871, Congress acceded to the CRA and passed the District of Columbia Organic Act, which revoked the individual charters of these cities and counties and instead created a unified territorial government for the District of Columbia.⁷⁸⁵ This new governmental structure made the District of Columbia a single political jurisdiction for the first time, with a governor and secretary appointed by the President.⁷⁸⁶ There would further be a counsel comprised of residents of the three previous jurisdictions, each appointed by the President; a house of delegates elected by the male residents over 21 years of age of their respective districts, regardless of color; and an elected, non-voting member of the House of Representatives on behalf of the District.⁷⁸⁷ The Washingtonian business class thereby

⁷⁸⁴ John Richardson, *Alexander Robey Shepherd*, 63

⁷⁸⁵ 1871 District of Columbia Organic Act, otherwise known as “An Act to provide a Government for the District of Columbia.” *Statutes at Large*, 41st Congress, 3rd Session. Feb. 21, 1871, 41st Congress, 3rd session, chap. 62, 16 Stat. 419-429

⁷⁸⁶ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 419-429

⁷⁸⁷ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 419-429; Washington was one of the first cities to fully adopt the right for black citizens to vote. As a result there was a great deal of conflict surrounding the formation of the government, as many conservatives were concerned that the African American vote would give the Republican Party a major advantage given the influx of freedmen into the city during and after the Civil War. As a

made it their mission to prevent relocation of the capital through revitalization, and their first success was gained through representation in the governing process.

Critically important in this consolidation was the creation of a Board of Public Works, consisting of a Governor and four presidential appointees, one of whom was to be a civil engineer, and each of whom would represent different areas of the District for a four year term.⁷⁸⁸ The way this board was established in the Organic Act was unique, and it presented the board members with unchecked opportunity in the early days of the new territorial government. Based on the legislation, this board and its members “shall have entire control of and make all regulations which they shall deem necessary for keeping in repair the streets, avenues, alleys, and sewers of the city, and all other works which may be intrusted to their charge by the legislative assembly or Congress.”⁷⁸⁹ In addition to their almost autonomous control of decisions relating to municipal improvements, the Board of Public Works also maintained near complete control of the purse strings for such efforts:

“They shall disburse upon their warrant all moneys appropriated by the United States, or the District of Columbia, or collected from property-holders, in pursuance of law, for the improvement of streets, avenues, alleys, and sewers and roads and bridges, and shall assess in such manner as shall be prescribed by law, upon the property adjoining and to be specially benefitted by the improvements authorized by law and made by them, a reasonable portion of the cost of the improvement, not exceeding one third of such cost, which sum shall be collected as all other taxes are collected.”⁷⁹⁰

result, this plan was adopted by Congress to accommodate all parties in the district. Appointees would ensure some semblance of balance in the system in case elections proved to be too one-sided. For more, consider John Richardson, *Alexander Robey Shepherd*; Whyte, *The Uncivil War*; Robert Harrison, *Washington During Civil War and Reconstruction: Race and Radicalism*. New York: Cambridge University Press, 2011.

⁷⁸⁸ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 419-429

⁷⁸⁹ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 427

⁷⁹⁰ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 427

The Board's power was even more significant in that they controlled regulations for private buildings – “They shall make all necessary regulations respecting the construction of private buildings in the District of Columbia, subject to the supervision of the legislative assembly.”⁷⁹¹

Perhaps most shocking among this slew of legislative powers was the ability of the Board to have the final say in all contracts, with the exception of those that personally benefitted any member:

“All contracts made by the said board of public works shall be in writing, and shall be signed by the parties making the same, and a copy thereof shall be filed in the office of the secretary of the District; and said board of public works shall have the power to make contracts to bind said District to the payment of any sums of money except in pursuance of appropriations made by law, and not until such appropriations shall have been made. All contracts made by said board in which any member of said board shall be personally interested shall be void, and no payment shall be made thereon by said District or any officers thereof.”⁷⁹²

Each of these Board members would be paid a salary of \$2500 per year, and in November of each year, the Board was to present “a report of their transactions” to the governor and the President, who would then present this information to Congress (President Grant typically made such a presentation as a part of his Annual Message to Congress).⁷⁹³

It quickly became clear that Shepherd and the Board of Public Works held the true power in this new system. In no time at all, a common joke circulated the capital: “Why is the new governor like a lamb? Because he is led by A. Shepherd.”⁷⁹⁴ Yet some key political figures approved of the bulldog-like tenacity that Shepherd employed, ensuring his position was safe for a time. Chief among these supporters was President Ulysses S. Grant, who supported not only

⁷⁹¹ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 427

⁷⁹² *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 427

⁷⁹³ *Statutes at Large*, 41st Congress, 3rd Session, February 21, 1871. Pg 427; \$2500 in 1870 is equivalent in purchase power to around \$60,000 in today's standards.

⁷⁹⁴ John Richardson, *Alexander Robey Shepherd*, 94

Shepherd's plan for the District but also the immediacy with which he attacked this plan (**Figure 3.3**).⁷⁹⁵ Shepherd, deeply concerned with his standing in high society, tried to maintain his close ties to both the Grant Administration and the Republican Party, even becoming a member of the platform committee for the Republican National Convention before the 1872 election.⁷⁹⁶ Grant's support was made widely known via the press, referring to Shepherd as someone in whom he took a keen interest, with those who opposed him finding that "in the President he has a powerful and earnest supporter."⁷⁹⁷ Shepherd returned Grant's kindness in turn, offering that he considered the President "as steadfast a friend as I had" while offering that "he sustained me because he believed I was right. He would have thrown me overboard in an instant if he had had proof to the contrary."⁷⁹⁸ As a result of this "friendship," Grant's opponents began to assail the President through Shepherd, especially considering he was an appointee directly tied to Grant. In one such instance during Grant's second campaign, Shepherd was under attack from political opponents and his wife asserted that he was being persecuted. Shepherd responded that "It's all politics, darling...they are hitting at the dear General through me. They must have a Republican Boss Tweed for campaign purposes."⁷⁹⁹ Still, Grant stood by Shepherd in large part because of Shepherd's oversight of the Board of Public Works, and as the President had to deal with several large-scale issues plaguing the nation, he left the responsibility of local affairs to individuals like Shepherd whom he deemed capable. Perhaps it is no secret why Shepherd became so close to Grant's dear friend General Babcock.

⁷⁹⁵ John Richardson, *Alexander Robey Shepherd*, 117

⁷⁹⁶ John Richardson, *Alexander Robey Shepherd*, 125-126

⁷⁹⁷ John Richardson, *Alexander Robey Shepherd*, 142; *Philadelphia Press*, Oct 12, 1873, reprinted in *Evening Star*, Oct 17, 1873

⁷⁹⁸ John Richardson, *Alexander Robey Shepherd*, 143; *New York World*, Jan 21, 1876, reprinted in *Evening Star*, Jan 29, 1876

⁷⁹⁹ John Richardson, *Alexander Robey Shepherd*, 143; Typescript by Alexander Robey Shepherd's daughter Grace Shepherd, Shepherd Papers, Library of Congress

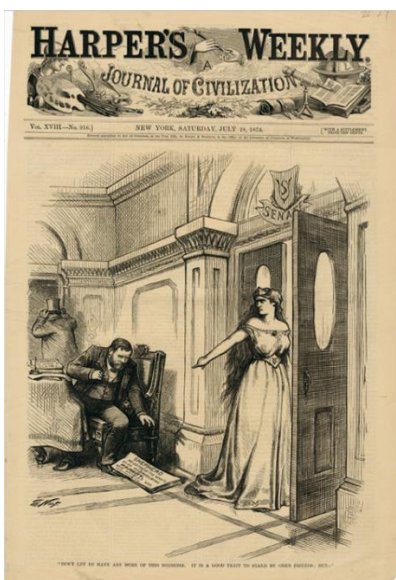


Figure 3.3: “Don’t Let Us Have Any More of This Nonsense. It is a Good Trait to Stand By One’s Friends, But – ”: This *Harper’s Weekly* cartoon depicts Ulysses S. Grant reaching for a paper with Shepherd’s name on it after Shepherd’s rebuffing by the Senate for a post in the Capital after his governorship.⁸⁰⁰

Members of the Board worked alongside the newly appointed governor in the new territorial government under an oversight committee that consisted of trained engineers such as Montgomery Meigs and Orville Babcock.⁸⁰¹ This committee provided suggestions for the city based on their engineering expertise, but the Board of Public Works tended to “hear” their advice and then do what they initially planned so they could say they consulted experts in the process.⁸⁰² The Board further worked with Babcock in his capacity as Superintendent of the Office of Public Buildings and Grounds, showering him with praise for his “cordial co-operation with local authorities, his wise counsel, energy, and ability” in an effort to appease him should they ignore his advice as part of the committee.⁸⁰³ Under the territorial government, Babcock’s role with the Board of Public Works was limited, but his work with the Office of Public Buildings and

⁸⁰⁰ *Harper’s Weekly*, July 18, 1874. Ulysses S. Grant Collection, Ulysses S. Grant Presidential Library, Mississippi State University Libraries

⁸⁰¹ Maury, “Boss” Shepherd and the Board of Public Works, 6-29; John Richardson, *Alexander Robey Shepherd*, 125-131

⁸⁰² John Richardson, *Alexander Robey Shepherd*; Maury, “Boss” Shepherd and the Board of Public Works

⁸⁰³ Pamela Scott, *Capital Engineers*, 77

Grounds meant that he was not only in touch with those in the capital who had power, but also that he was personally associated with them.

With Washington restructured into a territorial form of governance, Shepherd and the Board of Public Works quickly began their campaign of public improvement projects. Shepherd later recounted the plans for the Board at their outset: “The Board of Public Works...was to devise and carry out as rapidly as possible some system of improvements, in order that in this respect the capital of the nation might not remain a quarter of a century behind the times.”⁸⁰⁴ To carry out these tasks, the main foci of the Board of Public Works could be boiled down to two key dynamics: standardization and improvement. Standardization dealt with creating a systemized method of progress for the city moving forward so there were benchmarks for whomever received government contracts. Shepherd called for a system of standardized street grades around the city, along with a comprehensive sewage system.⁸⁰⁵ He established the first building codes in the District, which made assembling statistics, maps, and plans more accessible to builders and politicians alike.⁸⁰⁶ They further made this information available by presenting it in annual reports to the legislative and executive branches, respectively.⁸⁰⁷ The Board began their work in earnest, setting out to grade and reduce the width of L’Enfant’s planned streets as soon as possible.⁸⁰⁸

Like standardization, improvements were revitalization efforts, representing attempts to create and recreate spaces for the betterment of the city. Shepherd and the Board of Public

⁸⁰⁴ John Richardson, *Alexander Robey Shepherd*, 101; House Committee for the District of Columbia, *Affairs in the District of Columbia*, 42nd Cong, 2nd sess, 1872, H. Rep. 72, p735 – will henceforth be referred to as 1872 Investigation

⁸⁰⁵ John Richardson, *Alexander Robey Shepherd*, 99-101

⁸⁰⁶ John Richardson, *Alexander Robey Shepherd*, 133

⁸⁰⁷ John Richardson, *Alexander Robey Shepherd*, 99

⁸⁰⁸ John Richardson, *Alexander Robey Shepherd*, 99-101

Works worked to revitalize major portions of the city for the betterment of the masses. In order to accomplish such tasks in a manner that would not bankrupt the public, Shepherd established a Parking Commission to oversee the planting and beautification of these lands into public park spaces while also maintaining them so that local livestock would not overrun these new spaces.⁸⁰⁹ The Board also filled in the Washington Canal, removing the standing water filled with sewage and cleaning up a public health hazard, even though it meant that L'Enfant's original plan of making Washington a commercial hub accessible to shipping was halted in the process.⁸¹⁰ This matter created some conflict with Babcock's Advisory Committee to the Board of Public Works, who were not consulted during this process, setting a dangerous precedent for Shepherd and the Board of Public Works.⁸¹¹

In Fall 1872, Shepherd made two moves against major obstacles to his plans for progress in the city. First, Shepherd ordered the hasty destruction of the Northern Liberties Market in order to relocate and improve the market despite knowledge of forthcoming petitions and cases against removal.⁸¹² Two people were killed in the rushed, overnight destruction of this collection of sheds called a market, and while the Board was chastised for not providing enough notice before destroying the space, the new marketplace that they established far surpassed the previous iteration.⁸¹³ The lack of reprisal for this deadly action amounted to tacit approval for Shepherd, encouraging future abuses by this Board and the pragmaticos associated with city improvement. Shepherd's second move against private corporations occurred after the culmination of a conflict with the Baltimore and Ohio Railroad, in which Shepherd ordered laborers to remove B&O

⁸⁰⁹ Here, "parking" refers to the official term for improvement to public parks and areas that were established through public works projects. John Richardson, *Alexander Robey Shepherd*, 99-101

⁸¹⁰ John Richardson, *Alexander Robey Shepherd*, 128-130

⁸¹¹ Ibid

⁸¹² John Richardson, *Alexander Robey Shepherd*, 129-131

⁸¹³ Ibid

railroad tracks from the National Mall overnight.⁸¹⁴ This uprooting led to a meeting with the B&O Railroad President which began in a heated fashion yet resulted in a half-hearted offer to Shepherd to serve as a vice president for the company, as no one in his company could complete a project of that size that quickly.⁸¹⁵ Shepherd's tendencies to work in haste got him in trouble at times, but he showed that he was willing to overlook the perceptions of what he was doing in order to accomplish his tasks as quickly and successfully as possible.

In some cases, the perception of the public was so strong in response to Shepherd's work with the Board of Public Works that corruption became a common claim around the capital. Some of these claims seem to bear truth in retrospect. One of the first streets in Washington affected by the planned grading efforts was F Street, on which Shepherd owned many properties.⁸¹⁶ The grading project would make these houses more lucrative, and questions began to circulate as to whether or not Shepherd anticipated as much before purchasing the houses or enacting the grading projects, hinting that Shepherd was doing public work for private gain.⁸¹⁷ Further, Shepherd's plan for the Board to build "largely" became a massive boon for his contractor friends, many of whom got lucrative contracts since there wasn't an existing basis for city planning and contracting approval of this scale.⁸¹⁸ Because of his insider knowledge of the bid system as a contractor himself, Shepherd had the Board set lower flat prices instead of accepting bids, which led not only to claims of favoritism when contracts went to Shepherd's friends, but also to contractors reauctioning contracts for profit after the contract was awarded by the government.⁸¹⁹ This resale scheme led to the development of small rings of contractors

⁸¹⁴ Ibid

⁸¹⁵ Ibid

⁸¹⁶ John Richardson, *Alexander Robey Shepherd*, 101-103

⁸¹⁷ Ibid

⁸¹⁸ John Richardson, *Alexander Robey Shepherd*, 113-115

⁸¹⁹ Ibid

gobbling up contracts and profiting from them, corrupting the system.⁸²⁰ Shepherd's opponents in the District, particularly his political and business rivals like W.W. Corcoran, began to lambast him and the Board with campaigns against corruption, tying him to Tammany Hall's Boss Tweed and claims that he was operating as the de facto head of a Washington Ring, also referred to as the District Ring.⁸²¹ In this heightened political atmosphere, these claims became fodder for President Grant's opponents to smear the Commander-in-Chief with corruption allegations, as Shepherd was a Grant appointee and the two were believed to be close.⁸²² By this point it was entirely clear that there was a rising tension between needing to accomplish tasks to better the city and the individuals who were doing so being on the take, and these tensions were rising rapidly.

The Board of Public Works came under even greater fire as a result of a funding fiasco it refused to effectively face under Shepherd. At the Board's founding in 1871, it was not entirely clear from where its funds would come or how they would be dispersed, given the turbulent history with Congress paying for matters in the District.⁸²³ As a result, the money spent by the Board quickly began to eclipse the money available, and the eventual total of \$20 million for public improvements greatly surpassed the \$6 million estimate given to Congress at the outset of the project.⁸²⁴ Shepherd planned to do what he had done as a private businessman by going into debt in order to make money in the long run, believing that if they built Washington's infrastructure, people, and therefore money, would come.⁸²⁵ This plan worked for a bit, but by 1873 the territorial government was out of money, and Shepherd was forced to fund his efforts

⁸²⁰ Ibid; the reauctioning was discovered later during the 1874 congressional investigation into the BPW.

⁸²¹ John Richardson, *Alexander Robey Shepherd*, 122-128

⁸²² John Richardson, *Alexander Robey Shepherd*, 122-128

⁸²³ John Richardson, *Alexander Robey Shepherd*, 103-108

⁸²⁴ John Richardson, *Alexander Robey Shepherd*, 103-108

⁸²⁵ Ibid

by paying contractors with certificates instead of cash.⁸²⁶ In January 1873, Congress finally began to pull its weight by authorizing the largest payment to the District to date – \$1.25 million, with another \$2 million anticipated that March – but the budgetary issues were made even more dire when a financial panic struck the nation just months later.⁸²⁷ In September 1873, railroad financier Jay Cooke made several errors that led to the failure of his company and of several related banks in what has since been referred to as the Panic of 1873.⁸²⁸ Cooke's brother Henry, then the reigning Territorial Governor of Washington, resigned in the face of the financial problems that were now amplified by the nationwide panic and was quickly replaced as territorial governor by Alexander Robey Shepherd.⁸²⁹

Shepherd's opponents were numerous, and in some instances they were organized well enough to raise considerable opposition to his plans. In January 1872, Shepherd was charged with "extravagance and mismanagement" by more than a thousand Washingtonians via a memorial (or petition) to the House of Representatives.⁸³⁰ The petition efforts led to a congressional investigation into the Board of Public Works later that year, during which one former council member suggested that "any resolution or bill which [the Board of Public Works] took an interest in having passed did pass, and frequently passed immediately...my observation and information satisfied me that the council and house of delegates... were wholly and completely subservient to the Board of Public Works."⁸³¹ Yet after the investigation, the House

⁸²⁶ John Richardson, *Alexander Robey Shepherd*, 135-137

⁸²⁷ Ibid

⁸²⁸ M. John Lubetkin, *Jay Cooke's Gamble: The Northern Pacific Railroad, the Sioux, and the Panic of 1873*. Norman: University of Oklahoma Press, 2014; Nicolas Barreyre, "The Politics of Economic Crises: The Panic of 1873, the End of Reconstruction, and the Realignment of American Politics". *Journal of the Gilded Age and Progressive Era*. 10.4 (2011): 403-423.

⁸²⁹ John Richardson, *Alexander Robey Shepherd*, 138-144

⁸³⁰ John Richardson, *Alexander Robey Shepherd*, 119; 1872 Investigation, xxi

⁸³¹ John Richardson, *Alexander Robey Shepherd*, 110; 1872 Investigation, 364-368

of Representatives voted in confidence of Shepherd and the Board while chastising him for inexperience, overzealousness, and “reckless extravagance,” as “the new authorities became somewhat intoxicated with the spirit of improvement.”⁸³² Still Shepherd’s opponents, a group which became known as the “Memorialists” after the petition (or memorial) they submitted to the House, continued to lambast the Board. As financial problems plagued the Board well into 1873, opponents amplified critiques of the Board and Shepherd, leading to a second congressional investigation into their actions.⁸³³ The Memorialists remained a persistent thorn in the side of both Shepherd and others seeking to update the landscape of the nation’s capital.

By 1873, the territorial government in Washington, consistently accused of corruption and maintaining budgets that were unsustainable in both the short- and long-term, proved to be ineffective. Though no charges were levied per se, the committee report from the second congressional investigation into the Board of Public Works proved to be a terse condemnation of the manner in which Shepherd and his crew carried out their improvements.⁸³⁴ When combined with the appearance of bossism that he accrued during his political career, Shepherd became an appropriate scapegoat for the Board of Public Works and was removed from his governorship in 1874, even though two investigations found no criminal malfeasance on his part. The Chairman of the second investigation wrote to a friend in its wake “I am sorry that Shepherd was temporarily sacrificed, as he had done so much for the city. He can afford to wait, however, as no stain is cast upon his honor or integrity by the investigation or report.”⁸³⁵ At only thirty-nine years old, Shepherd would not see much success in Washington again. He was nominated by President Grant to serve as an official in the newly-reshaped District government but this

⁸³² John Richardson, *Alexander Robey Shepherd*, 123-124; 1872 Investigation iv-xiii

⁸³³ John Richardson, *Alexander Robey Shepherd*, 144-145

⁸³⁴ John Richardson, *Alexander Robey Shepherd*, 149; 1872 Investigation

⁸³⁵ John Richardson, *Alexander Robey Shepherd*, 152-3; *Evening Star* July 15, 1874

nomination was vetoed by Congress by a substantial 36-6 vote.⁸³⁶ He maintained some semblance of political relevance through his aid and association with his successor in Washington Public Works, Orville Babcock, but he never returned to official office. Instead, Shepherd declared bankruptcy within a decade and moved his family to Mexico in search of a new fortune in silver mining.⁸³⁷ Shepherd succeeded by streamlining matters in the capital, consolidating the previously-divided political entities into one, but the territorial experiment proved to be too much.⁸³⁸ Instead, the federal government established another governmental system for the capital, one that featured a temporary board of three commissioners appointed by the President.⁸³⁹

As a part of this new system of governance in the capital, the debt-laden Board of Public Works was dissolved and its responsibilities were consolidated within the Office of Public Buildings and Grounds.⁸⁴⁰ This merger meant that Babcock, who in 1871 was appointed as the Superintendent of the Office of Public Buildings and Grounds, suddenly inherited the mess left behind by Shepherd's territorial government. Not only was Babcock forced to deal with the fallout of a chaotically organized Public Works program, but he was also stained with the reputation of his predecessors as well as their existing systems for graft and corruption. Babcock

⁸³⁶ John Richardson, *Alexander Robey Shepherd*, 157

⁸³⁷ John Richardson, *Alexander Robey Shepherd*; Maury, "Boss" Shepherd and the Board of Public Works

⁸³⁸ John Richardson, *Alexander Robey Shepherd*, 150-1; The territorial legislature, which was led at this point by speaker of the assembly Arthur Shepherd, a journalist by trade and Alexander Robey Shepherd's brother, was gaveled to a close two months after Congress cancelled the government. In the wake of this closure, members of the legislature absconded with furniture and furnishings of the chamber. This legislature became known as the "feather-duster legislature," named as such because one member allegedly stuffed a feather duster down his trousers to make off with it.

⁸³⁹ John Richardson, *Alexander Robey Shepherd*, 157-160; Maury, "Boss" Shepherd and the Board of Public Works, 56-70; while some attempts at home rule in the District of Columbia were attempted, this commissioner government lasted until 1967. For more, consider Abbott, *Political Terrain*; Tom Lewis, *Washington*; Charles Wesley Harris, *Congress and the Governance of the Nation's Capital: The Conflict of Federal and Local Interests*. Washington, D.C: Georgetown University Press, 1995.

⁸⁴⁰ John Richardson, *Alexander Robey Shepherd*, 149-161

and Shepherd developed not only a working relationship, but a friendship during Babcock's time as a member of the Board of Public Works' Engineering Advisory Panel.⁸⁴¹ The Memorialists and other political opponents continued their campaign against landscape changes by targeting Babcock as the new figurehead of the movement.⁸⁴² Babcock was consistently assailed by claims of corruption, both factual and fabricated, during his time in the Office of Public Buildings and Grounds. The question that emerged was difficult to fully answer: was Babcock merely guilty by association, or was he guilty as a part of the "association" that others identified as the District Ring?

Babcock's Impact on the Capital

During Orville Babcock's tenure as Superintendent of Public Buildings and Grounds, he took on much of the negative reputation of his predecessors, but he also inherited the local power the Board garnered. Babcock wielded this power to take over for Shepherd and the Board of Public Works, continuing to revitalize the city and bringing it into the Victorian Era. He used his training from the Army Corps of Engineers to implement massive changes to the landscape of the nation's capital, creating new sites and facilities while repairing those damaged by time and war. Babcock updated shared spaces throughout the capital to make them not only passable as parts of society, but beautiful sprawling settings of which residents could be proud and enjoy. He

⁸⁴¹ John Richardson, *Alexander Robey Shepherd*, 149-157; Maury, "*Boss*" *Shepherd and the Board of Public Works*, 27-29; John Potts to Orville Babcock, September 8, 1871, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Alexander Robey Shepherd, November 25, 1871, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to James A Joyce, July 9, 1872, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to AM Clapp, November 12, 1872, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library; Orville Babcock to Alexander Robey Shepherd, June 3, 1873, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁸⁴² Boynton, "The Washington Safe Burglary Conspiracy"; *Evening star*. (Washington, D.C.), 23 March 1874; Henry E. Davis, "The Safe Burglary Case: An Episode and a Factor in the District's Development." *Records of the Columbia Historical Society, Washington, D.C.* 25 (1923): 149; "The Safe Burglary." *Mariposa Gazette* (Mariposa, CA), April 29, 1876.

worked to honor national heroes with statues and monuments. He made repairs to the Executive Mansion and other government buildings at the center of the discussions to relocate the capital. In many ways, General Babcock elevated Washington to new heights as a worthy capital city with legacies that exist to this day.

As one of his priorities in his role at the Office of Public Buildings and Grounds, Babcock efforded to revitalize the federal reservations in the region. The larger parks were updated via grading, planting new foliage, and irrigation.⁸⁴³ During Babcock's first year in this new post, his team laid four miles of drains, ten thousand yards of pavement and walkways, one thousand feet of curbing, and forty six thousand feet of sod.⁸⁴⁴ Babcock and his staff installed lamp posts and benches while constructing walking paths through the parks in an effort to draw the public to these now-beautiful public spaces.⁸⁴⁵ In 1874, noted journalist Mary Clemmer Ames commented on these changes: "Seats – thanks to General Babcock – everywhere invite to sit down and rest beneath trees which every summer cast a deeper and more protecting shadow."⁸⁴⁶ In order to prevent these areas from being overrun with pests, Babcock introduced European sparrows to the park to eat worms and insects that may bother visitors.⁸⁴⁷ He accepted donations of other animals for the parks, including eagles, deer, owls and prairie dogs, creating a free-range zoo, and when public funding for feeding these animals ran out, Babcock paid for their food out of his own pocketbook.⁸⁴⁸ The Office of Public Buildings and Grounds faced

⁸⁴³ Pamela Scott, *Capital Engineers*, 76

⁸⁴⁴ Pamela Scott, *Capital Engineers*, 76; *Report of the Chief of Engineers* (will henceforth be referred to as Chief of Engineers Report), 42nd Congress, 2nd sess, H. Exdoc. 1 (1871), p969; Orville Babcock recommends William Barry, October 1, 1873, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁸⁴⁵ Pamela Scott, *Capital Engineers*, 76

⁸⁴⁶ Pamela Scott, *Capital Engineers*, 76; Chief of Engineers Report, 59th Congress, 1st sess, H. Doc 2 (1905), p2653-2654

⁸⁴⁷ Pamela Scott, *Capital Engineers* 77; Chief of Engineers Report, 1871, p969

⁸⁴⁸ Pamela Scott, *Capital Engineers*, 77; Chief of Engineers Report, 44th Congress, 2nd sess, H. Exdoc. 1 (1876), p 683-684; Chief of Engineers Report, 45th Congress, 2nd sess, H. Exdoc. 1 (1877), p1065

occasional challenges in keeping these parks free from illegal private occupation, whether by individuals (impoverished individuals seeking somewhere to call home or grow food) or corporations (dumps, buildings, and railroad tracks appeared on public lands intermittently).⁸⁴⁹ In response, unimproved public lands were marked with granite markers, while improved lots were surrounded with post-and-chain fences and, eventually, concrete copings, in order to prevent others from infringing on or destroying these lands.⁸⁵⁰

It is important to note that the federal reservation system in Washington was not limited to the public parks that occupied federal lands. As a result of L'Enfant's spoke-and-wheel concept for the city's roads, numerous triangular and trapezoidal landmasses existed, serving as medians between roads and buildings.⁸⁵¹ These smaller plots of land were also included in the reservation system and considered land under federal control. Babcock's work on parking included resodding and revitalizing these parcels of land, many of which never before saw improvement.⁸⁵² These small medians may seem insignificant, but as there were so many across the city, their combined transformations made significant change, as one observer noted that these "places of sand and mud" became "green and beautiful" locales.⁸⁵³ The Office of Public Buildings and Grounds became responsible for the upkeep of these medians as well as those of the larger parks. The employees of the Office of Public Buildings and Grounds were "mostly laboring men," according to Babcock, as "the work necessary to improve the public grounds is of such a character that it cannot be done by contract."⁸⁵⁴ Their responsibilities included painting,

⁸⁴⁹ Pamela Scott, *Capital Engineers*, 77; Chief of Engineers Reports, 1871, p1925

⁸⁵⁰ Ibid

⁸⁵¹ Pamela Scott, *Capital Engineers*, 75

⁸⁵² Pamela Scott, *Capital Engineers*, 75

⁸⁵³ Pamela Scott, *Capital Engineers*, 75; Chief of Engineers Report, 42nd Congress, 2nd sess., H Exdoc. 1 (1871), p969

⁸⁵⁴ Pamela Scott, *Capital Engineers*, 79; US Congress, House. Report of the Secretary of War, 1872. P1071

raking, removing snow, planting, cutting, repairing roads, cleaning gutters, and overseeing park watchmen.⁸⁵⁵ In addition to these processes, Babcock's office also published a location and condition survey of the entire parks system, outlining the numerous parks and medians over which the Office of Public Buildings and Grounds maintained control.⁸⁵⁶ By maintaining control of who worked on each aspect of Public Works, Babcock avoided some of the contracting issues faced by the territorial government prior to his assumption of the office.

Arguably the most significant of the reservation lands for which Babcock was responsible was the grounds of the Washington Monument. During the Civil War, the area surrounding the incomplete Washington Monument was damaged by its use as military training grounds and livestock grazing areas.⁸⁵⁷ In 1872, Babcock worked to fix this injustice by having his team clean up the grounds surrounding the unfinished obelisk.⁸⁵⁸ Within a year, the Office of Public Buildings and Grounds completely overhauled the area. Where cow pens once stood and besmirched the area, a beautiful park worthy of the monument at its center now blessed the capital.⁸⁵⁹ The team drained and graded the area, filling its depressions, as well as part of the adjoining Washington Canal.⁸⁶⁰ They planted greenery and built carriage drives that surrounded the park. Washington columnist George Alfred Townsend wrote on behalf of the amazed populace shortly after the park's refurbishment, offering:

⁸⁵⁵ Pamela Scott, *Capital Engineers*, 79

⁸⁵⁶ Pamela Scott, *Capital Engineers*, 75; Chief of Engineers Report, 58th Congress, 3rd Sess, H. Doc 2 (1904), p3917; Chief of Engineers Report, 56th Congress, 1st sess, H. Doc 2 (1899), p 3822; the 1894 version, which outlined 301 reservations across nearly 405 acres of public land, became the official reservation map by a Congressional act in 1898, with the Army Corps of Engineers maintaining "exclusive charge" of the parks; *U.S. Statutes at Large*, vol. 30, p 570

⁸⁵⁷ Pamela Scott, *Capital Engineers*, 76-77; Dickey, *Empire of Mud*

⁸⁵⁸ Pamela Scott, *Capital Engineers*, 78

⁸⁵⁹ Ibid

⁸⁶⁰ Ibid

“The old grounds around the Washington Monument, which the very goats disdained to frequent and truant school-boys passed through with awe; where the stench of the canal and the river’s miasma blended their odors, and half-dismantled houses, sheds, and hulks of boats dozed on the unsightly margin, were now brought into civilization...so that every day last fall equestrians and carriages enlivened this old haunted corner by the river side, and a sense of gratitude toward the Engineer [Babcock] was felt by every thoughtful visitor.”⁸⁶¹

Babcock and his crew transformed the area from unsafe, fetid farmland into a space befitting the Washington Monument, one which encouraged the completion of the grand spire.⁸⁶²

While not a federal reservation, the White House and its upkeep also fell under the purview of the Superintendent of Public Buildings and Grounds. Babcock was therefore responsible for updating the quickly-dilapidating building at the epicenter of relocation debates.⁸⁶³ It also meant that the military was in charge of redecorating the presidential offices and cabinet room, as well as the First Family’s living quarters.⁸⁶⁴ Less than a decade after Congress held investigations into Mary Todd Lincoln’s seemingly-extravagant spending in order to renovate the White House, General Babcock was given both permission and a budget to update sections of the Executive Mansion.⁸⁶⁵ Babcock made several updates to the Executive Mansion during his tenure as its caretaker. In 1872, he ordered the installation of a new copper roof on the White House.⁸⁶⁶ However, in a break from his earlier assertions that public works projects could not be done by contract, he hired the firm of Alexander Robey Shepherd to install

⁸⁶¹ Pamela Scott, *Capital Engineers*, 79; George Alfred Townsend, *New Washington, or the Renovated City*. Washington: Chronicle Publishing Company, 1874. p17-18

⁸⁶² Ibid

⁸⁶³ John Richardson, *Alexander Robey Shepherd*, 69-70; Dickey, *Empire of Mud*

⁸⁶⁴ Pamela Scott, *Capital Engineers*, 79-80; Orville Babcock to W Meyers, November 12, 1873, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁸⁶⁵ Joan E. Cashin, “The Material World of Mary Todd Lincoln: Her Households in Peace and War.” In *Household War: How Americans Lived and Fought the Civil War*, Athens, GA: University of Georgia Press, 2020. P19-34.; “Mary Lincoln,” WHHA, accessed March 17, 2024, <https://www.whitehousehistory.org/bios/mary-lincoln>.; Scott 79-80

⁸⁶⁶ Pamela Scott, *Capital Engineers*, 81; Alan Lessoff, *The Nation and Its City: Politics, “Corruption,” and Progress in Washington, D.C., 1861-1902* (Baltimore: Johns Hopkins Press, 1994. P56

this roof at the price of nearly \$35,000, offering a major government contract to his close friend who was fired for similar actions.⁸⁶⁷ Babcock initiated other updates to the White House, particularly in the East Room, one of the large state rooms in the residence.⁸⁶⁸ President Grant asked Babcock to make alterations before the wedding of his daughter Nellie so the ceremony could be held in the White House in May 1874, and Babcock did not disappoint.⁸⁶⁹ Babcock installed new wooden mantles with enormous mirrors above them, making the room look larger than it was.⁸⁷⁰ He also added two new ceiling beams which matched the existing style of the room, replacing chandeliers installed during the Jackson administration with new gas chandeliers ornately burnished with clusters of globe lights.⁸⁷¹

In 1869, Congress commissioned the construction of a new building for the State, War, and Navy Departments so they could move from the shuttered orphanage from which they were working at the time.⁸⁷² Construction on the building, which is now known as the Eisenhower Executive Office Building (EEOB) or the Old Executive Office Building (OEOB) next door to the White House, began in 1871.⁸⁷³ Thanks to his position in the Office of Public Buildings and Grounds, Babcock played a pivotal role in developing the East Wing of this building, which, beginning in 1879, housed the Department of the Navy.⁸⁷⁴ In addition to elaborate stenciling covering the walls and ceilings is an inlay marquetry flooring in the Secretary of the Navy's

⁸⁶⁷ Ibid; John Richardson, *Alexander Robey Shepherd*

⁸⁶⁸ Pamela Scott, *Capital Engineers*, 80

⁸⁶⁹ "The East Room," WHHA, accessed February 22, 2024, <https://www.whitehousehistory.org/white-house-tour/the-east-room>.; Doug Wead, *All the Presidents' Children: Triumph and Tragedy in the Lives of America's First Families*. New York: Atria Books, 2003. P229-232; Chernow, *Grant*, 772-773; Orville Babcock to Hamilton Fish, June 20, 1873, Ulysses S Grant Unpublished Correspondence, Ulysses S. Grant Presidential Library

⁸⁷⁰ WHHA East Room

⁸⁷¹ Ibid

⁸⁷² "Eisenhower Executive Office Building," The White House, July 12, 2022, <https://www.whitehouse.gov/about-the-white-house/the-grounds/eisenhower-executive-office-building/>.

⁸⁷³ Ibid

⁸⁷⁴ Ibid

office.⁸⁷⁵ This wing houses the Indian Treaty Room, which has served as the site of many presidential news conferences and receptions.⁸⁷⁶ The Indian Treaty Room room was originally the Navy's library and reception room, and the decorations ordered by Babcock, beautifully ordained with marble wall panels, gold-leaf ornamentation, tiled floors, and 800-pound bronze sconces, cost more per square foot than any other room in the entire building.⁸⁷⁷ Babcock continued to craft beautiful public spaces, though it seems he did not fully grasp the economic repercussions of his extravagances.

Babcock did not exclusively work on the maintenance and upkeep of public-facing entities like parks and the Executive Mansion – in fact, some of his most significant work came from large scale building projects in Washington. He utilized the skills he learned at West Point and during his time in the Army Corps of Engineers to make repairs to structures that were completely destroyed, such as the Potomac Chain Bridge. The Chain Bridge, named for an early chain bridge in the same location, was a crossbeam truss structure that was a well-used bridge for Union forces to enter the countryside in Fairfax County during the Civil War.⁸⁷⁸ The bridge was swept away by a flood in 1870, and Babcock and his office replaced it with a lightweight iron truss bridge between 1872 and 1874.⁸⁷⁹ Babcock also worked on the construction of a bridge near the Navy Yard over the Anacostia River at 11th Street SE.⁸⁸⁰ In the same location, there were two separate bridges, but when one was destroyed in 1846, the community suffered from

⁸⁷⁵ Ibid

⁸⁷⁶ Ibid

⁸⁷⁷ Ibid

⁸⁷⁸ "Where Washington's Historic Chain Bridge Gets its Name." *The Washington Post* (1877-1922), Nov 21, 1909.; "History of the Chain Bridge" in Mike High, *The C&O Canal: Companion*. Baltimore: Johns Hopkins University Press, 2001. Archived from the original on 2005-04-02.

⁸⁷⁹ "History of the Chain Bridge"

⁸⁸⁰ "11th Street Bridge: Anacostia Park," National Parks Service, accessed March 17, 2024, <https://www.nps.gov/places/11th-street-bridge.htm>; James Croggon, "Old Burnt Bridge." *Evening Star*, July 7, 1907; Charles R. Burr, "A Brief History of Anacostia, Its Name, Origin, and Progress." *Records of the Columbia Historical Society*, Washington, 1920.

reduced transportation routes until Babcock oversaw the construction of a second bridge between 1872-1873.⁸⁸¹

After the Civil War, Congress authorized the construction of statues around the District of Columbia honoring Union Generals, creating another important duty for Babcock and his Office of Public Buildings and Grounds.⁸⁸² Beginning with the statue of Lieutenant General Winfield Scott, authorized in 1867, Congress and the Secretary of War worked on the design and construction of many statues with the Corps Officer in Charge of Public Buildings and Grounds – yet another title for Babcock once he was appointed to this office, affording him still more power and influence.⁸⁸³ Though the Secretary of War was technically in control of appropriating funds, choosing locations, and making contracts with the artists involved in the creation of the sculptures, these duties were typically carried out by the officer in Babcock’s position, especially when considering the locations for these statues tended to be in Washington parks.⁸⁸⁴ Babcock was likely involved in the planning of the statues honoring Admiral David Farragut, Major General George Henry Thomas, and the Emancipation Memorial honoring Abraham Lincoln and the Emancipation Proclamation.⁸⁸⁵ He was more directly involved in the planning and construction of the Navy Peace Monument, as well as monuments honoring General John Rawlins and Major General James B. McPherson.⁸⁸⁶ In fact, it is believed that Babcock himself may have designed the base of the statue honoring McPherson, lending both his engineering and

⁸⁸¹ The Anacostia River was originally called the “Eastern Branch.” This bridge was later rebuilt in the early 1900s and renamed the Anacostia Bridge. “Old Burnt Bridge”; Burr; Abbott; Sandra Fitzpatrick and Maria R. Goodwin, *A Guide to Black Washington: Places and Events of Historical and Cultural Significance in the Nation’s Capital*. New York: Hippocrene Books, 1990.

⁸⁸² Pamela Scott, *Capital Engineers*, 78

⁸⁸³ Ibid

⁸⁸⁴ Ibid

⁸⁸⁵ Katherine Allamong Jacob, *Testament to Union: Civil War Monuments in Washington DC*. Baltimore: Johns Hopkins University Press, 1998. 25-26, 85-87, 101-109

⁸⁸⁶ Pamela Scott, *Capital Engineers*, 78; Jacob, *Testament to Union* 51-53, 88-90, 99-100, 110-113

artistic talents to the project for which Congress appropriated \$25,000 in 1875.⁸⁸⁷ Babcock devoted a great deal of time to honoring his fellow Union soldiers for their bravery and successes during the Civil War.

As a reward for his dedicated work on the capital's many municipal projects, Babcock was rewarded with a legacy project of his own named in his honor: Babcock Lakes (**Figure 3.4**). After the Office of Public Buildings and Grounds worked to fill in the Washington Canal, there remained natural depressions near the Washington Monument. Babcock decided to turn these spaces into ornamental ponds which could house a fish hatchery.⁸⁸⁸ In one of the lakes, he installed a fountain jet in line with the monument.⁸⁸⁹ During the winter months, when the lakes froze, Babcock noted that these lakes “formed safe and good skating for children, and was much enjoyed by them.”⁸⁹⁰ The lakes were used to breed three different species of German carp, as well as various other fish and turtles, which would then be grown to adulthood and released into American waterways to replenish the supply of carp in the United States.⁸⁹¹ The German carp, including three species (leather, mirror, and common carp, respectively) were selected by Smithsonian curator and head of the United States Fish Commission, Spencer F. Baird, as they held a reputation for being easily farmed, low cost to maintain, and could be “fattened like pigs to a great weight in a short amount of time.”⁸⁹² After just one spawning season, in 1880, an estimated 100,000 carp resided in Babcock Lakes, not to mention the estimated 350,000 fish that

⁸⁸⁷ Pamela Scott, *Capital Engineers*, 78

⁸⁸⁸ Ibid

⁸⁸⁹ Ibid

⁸⁹⁰ Pamela Scott, *Capital Engineers* 78; Chief of Engineers Report, “Annual Report of Colonel O.E. Babcock,” 43rd Congress, 2nd sess, H. Exdoc. 1 (1874), p385-386

⁸⁹¹ “There Was Something Fishy Going on There... National Mall and Memorial Park, Washington Monument,” National Parks Service, accessed March 11, 2024, <https://www.nps.gov/articles/000/babcocklake.htm>.

⁸⁹² Ruthie Cooney, “The National Mall Was Once Home to a Huge Government Fish Farm That Wreaked Havoc on US Fisheries,” *Boundary Stones*, November 4, 2022; “The Government Fish Ponds, Important Work of the Fish Commission,” *Evening Star*, May 3, 1879; “Carp Culture, an Interesting Operation – One Hundred Thousand Young Fish Removed,” *Evening Star*, November 17, 1880

were already extracted and shipped across the country, proving the hatcheries to be a success.⁸⁹³

The Washington Post described these fisheries in detail in 1880, offering effusive praise for the area that quickly became a tourist attraction:

The fish adjusted well to life in the District according to the *Washington Post*: “The carp ponds are bounded on the north by the White lot and the White House grounds and on the south by the [Potomac] river, and when some immense carp, in sheer ecstasy of wellbeing, leaps of for one shining minute into the sunshine, he sees the new State Department and the Treasury, the somber towers of the Smithsonian, and the more sensational rotunda of the new National Museum. And in the water or out of the water, he is always aware of the Washington Monument... It is one of the most attractive and interesting features of the city, these carp ponds. The grounds are so pleasant and well kept. The solid sod slopes so greenly down to the water and in these early spring days one would rather sit on the grass in the sunshine than to breathe the breath of the galleries and listen to Congressional debate. The sun shines; the warm cloudy water is full of lights and shadows; there is a dandelion within reach; the flags in the water are taking on new shades of green; now and then there is a flash of a fin and a shy carp swims away from you—a phantom fish of whose exact species you are painfully uncertain.”⁸⁹⁴



Figure 3.4: Babcock Lakes: These photos, taken in 1878 (left) and 1879 (right) were filled with carp to reintroduce the population into American waterways. They became a point of contention in the 1890s during the completion of the Washington Monument, seen near the middle of the lakes in the picture on the right.⁸⁹⁵

⁸⁹³ “Carp Culture”

⁸⁹⁴ “CULTIVATING FISH.: RESULTS OF THE NEW LATCHING PROCESS. A VISIT TO THE CORP PONDS -- SOME HISTORICAL REMARKS ABOUT THE CARP FAMILY -- EQUALIZING SALT AND FRESH WATER FISH.” *The Washington Post*, May 10, 1880.

⁸⁹⁵ Cooney, “The National Mall.”; left photo taken from National Archives 513092, Local Identifier 22-FF, NAIL Control Number NWDNS-22-FF; right photo by Francis Hacker between 1877-1879, obtained from Library of Congress, LC-USZC4-12138

While serving as President Grant's Private Secretary gave him a notable presence in the administration, his military posting as Superintendent of the Office of Public Buildings and Grounds made him a *de facto* military attaché to the president.⁸⁹⁶ Babcock's successes in refurbishing the Executive Mansion and other public spaces propelled him even further into the spotlight of Washington society as he joined its elite circles. This notoriety guaranteed Babcock's place at a variety of diplomatic and social events in the nation's capital.⁸⁹⁷ What's more, his oversight and coordination skills were valuable in planning many fetes organized by the administration, including statue unveilings, parades, and welcoming ceremonies for guests of the administration.⁸⁹⁸ He arranged presidential soirees, having the authority to contribute to the guest list, which he took advantage of to further develop personal connections with the capitol's elite as he was frequently a guest at these events himself.⁸⁹⁹ When you consider the importance of Babcock's role in the Office of Public Buildings and Grounds combined with the impact of his work as President Grant's Private Secretary, it becomes abundantly clear that Babcock's influence in the nation's capital was exceptional.

Washington Criminality: Real or Suspect?

The seemingly heightened amount of corrupt political activity during Reconstruction led some to adopt the moniker "The Era of Good Stealings" for its infamy, but there were many instances where the corruption was little more than allegations by political opponents intended to tarnish the reputation of their opposition.⁹⁰⁰ This is not to say that political corruption did not exist during this time – far from it, as several cases indicate that corruption was present, if not

⁸⁹⁶ Pamela Scott, *Capital Engineers*, 80

⁸⁹⁷ Ibid

⁸⁹⁸ Ibid

⁸⁹⁹ Ibid

⁹⁰⁰ Mark Wahlgren Summers, *The Era of Good Stealings*. New York: Oxford University Press, 1993.

rampant, in this era.⁹⁰¹ However, the glut of claims far outweighed the actual cases of corruption that were present, as the very attestation of “corruption” became many politicians’ favorite buzzword when assailing an opponent, be they across the aisle or within one’s own party.⁹⁰² This effusion of corruption claims created a world in which these claims were taken with a grain of salt while others were accepted as gospel, and the partisan press vigorously continued to publish them to stir the masses into a frenzy.⁹⁰³ Many of these claims were examined as was appropriate, but these investigations took valuable resources from government officials, and every case could not be considered without proper justification, meaning that several cases were not pursued.

The very fact that some cases were not investigated, or that some individuals were acquitted due to a dearth of evidence, means that some individuals who were engaging in corrupt activities got away with their delinquencies. We can assume then that some individuals used these more public claims of corruption as smokescreens for other instances of corruption so that they could get away with other indubitable villainy.⁹⁰⁴ The stigma of corruption still stained all who were charged with allegations, and the increase in claims led to an assumption of dirty politics in the nation’s capital.⁹⁰⁵ However, particularly effective pragmatists were able to get away with actual corruption, or at the very least escape prosecution, simply by taking advantage of a society so bogged down with claims of corruption that some actual corruption slipped

⁹⁰¹ For more on the presence of corruption in Reconstruction-Era politics, consider: Summers, *Era of Good Stealings*; Kenneth Ackerman, *The Gold Ring: Jim Fisk Jay Gould, and Black Friday, 1869*. New York: Harper and Row, 2004; Claude G. Bowers, *The Tragic Era: The Revolution after Lincoln*. Cambridge, MA: Riverside Press, 1929; Lessoff, *The Nation and Its City*; and Mark Wahlgren Summers, *Party Games: Getting, Keeping, and Using Power in Gilded Age Politics*. Chapel Hill: University of North Carolina Press, 2004.

⁹⁰² Summers, *Era of Good Stealings*; Lessoff, *The Nation and Its City*; Mark Wahlgren Summers, *The Press Gang: Newspapers & Politics, 1865-1878*. Chapel Hill: University of North Carolina Press, 1994.

⁹⁰³ Summers, *Press Gang*

⁹⁰⁴ We will see this play out for Babcock in the next two chapters.

⁹⁰⁵ Lessoff, *The Nation and Its City*; Dickey, *Empire of Mud*; Jacob, *Capital Elite*

through the investigative cracks. The political culture of corruption became entrenched for a time, and though some scholars have argued against the degree of such corruption system in recent years, the fact that people assumed the system was broken is what matters most.⁹⁰⁶

The social spheres of Washington played a significant role in the shaping of rumors and claims surrounding Babcock's corruption. It is clear that both Babcock and Shepherd were entrenched in Washington high society, and the friendship that developed during times of both work and play is undeniable. Because both were so connected to important members of society in the capital, and because rumors of their nefarious concatenations abound, it is easy to see how not only enemies but casual observers would assume they were engaging in these acts as part of a shadow network. While we may never truly know the degree to which such complicity existed due to the lack of an official paper trail or government ruling, the historical record provides sufficient evidence that the assumption of criminal behavior is fair. Some level of collusion likely occurred on a business level due to the types and amounts of public works contracts that were doled out during Reconstruction, and certain members of society benefitted from these deals more than others, leading to the spread of additional rumors. Whether the result of jealousy, professional disdain, or fact, these rumors and claims shaped political thought in the capital.

Both Babcock and the Washington public works programs took major strides forward during the early 1870s by accomplishing beneficial tasks via detrimental tactics. Accomplishing tasks took time, and the bureaucratic processes that people went through to accomplish even the most menial tasks were confoundingly delaying. When Alexander Shepherd attempted to

⁹⁰⁶ Summers, *Era of Good Stealings*; Summers, *Party Games*; Lessoff, *The Nation and Its City*; Calhoun, *The Presidency of Ulysses S. Grant*

circumvent this process, he was accused of misappropriations, even when the things he did benefited the city. Though he was only successful in these efforts for a short time, his legacy on the Washington landscape is still present to this day.⁹⁰⁷ General Babcock took over this system in the wake of Shepherd's ouster, leaving him in charge of a system that was overbudget, incomplete, and corrupted by improper actions. For better and worse, Babcock would spend his remaining time in the Grant Administration under some assumption that he was up to no good.

⁹⁰⁷ John Richardson, *Alexander Robey Shepherd*; Abbott; Maury, *"Boss" Shepherd and the Board of Public Works*

Chapter Four: Beginning Babcock's Downfall: The District Ring and The Safe Burglary

On February 19, 1876, *Frank Leslie's Illustrated* published its weekly newspaper, and its popular political cartoons capitalized on the most recent scandal of the Grant Administration. Amongst their coverage of the happenings of the nation, this edition's cartoons highlighted the corruption of a recently uncovered crime syndicate, the Whiskey Ring, and the attention the Ring brought to the White House (**Figure 4.1**). Both the front and back covers emphasized Orville Babcock's role in the conspiracy, with the front showing his ability to wriggle out of the grasp of Uncle Sam's justice.⁹⁰⁸ While the front cover attracted the attention of the masses, it was the back cover that dug deeper into the reality of Babcock's entrenchment in the White House. Entitled "Impotent Rage," the cartoon depicts Secretary of the Treasury Benjamin Bristow, the man responsible for uncovering the Whiskey Ring, removing a puppy representing Babcock from the protection of Grant, the larger of the two dogs, and whisking him away to the St. Louis Court House, the site of the Whiskey Ring Trials. The caption reads as though from Bristow's perspective, stating that "if [Grant] could break his chain, I should hardly escape with my life, for capturing his favorite Pup."⁹⁰⁹ This cartoon shows it was apparent that President Grant favored Babcock amongst his other advisors, something that was clear not only to members of the Grant Administration who saw this in daily interactions, but to the general public as well. When Grant testified on behalf of his friend as a character witness, marking the first time a sitting president had ever given testimony in a criminal trial, the masses could firmly hold that Babcock was indeed the president's "favorite pup."

⁹⁰⁸ *Frank Leslie's Illustrated Weekly*, February 19, 1876

⁹⁰⁹ *Frank Leslie's Illustrated Weekly*, February 19, 1876



Figure 4.1: Impotent Rage: “Bristow – If he could break his chain, I should hardly escape with my life, for capturing his favorite Pup.” Grant’s preference of Babcock, his “favorite Pup,” was well-known, and his support in the Whiskey Ring led to additional claims of Caesarism when his friend was threatened (note the “Caesar” on Grant’s collar).⁹¹⁰

This cartoon was one of many attacks on the Grant Administration, attacks that picked up steam as the years progressed and as those jaded by the existing state of affairs sought to speak their minds. Over the course of his administration, President Grant made political enemies due to the Reconstruction agenda he sought to employ. White southerners were frustrated over the seemingly strict conditions of Reconstruction and what was perceived by some as favoritism for African Americans in their region. These same white southerners comprised the base of the Democratic Party which added a layer to the party’s overall disagreement with Grant’s political agenda. Liberal members of Grant’s own party were frustrated with the direction the president was leading their beloved elephant. And the president, through actions he did or didn’t take during his tenure, alienated several of his former allies in an effort to do what he believed to be right by lightening the punishment on the former Confederacy. This led to yet another segment

⁹¹⁰ *Frank Leslie’s Illustrated Weekly*, February 19, 1876

of the American population harboring a grievance against President Grant. Many of these individuals aired their grievances publicly (**Figure 4.2**).

As highlighted by the “Impotent Rage” cartoon, assailants had a favorite cry in their attacks on the Grant Administration: Caesarism.⁹¹¹ Comparing the president to the infamous dictator Julius Caesar was a common method of denigrating the actions of the Commander in Chief. This was done out of fear, largely amongst Grant’s Democratic opponents, that the Republic itself was in danger of falling, as Ancient Rome had fallen, because of the actions of a military hero who “abbreviated representative government, and with the plaudits of a glory-mad public ringing in his ears.”⁹¹² At some point these assaults went a step further, taking on a more personal flair as the term “Grantism” circulated the political and media lexicon. The reasons for these comparisons consisted largely of perceived stealings by local Republican administrators across the nation, which in turn led to a system of ill-gotten power which improperly favored the party in power and its leader.⁹¹³

Perhaps the thing most worrying Grant’s opponents was the prospect of his maintaining an improper amount of power for an extended period of time, highlighted by the rhetoric warning of the terrors that would come with a potential third term in the White House.⁹¹⁴ This outcry led into the 1874 midterm election, which historian Mark Wahlgren Summers referred to as both a “referenda on [a] single issue” and “an explicit judgement on the man in the White House” regarding the administration’s perceived failure to root out corruption from within.⁹¹⁵ As Grant

⁹¹¹ *Frank Leslie’s Illustrated Weekly*, February 19, 1876; in the cartoon, the Grant-dog portrayal has a collar around his neck naming him “Caesar”

⁹¹² Mark Wahlgren Summers, *The Era of Good Stealings*. New York, NY: Oxford University, 1993. 251

⁹¹³ Summers, *Era of Good Stealings*, 245-248

⁹¹⁴ Summers, *Era of Good Stealings*, 249-259

⁹¹⁵ Summers, *Era of Good Stealings*, 244

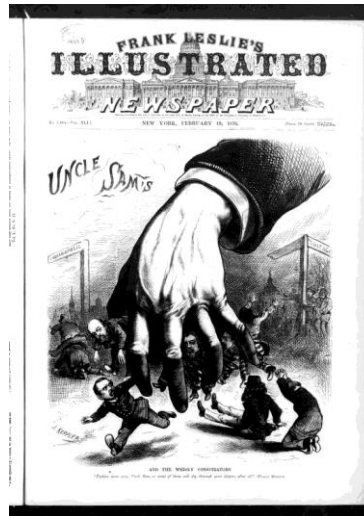


Figure 4.2: And the Whiskey Conspirators: “Tighten your grip, Uncle Sam, or more of them will slip through your fingers after all”—Public Opinion. In the wake of the Whiskey Ring trials, public opinion demanded that the Grant Administration eliminate the corrupt element within, lest more slip through without proper justice done, as evidenced by Babcock, bottom left, who ultimately escaped without criminal charges.⁹¹⁶

contemplated the upcoming 1876 election, the salaciousness of numerous scandals during his administration melded with the anger of enemies made before and during his tenure in the Oval Office.

The Democrats emerged with major victories in these midterm elections, and in response, President Grant was forced to look toward the future, considering not only his own political future, but also the people he might bring along for the ride. At the height of this partisan stress, a perfect political storm swelled as questions surrounding his capacity to honestly lead the nation rained. The majority of these claims came from the Democratic Party, who had retaken control of a Congressional chamber for the first time since the opening salvo of the Civil War.⁹¹⁷

Democrats in the House of Representatives used their positions to investigate the Grant Administration for anything even remotely resembling corruption.⁹¹⁸ The House reopened

⁹¹⁶ *Frank Leslie's Illustrated Weekly*, February 19, 1876

⁹¹⁷ Summers, *Era of Good Stealings*, 242-262

⁹¹⁸ Summers *Era of Good Stealings* 244-258

investigations into the Whiskey Ring while also opening new investigations into malfeasance by multiple members of Grant's Cabinet, all in an effort to make political capital at the expense of their opponents.⁹¹⁹ These inquests typically elicited the support of Liberal Republicans, though they did not desire to see Grant impeached like his predecessor.⁹²⁰ Instead, as Senator Carl Schurz of Missouri suggested, they sought to stir up "fuel to keep the fire going" in an attempt to repair the "burning shame" felt by the nation.⁹²¹ The smoke surrounding this suspected and real criminality heightened these cries and encouraged those frustrated with Grant's leadership to look elsewhere in the coming 1876 election.

In 1874, two years before the Whiskey Ring shaped the rhetoric of Caesarism in the Grant Administration, and around the time of the aforementioned midterm elections, a local issue in the nation's capital served as a spark to restoke the flames lit under Grant's opponents and their insistence that the president and his associates were up to no good. The claims in Washington were focused on Orville Babcock, yet in this instance, the claims were not for his duties in service to the White House, but those in service to the people of the District. Babcock's work as Superintendent of Public Buildings and Grounds in Washington and his friendship with Governor Alexander Robey Shepherd led to assumptions that Babcock was a member of the infamous "District Ring."⁹²² This led to a showdown with those interested in reforming the local

⁹¹⁹ Charles W. Calhoun, *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017. 537-539

⁹²⁰ Ibid

⁹²¹ Ibid; Horace White to Carl Schurz, March 10, 1876, Carl Schurz Papers, Library of Congress; Charles Nordoff to Carl Schurz, March 8, 1876, Carl Schurz Papers

⁹²² As previously discussed, the District Ring used their positions as high-ranking members of Washington Society to accomplish goals both for the public and their own personal benefits. In addition to coverage from Chapter Three, for more on the District Ring, consider: John P. Richardson, *Alexander Robey Shepherd: The Man Who Built the Nation's Capital*. Athens: Ohio University Press, 2016; Boynton, "The Washington Safe Burglary Conspiracy."; Alan Lessoff, *The Nation and Its City: Politics, Corruption and Progress in Washington, D.C., 1861-1902*. Baltimore: Johns Hopkins University Press, 1994; *More About The Washington Tammany: Its Tool in Congress Unmasked, Letter From John H. Crane to Norton P. Chapman, Delegate in Congress from the District of Columbia*,

political arena. The Grant Administration's efforts to reform the civil service brought them into conflict with such nefarious groups as the District Ring whose actions were restricted to mostly local concerns. Unlike the Tweed Ring in New York, which developed a penchant for shaping the political realm past the city to the state of New York and beyond, the District Ring's influence seems to have been shaped to affect regional affairs amongst the well-to-do of the nation's capital.⁹²³ Ironically, it was one such local issue involving this Ring that contributed greatly to the ruination of Babcock's reputation in national politics – the Washington Safe Burglary Conspiracy.

The Safe Burglary Conspiracy provides a heretofore overlooked glimpse into the ways that corruption shaped the nation's capital, how this corruption was combatted politically and legally, how people responded to it both privately and publicly, and in what ways corruption shaped the American political arena for years to come. The District Ring exploited weaknesses in the capital, as the city's political system was in a state of flux given the recent changes of centralized governmental expansion combined with the rapidly changing physical and demographic landscape of Washington. The District Ring itself exhibited the advance of shadow organizations in the United States and found success thanks in large part to its entrenchment within the developing political system and to the actions of men like Babcock.

In Which the Frauds of the District Ring are Shown Up, and the Mendacious Falsehoods of Their Delegate in Congress Exposed. Washington: Harvard University, February 21, 1873.

⁹²³ For more on the Tweed Ring, also referred to as Tammany Hall for its physical headquarters in New York, consider: Terry Golway, *Machine Made: Tammany Hall and the Creation of Modern American Politics*. New York: Liveright, 2014; Samuel Jones Tilden, "The New York City Ring: Its Origin, Maturity, and Fall" (first published 1873), in *The Writing and Speeches of Samuel J. Tilden*, vol. 1, ed. John Bigelow (New York: Harper & Brothers, 1885); and Oliver E. Allen, *The Tiger: The Rise and Fall of Tammany Hall*. Boston: Da Capo Press, 1993.

Holding the (District) Ring: Babcock Pulls the Strings from the Shadows

The District Ring reflected a major development that emerged from the expanded federal powers of the Civil War Era through the system of booty capitalism.⁹²⁴ During the period of political competition for socioeconomic control of the nation, “at the meeting point of mass politics and capitalist takeoff,” associations seeking to exploit the new system formed as “Rings.”⁹²⁵ Samuel Tilden, the Governor of New York during this period, defined a *ring* as an entity “that encircles enough influential men in the organization of each party to control the action of both party machines.”⁹²⁶ These rings consisted of “men who in public push to extremes the abstract ideas of their respective parties, while they secretly join their hands in schemes for personal power and profit.”⁹²⁷ Jeffrey Broxmeyer contends that, after the Civil War, “rings were the purest expression of the gilded rage for political wealth accumulation.”⁹²⁸ Among the most famous was New York’s Tweed Ring, also referred to as “Tammany Hall” after its physical presence in said office establishment. The prominence of these organizations was widespread, as others like the Gas Ring, the Canal Ring, the Bank Ring, the Gold Ring, and of course, the Whiskey Ring, prove through their very existence that corrupt maneuvering is necessary for these entities to succeed.⁹²⁹ These rings reflect a society with deeply entrenched political machines that sought to subvert the political process and make governance a for-profit institution.

⁹²⁴ Here I use the term as presented by Jeffrey Broxmeyer (who based the term in Max Weber’s discussion of accumulation of riches by plunder) in his investigation of “Rings” as volatile forms of governance. Jeffrey D. Broxmeyer, “Bringing The ‘Ring’ Back In: The Politics Of Booty Capitalism.” *The Journal of the Gilded Age and Progressive Era* 19, no. 2 (2020): 235–245.

⁹²⁵ Broxmeyer, “Bringing The ‘Ring’ Back In” 236

⁹²⁶ Tilden, “The New York City Ring,” 561

⁹²⁷ Tilden, “The New York City Ring,” 561

⁹²⁸ Broxmeyer, “Bringing The ‘Ring’ Back In” 236

⁹²⁹ Broxmeyer, “Bringing The ‘Ring’ Back In”; McDonald, *Secrets of the Great Whiskey Ring*

Within this expanding system of Rings, it makes sense that one would emerge in the nation's capital, as there existed a greater potential for rogues to attain not only local, but national power through their villainy. Such an organization did develop, and it became known as the "District Ring." The District Ring held similarities to the Tweed Ring in New York.⁹³⁰ Both rings worked behind the scenes to line the pockets of their members through graft that exploited the political process of the city. Both had buildings that served as unofficial headquarters for their corrupt activities; like the Tammany Hall location of the Tweed Ring, the District Ring was associated with the Washington Club House, to which members of the Ring belonged and where many unsavory deals were arranged.⁹³¹ While some went so far as to make connections between these two organizations, they were inherently different.⁹³² The District Ring was a whisper in the wind, not the bombastic political machine that the Tweed Ring had become.⁹³³ More apt comparisons for the District Ring would be the Whiskey Ring, or the Gold Ring associated with the Black Friday Panic of 1869, before either was uncovered by the authorities, because these organizations served as networks which connected high-ranking pragmaticos beyond the public eye.⁹³⁴ While certain individuals openly engaged in untoward acts in the District like the corrupt lobbying of the railroad industry in the Reconstruction era, it was the Ring's secrecy that was

⁹³⁰ Gen. John McDonald, *Secrets of the Great Whiskey Ring: And Eighteen Months in the Penitentiary. Containing a Complete Exposure of the Illicit Whiskey Frauds Culminating in 1875, with Documentary Proofs. to which is Added the Author's Remarkable Experiences while a Convict in the Missouri Penitentiary, at Jefferson City.* St. Louis, Mo: W. S. Bryan, 1880; Golway, *Machine Made*

⁹³¹ Boynton, "The Washington Safe Burglary Conspiracy."

⁹³² *More About The Washington Tammany*

⁹³³ Boynton, "The Washington Safe Burglary Conspiracy"; Golway, *Machine Made*.

⁹³⁴ McDonald, *Secrets of the Great Whiskey Ring*; Kenneth D. Ackerman, *The Gold Ring: Jim Fisk Jay Gould, and Black Friday, 1869.* New York: Harper and Row, 2004.

key to understanding the network at play which controlled much of the governance of the district.⁹³⁵

The District Ring's existence coincided with a period of tumult in the nation's capital. With the expansion of the federal government came a need to create a new physical infrastructure in the capital, as additional federal employees needed both places to live and to do their work.⁹³⁶ This growth was both complicated and, in some instances, aided by the wartime fortification of the city, as housing was constructed in order to appropriately billet the soldiers garrisoned therein.⁹³⁷ After the war, the expansion of powers gained permanence, and the rapidity of this growth left holes in the system open to exploitation by such organs as the District Ring that sought to manipulate a smoother governance than the status quo.⁹³⁸ With the ability to exploit power vacuums in the city and opportunities for graft pervasive, the Ring emerged as a major force working behind the scenes in the nation's capital.

We may never have a complete roster for the District Ring, but what is clear is that this dastardly organization became utterly entrenched in Washington society during the Reconstruction Era. Keeping with Tilden's definition, high-ranking elected and appointed officials were among the members of the District Ring. The Ring reached near the top of the political chain in terms of both local and national governance, infiltrating the White House and

⁹³⁵ Mark Wahlgren Summers, *Railroads, Reconstruction, and the Gospel of Prosperity: Aid Under the Radical Republicans, 1865-1877*. Princeton: Princeton University Press, 1984; Hermon King Murphey, "The Northern Railroads and the Civil War," *The Mississippi Valley Historical Review*, 5, No. 3 (Dec., 1918), pp. 324-338

⁹³⁶ Lessoff, *The Nation and Its City*

⁹³⁷ Kenneth J. Winkle, *Lincoln's Citadel: The Civil War in Washington DC*. New York: WW Norton and Company, 2014.

⁹³⁸ J.D. Dickey, *Empire of Mud: The Secret History of Washington, DC*. Guilford, CT: Lyons Press, 2014; Lessoff, *The Nation and Its City*

the Governor's Office.⁹³⁹ From his position as Private Secretary to the President of the United States, Orville Babcock wielded considerable power within the federal government, a power which he used to aid the District Ring as well as other Rings in which he was a key player. His position in the White House exposed him to many individuals in Washingtonian politics and the Secret Service, which enabled him to facilitate contact among individuals to carry out secret misdeeds while imbuing him with plausible deniability to specific plans should these misdeeds be exposed. The Governor of the District of Columbia and suspected city boss, Alexander Robey Shepherd, had significant ties to members of the District Ring, and while he may not have been implicated as a member of the Safe Burglary Conspiracy, his participation in its investigation and its coverup suggests his culpability.⁹⁴⁰

Given the duplicitous nature of the District Ring and the number of illegal activities in which its members were involved, it makes sense that they would have individuals at all levels of the criminal justice system who could cover the Ring's tracks. What is surprising is how deeply the Ring invaded these law enforcement agencies. The Ring infiltrated almost every level of the Metropolitan Police Department, from the President of the Board of the Metropolitan Police to individual detectives and officers.⁹⁴¹ The Chief of Detectives in the district, John A.W. Clarvoe, was involved in the ring, though he was not alone, as one prosecutor noted that "most of the men

⁹³⁹ The Governor of Washington, D.C. was a unique position within the American governance system, as this elected official served simultaneously as governor, mayor, and county executive. They were elected by the local constituency but hold a position with importance both in the local and national political landscapes.

⁹⁴⁰ Boynton, "The Washington Safe Burglary Conspiracy," particularly 432; Shepherd's involvement in nefarious actions while governor has been disputed by recent scholarship. However, his associations with men who were involved with the District Ring led to contemporary claims of corruption, which is why he warrants mention as at least a potential member of the Ring. For recent scholarship that contrasts claims of impropriety by Shepherd, consider: John Richardson, *Alexander Robey Shepherd*; and Zachary Klitzman, "Who's the Boss?: Alexander Shepherd, the D.C. Territorial Government and the Boss Charge". Master's Dissertation, American University, 2016. For scholarship that implies Shepherd was involved in nefarious activities, consider Dickey, *Empire of Mud*.

⁹⁴¹ Boynton, "The Washington Safe Burglary Conspiracy," particularly 416

composing it [the Washington detective force] seemed to be entirely in the power of the Ring.”⁹⁴²

As the police were corruptly involved in the District Ring, so too were members of the Treasury Department. The true irony was that the Ring took root within a newly created organ of the Treasury Department designed to assail corruption by suppressing widespread counterfeiting: The Secret Service.⁹⁴³ Though headquartered in New York with the Treasury Department, members of the Secret Service controlled their own networks of personnel in Washington which enabled them to carry out personal agendas. The most significant of these Secret Service operatives was Colonel Hiram C. Whitley, the Chief of the Secret Service and a fellow pragmatico who was associated with Babcock and other Safe Burglary conspirators due to his post in the government.⁹⁴⁴ Whitley crafted a network of Secret Service agents and affiliates that assisted with the process of the Safe Burglary Conspiracy. Whitley’s Chief Assistant, Ichabod Nettleship, was a key member of the District Ring, serving as a frequent messenger between New York and Washington.⁹⁴⁵ Lower ranking Secret Service members such as Albert C. Cunz, a clerk of the Service, were involved in sending covert messages between New York and Washington.⁹⁴⁶ Whitley even unofficially deputized former Washington detectives Gustave

⁹⁴² Clarvoe is the highest-ranking individual within the Metropolitan Police Department for whom we have records that implicate complicity in the District Ring and that was involved in the Safe Burglary Conspiracy. Boynton, “The Washington Safe Burglary Conspiracy,” 410-429; Henry E. Davis, “The Safe Burglary Case: An Episode and a Factor in the District’s Development.” *Records of the Columbia Historical Society, Washington, D.C.* 25 (1923): 146
⁹⁴³ “150 Years of History.” United States Secret Service. Accessed April 28, 2021.
<https://www.secretservice.gov/about/history/150-years>.

⁹⁴⁴ Boynton, “The Washington Safe Burglary Conspiracy”; Charles Lane, “In the 19th Century, A Different Secret Service, but Not Without Controversy.” *The Washington Post*. October 01, 2014; Charles Lane, *Freedom’s Detective: The Secret Service, the Ku Klux Klan and the Man Who Masterminded America’s First War on Terror*. New York: Hanover Square Press, 2019.

⁹⁴⁵ Boynton, “The Washington Safe Burglary Conspiracy”; Davis, “The Safe Burglary Case.”

⁹⁴⁶ Boynton, “The Washington Safe Burglary Conspiracy”; Davis, “The Safe Burglary Case.”; *National Republican*. (Washington), September 23, 1876.

Zirruth and Michael Hayes to aid in Ring activities.⁹⁴⁷ The District Ring's infiltration of the Treasury Department showed that the geographical bounds of the Ring were not limited to the District.

Among its many assaults, the District Ring invaded the legal system. The Ring infiltrated the United States District Attorney's office in the person of Richard Harrington, the Assistant District Attorney.⁹⁴⁸ In addition to his post as Assistant USDA, Harrington served as the Secretary of the District of Columbia, a post similar to the Secretary of State position in other states. Harrington's most notable role may have been as the mastermind of the Safe Burglary Conspiracy. He abused contacts he made while in Washington, like his friend and fellow lawyer Arthur B. Williams, as well as Babcock and Secret Service officials Whitley and Nettleship.⁹⁴⁹ He constructed a web of conspirators that spanned the political landscape and brought the Safe Burglary Conspiracy to fruition.⁹⁵⁰ Harrington used his position to exploit the legal system for his personal gain and for the benefit of the District Ring.

The District Ring did not operate in the capital unperturbed. The main group seeking to stop the actions of the District Ring called themselves the "Memorialists." However, these were not reformers seeking to rid the capital of the District Ring's immoral activities. The Memorialists were a band of Washingtonian conservatives who opposed massive revitalization projects around the city.⁹⁵¹ Chief among the Memorialists was Columbus Alexander, a man who

⁹⁴⁷ Boynton, "The Washington Safe Burglary Conspiracy"; Davis, "The Safe Burglary Case."; *National Republican*. (Washington), November 19, 1874; *Chicago Daily tribune*, October 30, 1874.

⁹⁴⁸ Boynton, "The Washington Safe Burglary Conspiracy"; *National Republican*. (Washington), November 7, 1874

⁹⁴⁹ Boynton, "The Washington Safe Burglary Conspiracy"; *Evening star*. (Washington), September 21, 1876.

⁹⁵⁰ Ibid

⁹⁵¹ Boynton, "The Washington Safe Burglary Conspiracy"; *Evening star*. (Washington), March 23, 1874.

was referred to once as “a pugilist refusing to know defeat” for his “remarkable pertinacity and ability in his long pursuit of the Ring.”⁹⁵²

The revitalization projects in question were tied to high-ranking Washingtonians who were also believed to be part of the District Ring, namely Governor Alexander Robey Shepherd and Orville Babcock. Shepherd organized many of these projects as the President of the Board of Public Works, and he continued to hold significant sway with this organization after his election to the governorship.⁹⁵³ Further, Babcock’s efforts to revitalize the capital as Superintendent of the Office of Public Buildings and Grounds and give the city a more Victorian appeal were called into question by those who believed his efforts were corrupt. Under Shepherd’s and Babcock’s supervision, the board worked to revitalize the city of Washington, particularly through the leveling, narrowing, and illuminating of the city’s roads.⁹⁵⁴ They also saw the laying of hundreds of miles of new water mains, the removal of the hazardous Washington City Canal, and a complete revitalization of the National Mall from its wartime existence as an animal pen.⁹⁵⁵

On the surface, such revitalization projects seemed beneficial, bringing the city into a new era of modernity; the underlying issue became the question of the appropriate allocation of the district’s budget. These projects exceeded the budget as established by Congress by millions of dollars, and put the city in tremendous debt in the wake of the Panic of 1873.⁹⁵⁶ What most incensed the Memorialists was “the conviction that a ‘ring’ of favored contractors and speculating associates was fattening financially at the expense of the District and its

⁹⁵² Davis, “The Safe Burglary Case,” 142; “The Safe Burglary.” *Mariposa Gazette* (Mariposa, CA), April 29, 1876

⁹⁵³ Davis, “The Safe Burglary Case,” 141; John Richardson, *Alexander Robey Shepherd*

⁹⁵⁴ Dickey, *Empire of Mud*, 232-236.

⁹⁵⁵ Dickey, *Empire of Mud*, 231-247

⁹⁵⁶ Davis, “The Safe Burglary Case,” 142; Dickey, *Empire of Mud*, 234-247

taxpayers.”⁹⁵⁷ This led the group to make a “Memorial” appeal, also known as a petition, to Congress in an attempt to allow the District to progress at its own pace rather than at the hastening speed Shepherd sought.⁹⁵⁸

The Memorialist’s campaign against the District Ring centered on Washington’s Board of Public Works, an entity which was both responsible for the revitalization projects and which was entirely infiltrated by the Ring members. While Shepherd held influence with the Board as its former President and maintained a semblance of control of the Board as Governor, Babcock served as Washington’s Superintendent of Public Buildings and Grounds, a position he garnered through presidential appointment in 1873.⁹⁵⁹ The Memorialists claimed that these men used their high-ranking positions to take bribes in exchange for contracted work with the government. These claims prompted Congressional investigations into the Board of Public Works’ activities, and the deposition of witnesses began in early March 1874.⁹⁶⁰ In response to the Memorialist campaign, the Washington press “openly and persistently said at the time that this powerful enginery of influence [the Memorialists] was subsidized... by the favors of which it was a beneficiary at the hands of the accused.”⁹⁶¹ Yet the Memorialists continued their campaign by accumulating evidence against the District Ring.

The most critical piece of evidence for the Memorialists lay in the records of John O. Evans. Evans, a Washingtonian contractor and real estate operator with ties to the Board of Public Works, was the first witness interviewed as part of the congressional investigation.⁹⁶²

⁹⁵⁷ Davis, “The Safe Burglary Case,” 142

⁹⁵⁸ Davis, “The Safe Burglary Case,” 142; *Evening star*. (Washington), March 23, 1874.

⁹⁵⁹ Calhoun, *The Presidency of Ulysses S. Grant*, 527

⁹⁶⁰ Boynton, “The Washington Safe Burglary Conspiracy,” 402-403; Davis, “The Safe Burglary Case,” 142-144; *Evening star*. (Washington), March 23, 1874.

⁹⁶¹ Davis, “The Safe Burglary Case,” 143-144; *National Republican*. (Washington), March 24, 1874.

⁹⁶² Davis, “The Safe Burglary Case,” 144; Boynton, “The Washington Safe Burglary Conspiracy,” 403; *National Republican*. (Washington), November 7, 1874.

Evans was suspected of having ties to the Ring due to his repeated acquisition of contracts, leading the Memorialists to claim favoritism attained through graft.⁹⁶³ Congress ordered Evans to turn over his records, at which point he relinquished a few small ledgers that Alexander and his compatriots vehemently claimed to be incomplete, demanding Evans submit his full records to the investigators.⁹⁶⁴ As the Memorialists proved to be persistent thorns in the side of the District Ring, Alexander's dogged determination to acquire Evans's books presented an opportunity that the Ring couldn't help but try to exploit in their quest to maintain their ill-gotten power.

Members of the Ring determined that the best opportunity to rescue their high-ranking operatives from scrutiny was to discredit their enemies. Alexander's zeal for attaining Evans's books presented a solution: frame Alexander for burglarizing government property to get the coveted books. They would accomplish this task by planting the stolen evidence on him. This type of scheme involved many operatives, so key players began to craft appropriate plans. Babcock reached out to the Treasury Department, specifically to Colonel Whitley, under the auspices of needing assistance with his defense against the Memorialists.⁹⁶⁵ Babcock introduced Whitley to Harrington, and it was here that the crux of the conspiracy was formed, for the Secret Service could not have been involved in such misdeeds "unless its chief had been thoroughly convinced that he could rely upon support and protection from what seemed the power next the President himself."⁹⁶⁶ After receiving such assurance from Babcock and Harrington, Whitley

⁹⁶³ Boynton, "The Washington Safe Burglary Conspiracy," 403; Davis, "The Safe Burglary Case," 144-146; *National Republican*. (Washington), November 7, 1874.

⁹⁶⁴ Boynton, "The Washington Safe Burglary Conspiracy," 402-404; Davis, "The Safe Burglary Case," 143-146; *The Cairo bulletin*. (Cairo, IL), April 11, 1876.

⁹⁶⁵ Davis, "The Safe Burglary Case," 145; *Helena weekly herald*. (Helena, Mont.), 13 April 1876.; *The New York herald*, April 10, 1876.

⁹⁶⁶ Boynton, "The Washington Safe Burglary Conspiracy," 405

constructed a network of additional individuals he could trust to perpetrate the conspiracy. He contacted Nettleship to oversee many of the events in Washington in his absence, and reached out to former detectives Zirruth and Hayes to assist with burglary-related issues utilizing their law enforcement experience.⁹⁶⁷ Before long, all of the necessary conspirators were in place.

The Plot is Afoot! Framing Enemies for Burglary

The plan for the burglary was simple. Harrington arranged to have the Evans records that Alexander so desired locked in a safe at his law office for protection before their admission into evidence.⁹⁶⁸ As United States Assistant District Attorney, Harrington could control the location of the books without suspicion of foul play. Someone would then contact Alexander to gauge his interest in acquiring the Evans books and to make sure he was prepared on the night in question for the handoff.⁹⁶⁹ The Ring's best chance to cast suspicion on Alexander was if he had the books on his person, so they ensured that ADA Harrington and the police would be on site during the burglary, lying in wait to make sure Alexander was arrested at the appropriate time. Then, Harrington, Nettleship, and company arranged for professional burglars from the New York "aristocracy of burglars" to enter the building, crack the safe, and deliver the books to Alexander.⁹⁷⁰ Finally, the conspirators would craft and show the local police a letter that

⁹⁶⁷ Davis, "The Safe Burglary Case"; Boynton, "The Washington Safe Burglary Conspiracy"; *National Republican*. (Washington), November 19, 1874; *Evening star* (Washington), November 10, 1874; *Chicago daily tribune*, October 30, 1874.

⁹⁶⁸ Davis, "The Safe Burglary Case," 144-146; Boynton, "The Washington Safe Burglary Conspiracy," 405-410; *The Cairo bulletin*. (Cairo, IL.), April 11, 1876.

⁹⁶⁹ Boynton, "The Washington Safe Burglary Conspiracy," 407-411; Davis, "The Safe Burglary Case," 145; *Evening star*. (Washington), September 22, 1876.

⁹⁷⁰ Davis, "The Safe Burglary Case," 145-149; Boynton, "The Washington Safe Burglary Conspiracy," 407; *The Cairo bulletin*. (Cairo, IL), April 11, 1876.

implicated Alexander in a planned burglary of the Evans books, thus removing their opposition in the reshaping of the district and interfering in the Ring's activities.⁹⁷¹

With the plan formulated, the parties went to work. Harrington acquired the books and locked them in his office safe "for protection." Meanwhile, Nettleship arranged for two men to break into the safe and transport the goods to Alexander. The first man approached, named Miles, rejected the job in full, as he was wanted in the District and could not afford to be arrested even if Harrington promised to not press charges for burglary; his outstanding warrants would ensure prolonged imprisonment.⁹⁷² Instead he agreed to complete the burglary portion of the job, but suggested an associate named Benton be the "fall guy" – the bagman who would carry the books to Alexander and be placed under temporary arrest before being released.⁹⁷³ The burglars began to case Harrington's office, with permission from Harrington himself, to prepare for the burglary. Former Detective Hayes, using a false identity, reached out to Alexander to discern his interest in acquiring the Evans books and to ready him for their delivery.⁹⁷⁴ Meanwhile a banquet was arranged for the night of the burglary at the noted Ring hotbed, The Washington Club House, to celebrate the downfall of the Memorialists and to provide alibis for various Ring members in case the plan should go awry.⁹⁷⁵

A significant part of this plot was the letter used to frame Alexander. Members of the conspiracy sent an anonymous letter from New York to Harrington, which he then took to the

⁹⁷¹ Boynton, "The Washington Safe Burglary Conspiracy," 408-410; Davis, "The Safe Burglary Case," 145-146; *The Cairo bulletin*. (Cairo, IL), April 11, 1876.

⁹⁷² The records conflict over the name of the burglar first approached to burglarize the safe, with different accounts referring to him as "Miles" and "Bliss." The majority of the sources refer him as Miles, so this will be the name adopted henceforth. Davis, "The Safe Burglary Case"; Boynton, "The Washington Safe Burglary Conspiracy"; *National Republican*. (Washington), September 27, 1876.

⁹⁷³ Boynton, "The Washington Safe Burglary Conspiracy," 407-408; Davis, "The Safe Burglary Case," 145-146

⁹⁷⁴ Boynton, "The Washington Safe Burglary Conspiracy," 406-407; *National Republican*. (Washington), November 19, 1874; *Chicago daily tribune*, October 30, 1874.

⁹⁷⁵ Boynton, "The Washington Safe Burglary Conspiracy," 410

Metropolitan Police.⁹⁷⁶ This letter was written by a purported hired thief, and written “in thieves’ language.”⁹⁷⁷ The letter was sent to inform Harrington “that the writer had been engaged to ‘blow’ his safe for \$500 and half the ‘swag;’ but that after incurring an expense of \$80 for tools, he had been set aside, and in revenge wrote to tell Harrington of the plot.”⁹⁷⁸ Furthermore, the letter identified “the 22d or 23d [of April] as the time when the safe was to be robbed; and added, that the person at the bottom of the whole thing, the ‘head bloke,’ lived in Washington, and if Harrington would watch and follow the parties, or, as the letter read, ‘pipe them off,’ he could ascertain the truth of what was written.”⁹⁷⁹ Harrington received the letter on April 21st and took it to the police, at which point Major A.C. Richards, the Chief of Metropolitan Police, organized a posse that included Chief of Detectives Clarvoe and other officers to stake out the building the following night.⁹⁸⁰ With everything in order, the Ring’s burglary could proceed as planned.

On the night of April 22nd, 1874, the burglary was set in motion. Miles and Benton entered Harrington’s office building and commenced their task, while Harrington, Richards, Clarvoe, and the other officers lurked nearby to catch the thieves in the act.⁹⁸¹ Harrington’s friend Arthur B. Williams joined the observers after “coincidentally” passing by in the night as the burglary happened.⁹⁸² While the safe was blown, Ring members worked to actively subvert police efforts to catch the thieves. Specifically, Harrington both alerted the burglars to the

⁹⁷⁶ Davis, “The Safe Burglary Case,” 145-146; Boynton, “The Washington Safe Burglary Conspiracy,” 408-410; *New York Sun*, June 11, 1874.

⁹⁷⁷ Boynton, “The Washington Safe Burglary Conspiracy,” 408-410; *New York Sun*, June 11, 1874.

⁹⁷⁸ Boynton, “The Washington Safe Burglary Conspiracy,” 409; *New York Sun*, June 11, 1874.

⁹⁷⁹ Boynton, “The Washington Safe Burglary Conspiracy,” 409; *New York Sun*, June 11, 1874.

⁹⁸⁰ Boynton, “The Washington Safe Burglary Conspiracy,” 408-412; Davis, “The Safe Burglary Case,” 144-147; *New York Sun*, June 11, 1874.

⁹⁸¹ Davis, “The Safe Burglary Case,” 146; Boynton, “The Washington Safe Burglary Conspiracy,” 410-413; *New York Sun*, June 11, 1874.

⁹⁸² Boynton, “The Washington Safe Burglary Conspiracy,” 411

presence of the posse and ordered officers away from an alleyway that was to be Miles's avenue of escape at the crime's conclusion, even though they were ordered there by Major Richards himself.⁹⁸³ With Harrington's assistance, the final act in the burglary went according to plan, as Benton emerged with the books and began his delivery to Alexander while Miles walked in an opposite direction into the city.⁹⁸⁴

As Benton walked to the residence of Columbus Alexander, the posse pursued him at a distance so as to not arouse suspicion. Williams broke from the main group and pursued Miles so that Miles could be linked to the burglary along with Benton. However, Miles quickly gave Williams the slip (or more likely Williams allowed him to evade capture) and Williams rejoined the main party in pursuit of Benton.⁹⁸⁵ At some point in his journey to Alexander's house, Benton got lost, so he turned to the only people around to ask for directions: the posse that pursued him.⁹⁸⁶ After receiving directions, Benton regained his course and arrived at the correct address, with the posse still in casual pursuit. Benton finally arrived at the Alexander residence, but after ringing the bell for more than twenty minutes, no one greeted him.⁹⁸⁷ Benton set the books down and approached the posse once again to ask if the house in question was the Alexander residence.⁹⁸⁸ When he received confirmation that it was Alexander's house, he returned and proceeded to try every door to deliver the goods, but no one in the Alexander

⁹⁸³ Boynton, "The Washington Safe Burglary Conspiracy," 411-413; *National Republican* (Washington), October 27, 1874.

⁹⁸⁴ Boynton, "The Washington Safe Burglary Conspiracy," 413-414; *National Republican* (Washington), October 27, 1874.

⁹⁸⁵ Boynton, "The Washington Safe Burglary Conspiracy," 414; *New York Sun*, June 11, 1874.

⁹⁸⁶ Boynton, "The Washington Safe Burglary Conspiracy," 414-415; *National Republican* (Washington), October 27, 1874.

⁹⁸⁷ Boynton, "The Washington Safe Burglary Conspiracy," 414; *National Republican* (Washington), October 27, 1874.

⁹⁸⁸ *Ibid*

household was awake.⁹⁸⁹ Richards finally had enough and ordered Benton's arrest, and as the police seized the stolen books as evidence, the meticulous planning to frame Alexander seemed to be for naught simply because Alexander had retired early on this fateful evening.⁹⁹⁰

Though the Ring failed in their attempt to get the stolen goods directly into the hands of Alexander, their frame job still had potential life. There remained an opportunity to blame Alexander through hearsay. Benton's arrest meant that he could testify that he was paid to deliver the books to Alexander, so the plan shifted to a reliance on the testimony of a thief who was captured in the act.⁹⁹¹ This was far weaker evidence than had Alexander been arrested with the books in hand, but such testimony could at least contribute to the besmirching of Alexander's reputation in the District, which is what the Ring sought in the first place. At the same time, the Ring needed to ensure they covered their tracks, particularly those belonging to the larger players like Harrington, Babcock, and Shepherd. There was also a concern that men like former detectives Hayes and Zirruth would flip on the Ring and reveal the truth behind the burglary in exchange for immunity. As a result, Hayes was paid to sign an affidavit stating that he knew Alexander was behind the burglary and to then flee to Toronto, while Zirruth was paid to flee the continent entirely and escape to Europe.⁹⁹²

While this attempt at a backup plan was underway, authorities continued to investigate the burglary. Major Richards believed that something more insidious than a simple burglary was in the works on the night in question, with particular suspicion towards Harrington's

⁹⁸⁹ Boynton, "The Washington Safe Burglary Conspiracy," 414-415; *National Republican* (Washington), October 27, 1874.

⁹⁹⁰ Boynton, "The Washington Safe Burglary Conspiracy," 415-416; *National Republican* (Washington), October 27, 1874.

⁹⁹¹ Boynton, "The Washington Safe Burglary Conspiracy," 415-419; *New York Sun*, June 11, 1874.

⁹⁹² Boynton, "The Washington Safe Burglary Conspiracy," 417-430; *National Republican*. (Washington), November 19, 1874; *Chicago daily tribune*, October 30, 1874.

involvement. In response, he submitted a report to the Board of Police requesting further investigation.⁹⁹³ Though the Ring stopped this report from seeing the light of day via their existing relations with members of the Board of Police, others continued to investigate the events in question beyond the reach of the Ring.⁹⁹⁴ A detective for the B&O Railroad, George Carter, began to investigate whispers surrounding the Safe Burglary because of the supposed involvement of his friend, Michael Hayes.⁹⁹⁵ During this investigation, Carter, along with another detective named Downs, discovered new evidence that prompted an investigation into Harrington and the Safe Burglary.⁹⁹⁶ By June 3rd, members of the House of Representatives were presented with enough evidence through telegrams and personal testimony to elicit a formal investigation from the Secretary of the Treasury Benjamin Bristow and the Attorney General George H. Williams.⁹⁹⁷

As a potential trial drew near, new investigators entered the fray. Secretary Bristow appointed Major Bluford Wilson, the Solicitor of the Treasury and his close friend, to investigate the role of Secret Service agents in the burglary, while Attorney General Williams appointed Albert G. Riddle as Special Assistant Attorney General to oversee the case in its entirety.⁹⁹⁸ Together, these two men would represent a greater threat to the District Ring than did the Memorialists that prompted the fiasco of framing Alexander, as they would quickly find enough evidence to warrant a more complete investigation and a subsequent trial on the grounds that the Safe Burglary was not a simple smash-and-grab: this was a conspiracy.

⁹⁹³ Boynton, "The Washington Safe Burglary Conspiracy," 416; *National Republican*. (Washington), October 27, 1874.

⁹⁹⁴ Boynton, "The Washington Safe Burglary Conspiracy," 416-418

⁹⁹⁵ Boynton, "The Washington Safe Burglary Conspiracy," 417-418

⁹⁹⁶ Boynton, "The Washington Safe Burglary Conspiracy," 417-421

⁹⁹⁷ Boynton, "The Washington Safe Burglary Conspiracy," 422-425

⁹⁹⁸ Boynton, "The Washington Safe Burglary Conspiracy," 425; *National Republican*. (Washington), September 4, 1874; *The Morristown gazette*. (Morristown, TN), April 19, 1876.

Trial and Error: The District Ring Attempts a Cover-Up

Due to the cunning instincts of investigators like Riddle, new evidence emerged connecting the burglars with members of the District Ring. Wilson was thoroughly hoodwinked by testimony that he heard regarding the involvement of Nettleship and Whitley, to the point that members of the Ring were elated by “the certain prospect of the full vindication of the chief managers of the burglary at the hands of the Secretary of the Treasury.”⁹⁹⁹ Riddle, however, quickly proved to be the savior of the prosecutorial operation. Riddle’s success came from his revival of “a good practice which had fallen into disuse in Washington, of the prosecuting attorney appearing in the grand-jury room and conducting in person the examination of his witnesses.”¹⁰⁰⁰ This meant that Riddle knew all of the information regarding the case through firsthand experience and interviews, rather than acquiring information through secondhand reports from aides. Sometime into the process of collecting information and evidence, Wilson and Riddle met to discuss the case. After consulting with Wilson regarding the false information as presented to Wilson, Riddle found discrepancies in the testimonies provided to the investigators.¹⁰⁰¹ Wilson returned to New York to further investigate the deceit perpetrated by members of the Ring, and he remained in contact with Riddle about any developments in the case.¹⁰⁰² The two men uncovered suspicious telegrams and continued to investigate individuals associated with the burglary and the men under suspicion of conspiracy until a more complete case could be developed. With their new evidence in hand, Riddle and his allies could justifiably

⁹⁹⁹ Boynton, “The Washington Safe Burglary Conspiracy,” 426

¹⁰⁰⁰ Boynton, “The Washington Safe Burglary Conspiracy,” 426

¹⁰⁰¹ Boynton, “The Washington Safe Burglary Conspiracy,” 426; *The Morristown gazette*. (Morristown, TN), April 19, 1876.

¹⁰⁰² Boynton, “The Washington Safe Burglary Conspiracy,” 426-428; “The Washington Conspiracy Case.” 351-359; *Evening star*. (Washington), July 15, 1874.

claim a conspiracy, and trial became the next necessary step in uncovering the extent of the Ring's corruption.

The trial of the Washington Conspiracy Case commenced on October 20th, 1874 as the prosecution brought forth new evidence against not only the burglars themselves, but also against the network of individuals who hired them.¹⁰⁰³ Those indicted in the case for the Safe Burglary Conspiracy included Secret Service Chief Hiram Whitley and his Chief Assistant Ichabod Nettleship, Assistant USDA Richard Harrington, Harrington's lawyer friend Arthur B. Williams, former Secret Service Agent Michael Hayes and former Detective Gustave Zirrueth.¹⁰⁰⁴ Benton and his burglar compatriot were tried in a separate case for burglary and larceny, but the focus of the conspiracy trial was on those involved in the planning, not those who conducted the actual burglary.¹⁰⁰⁵ However, Benton had been released from prison on bail by Harrington in August and subsequently disappeared while Riddle was on vacation in yet another example of the Ring circumventing the judicial process.¹⁰⁰⁶

Even without Benton's testimony, Riddle presented the prosecution's case with fervor, offering a preponderance of evidence to prove the guilt of the conspirators. Telegrams to and from the accused, particularly those sent between the parties in Washington and New York, were "incriminating" and "demanding the attention of the authorities, the Treasury Department especially."¹⁰⁰⁷ Chief of Metropolitan Police Major Richards's eyewitness testimony was of key importance, for his presence and his narrative of events "set forth lucidly and consecutively all

¹⁰⁰³ Boynton, "The Washington Safe Burglary Conspiracy," 431; Davis, "The Safe Burglary Case," 149; *National Republican*. (Washington), October 21, 1874.

¹⁰⁰⁴ Davis, "The Safe Burglary Case," 149; *Evening star*. (Washington), September 11, 1874.

¹⁰⁰⁵ Davis, "The Safe Burglary Case," 149

¹⁰⁰⁶ Davis, "The Safe Burglary Case," 155

¹⁰⁰⁷ Davis, "The Safe Burglary Case," 154; *National Republican*. (Washington), September 26, 1876.

the details of the story, from Harrington's first communication to him of the receipt of the anonymous letter, to that unfortunate defendant's nausea at Police Headquarters after the plot had ended in its complete failure.”¹⁰⁰⁸ Perhaps most significantly, though, were the testimonies of Hayes and Zirruth, both of whom had been found by prosecutors during their exile (or in Zirruth’s case, before his departure) and were presented as witnesses for the prosecution in exchange for the ““nolling”” of their own indictments.¹⁰⁰⁹ These men provided a glimpse inside the organization of the conspiracy, as well as insight into its execution, that was invaluable to the prosecution.

As the evidence against the conspirators compounded in damning fashion, the District Ring found a way to rebuff or discredit every charge. In addition to clear perjury by defendants from the witness stand, the defense team and Ring associates were accused of signaling the jury, with the most notable perpetrator being Governor Shepherd, who had free reign of the building occupied by the jury.¹⁰¹⁰ Clarvoe was presented as a witness for the defense to rebuke Richards’s testimony, and the defense attacked the criminal character of Hayes and Zirruth with veracity.¹⁰¹¹ The Ring made several attempts to destroy physical evidence like telegrams, and in some cases these efforts succeeded.¹⁰¹²

Two extreme cases of defense tactics stand out that warrant special mention. In addition to his role as defendant, Harrington served as an attorney for the defense.¹⁰¹³ Particularly noteworthy in Harrington’s actions during the trial was his “tasteless conduct” as he “repeatedly

¹⁰⁰⁸ Davis, "The Safe Burglary Case," 154-155; *National Republican*. (Washington), October 27, 1874.

¹⁰⁰⁹ Davis, "The Safe Burglary Case," 155; *National Republican*. (Washington), November 19, 1874; *Chicago daily tribune*, October 30, 1874.

¹⁰¹⁰ Boynton, "The Washington Safe Burglary Conspiracy," 430-432

¹⁰¹¹ Davis, "The Safe Burglary Case," 155

¹⁰¹² Boynton, "The Washington Safe Burglary Conspiracy," 420-433; *National Republican*. (Washington), September 26, 1876.

¹⁰¹³ The old adage that “The man who represents himself has a fool for a client” comes to mind here.

interrupted the course of the proceedings with his interjections by way of comment on the testimony... which might well have caused anyone present to inquire in what capacity Harrington was at the bar.”¹⁰¹⁴ Secondly, a clerk of the Congressional Committee named Colby was charged with maintaining the telegraph book that was a key part of the prosecution’s evidence when it suspiciously disappeared.¹⁰¹⁵ Before he could be subpoenaed to testify to the circumstances of its disappearance, the Ring worked its magic and had Colby reassigned to a new post as far from the proceedings as humanly possible at the time as the United States Consul in Chin Kiang, China.¹⁰¹⁶ The reassignment of Colby to the Consulate in China, as well as the premature release of Benton, show the extremes to which the Ring and its conspirators would go to use their positions in the local judiciary and the federal government to win the acquittal of its members.

In addition to the actions of the District Ring, the press played a significant role in shaping perceptions of the trial, and at times, actually helped shape decisions in the trial. The justice presiding over the case, David Humphreys, spoke against the “utterances of certain of the local newspapers” for their commentary on the trial.¹⁰¹⁷ As a result he placed the jury in the custody of a bailiff to be remanded so as not to be swayed by public opinion.¹⁰¹⁸ Humphreys had a change of heart towards the close of the trial, arguably its most important stage and decided to allow the jurors to return to their respective homes at night upon “their assurance that they would

¹⁰¹⁴ Davis, "The Safe Burglary Case," 157; *National Republican*. (Washington), November 19, 1874.

¹⁰¹⁵ Boynton, "The Washington Safe Burglary Conspiracy," 431; *National Republican*. (Washington), September 26, 1876.

¹⁰¹⁶ Boynton, "The Washington Safe Burglary Conspiracy," 431; *National Republican*. (Washington), September 26, 1876.

¹⁰¹⁷ Davis, "The Safe Burglary Case," 155-156; "Federal Judicial Center." Humphreys, David Campbell | Federal Judicial Center.

¹⁰¹⁸ Davis, "The Safe Burglary Case," 155-156; *National Republican*. (Washington), October 27, 1874.

return the following morning without in the meanwhile having any communication with anyone interested in the trial.”¹⁰¹⁹

Justice Humphreys’s decision to allow the jury to return home is suspicious given the actions of the Ring itself, but it is even more suspect when one investigates the local press coverage against which he had railed. The national press was deeply interested in the case, as papers from such distances as Wyoming and Montana in the West, New York in the North, and Tennessee in the South presented the details of the case to the nation.¹⁰²⁰ Two local Washington papers, the *Alexandria Gazette* and the *Washington Evening Star*, respectively, reported on the case from a conservative democratic perspective, printing statements of testimonies offered and specific events of the case.¹⁰²¹ The *Evening Star* made attempts to dispel rumors surrounding the case at times, but this was as far as either paper went into editorializing.¹⁰²² The most likely source of Justice Humphreys’s ire then was the *National Republican*. This bastion of the Republican Party reported on the events of the trial as well, most notably as they interwove the trial within events of the previous year in the article “The History of 1874,” showing just how connected the trial, and the Ring, were to Washington daily life.¹⁰²³ But their coverage of these events did not stop there. The *National Republican* offered the most critical coverage of the trial and the conspirators, at one point calling it a “farce” and a “satire on justice, an insult to the intelligence of the judiciary, and as far removed from the dignity which the judge sought to

¹⁰¹⁹ Davis, “The Safe Burglary Case,” 156

¹⁰²⁰ *The Cheyenne daily leader*. (Cheyenne, WY), April 11, 1876; *Helena weekly herald*. (Helena, MT), April 13, 1876; *The Morristown gazette*. (Morristown, TN), April 19, 1876; *The New York herald*, April 10, 1876.

¹⁰²¹ *Alexandria gazette*. (Alexandria, D.C.), December 9, 1874; *Alexandria gazette*. (Alexandria, D.C.), October 20, 1874.; *Evening star*. (Washington), September 21, 1876.; *Evening star*. (Washington), June 18, 1874; *Evening star*. (Washington), September 10, 1874; “Alexandria Gazette.” *Chronicling America*.; “Evening Star.” *Chronicling America*.

¹⁰²² *Evening star*. (Washington), September 11, 1874.

¹⁰²³ *National Republican*. (Washington), January 1, 1875.

maintain.”¹⁰²⁴ This is surprising on its face, given the connections of several implicated to the reigning Republican regime, but this is exactly the reason for such vitriol. The partisan press did not want their organization to be seen by the masses as associated with conspiratorial ne’er-do-wells, and thus assailed these men for their actions regardless of party affiliation. It was this assault that drew fears of taint from the presiding justice and led to the jury’s temporary sequestration.

Justice Humphreys’s trust in the jury’s “honor” justified their return to their homes, yet it is questionable how many maintained such honor due to their ties to the District Ring. The impropriety surrounding the jury began during the jury selection process. The marshal charged with finding the individuals who would be selected for service on the jury was the brother-in-law of President Grant.¹⁰²⁵ Grant’s brother-in-law, somewhat of a pragmatico himself, used his familial connections to establish new networks in the nation’s capital, and several of these brought him in contact with the District Ring.¹⁰²⁶ For the first time in his career as a marshal, he selected each of the members of the twenty-five-person jury pool himself, loading it with Ring associates and their family members, friends of the accused, and members of the Washington Club.¹⁰²⁷ Ironically, it was the defense who would dispute the legality of the jury—the grand jury, that is—that had returned the indictments.¹⁰²⁸ Though this was a common tactic used by

¹⁰²⁴ *National Republican*. (Washington), November 19, 1874.

¹⁰²⁵ Boynton, “The Washington Safe Burglary Conspiracy,” 431-432; it is unclear from available resources if this member of the President’s extended family was married to one of the President’s sisters, or was a sibling, by blood or by law, of the First Lady.

¹⁰²⁶ Boynton, “The Washington Safe Burglary Conspiracy,” 431-432

¹⁰²⁷ Boynton, “The Washington Safe Burglary Conspiracy,” 431

¹⁰²⁸ Boynton, “The Washington Safe Burglary Conspiracy,” 431-432; *Alexandria gazette*. (Alexandria, D.C.), December 9, 1874.

individuals indicted by grand juries, the fact that members of the Ring would question the legality of a jury after stacking one themselves is downright laughable.¹⁰²⁹

In large part because of the loaded jury, the trial's results were disappointing for the prosecution given the seemingly concrete evidence against the conspirators. Not a single conviction was returned; Williams was acquitted of the charges levied against him, and for the cases of the other defendants, jury disagreement led to a lack of conviction.¹⁰³⁰ Aware of the possibility of a stacked jury, Riddle quickly met with Attorney General Williams.¹⁰³¹ They determined that the case's legality was questionable, but new indictments could be levied at the ensuing term of the Criminal Court, hopefully beyond the reach of the Ring with a new grand jury.¹⁰³² To ensure that the accused would not be tried twice for the same crime, Attorney General Williams nullified the indictments of all but Arthur Williams through a *nolle prosequi*, which would leave the defendants open to further indictments.¹⁰³³ With this new development, the prosecution made plans to pursue a second trial and obtain convictions for Harrington and his co-conspirators.

Between the two trials, the Ring's network became utterly critical to its efforts to evade justice. Riddle had proven a worthy opponent for the Ring, so much so that Babcock had to use his significant sway within the White House to alter events. Babcock, among other Ring members within President Grant's circle, began to plant seeds of doubt in his mind that Riddle and Wilson were not up to the task.¹⁰³⁴ These sowers of uncertainty proved successful in their

¹⁰²⁹ Boynton, "The Washington Safe Burglary Conspiracy," 431-432

¹⁰³⁰ Boynton, "The Washington Safe Burglary Conspiracy," 432; *Wilmington daily commercial*. (Wilmington, DE), November 27, 1874.

¹⁰³¹ Boynton, "The Washington Safe Burglary Conspiracy," 432; *Alexandria gazette*. (Alexandria, D.C.), December 9, 1874.

¹⁰³² Ibid

¹⁰³³ Ibid

¹⁰³⁴ Boynton, "The Washington Safe Burglary Conspiracy," 440

task, as Grant requested the resignations of Riddle and Wilson from the case from both Riddle's superior, Attorney General Williams, and Wilson's superior, Secretary of the Treasury Bristow.¹⁰³⁵ Williams proved to be amenable, expressing faith in Riddle and his associates who tried the case even though they were being removed from their duties.¹⁰³⁶ Bristow, however, proved to be a different story entirely. Perhaps in part because of his own political ambitions and his growing displeasure with President Grant, Bristow challenged the President's decision on the grounds that "Major Wilson was acting under his orders as Secretary, he did not propose to desert him."¹⁰³⁷ As such, "if the President, upon reflection, should decide to insist upon Wilson's resignation, he should be obliged to ask the President to accept his own as Secretary."¹⁰³⁸ Grant reconsidered Wilson's resignation, but he did reassign him to other work within the Treasury Department. Yet again, the Ring successfully used its connections in Washington society for personal gain, though not to line their pockets this time, but to avoid potential conviction.

It was at this critical moment in the intertrial period that Secretary of the Treasury Benjamin Bristow stole the stage from this local event in both the press and the minds of government figures. As the wait for the second trial continued, Bristow's Treasury agents carried out their raids on the Whiskey Ring in the Midwest, bringing to light not only another example of corruption, but one directly tied to Babcock.¹⁰³⁹ After the major parties were charged, congressional inquests into the Whiskey Ring began in October 1875, resulting in the convictions of over 100 individuals and the recovery of more than three million dollars in federal

¹⁰³⁵ Boynton, "The Washington Safe Burglary Conspiracy," 440

¹⁰³⁶ Boynton, "The Washington Safe Burglary Conspiracy," 440-441; *Alexandria gazette*. (Alexandria, D.C.), December 9, 1874.

¹⁰³⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 448-449, 490-527; Boynton, "The Washington Safe Burglary Conspiracy," 441

¹⁰³⁸ Boynton, "The Washington Safe Burglary Conspiracy," 441

¹⁰³⁹ Calhoun, *The Presidency of Ulysses S. Grant*, 481-510; *Testimony before the Select Committee Concerning the Whiskey Frauds*; McDonald, *Secrets of the Great Whiskey Ring*

taxes.¹⁰⁴⁰ Babcock, though charged, was not one of the convicted. Still, his acquittal was smeared by testimony from other defendants who attempted to drag the General down with them.¹⁰⁴¹ This led to increased suspicion of Babcock among high-ranking political figures, and amongst members of the press.¹⁰⁴² The question then changed from if Babcock was involved in corruption in the capital to how far did Babcock's corruption truly extend?

During the second trial of the Safe Burglary Conspiracy, the specter of the Whiskey Ring haunted the accused conspirators. In April 1876, a new grand jury brought a second set of indictments for Harrington, Nettleship, and Whitley, as well as new indictments for Benton, Miles, Babcock, and Somerville, a New York lawyer who was a contact for the conspirators.¹⁰⁴³ With a new trial on the horizon, Nettleship tired of living on the lam, and approached the authorities with an offer to testify against those involved in exchange for immunity for his role in the crime.¹⁰⁴⁴ After Whitley heard of this betrayal by his subordinate, he too offered to turn state's witness against the conspirators in exchange for immunity, and the prosecution accepted both Whitley's and Nettleship's offers on the condition that they provided satisfactory testimonies.¹⁰⁴⁵ The original bagman Benton had been in hiding for more than a year and did not appear to stand trial, and his partner Miles, under the name Bliss in one available record, was serving a fourteen year sentence in Vermont for other crimes, but perhaps most shocking in their absence from the proceedings was Harrington.¹⁰⁴⁶ Harrington, who was not only a defendant but

¹⁰⁴⁰ Calhoun, *The Presidency of Ulysses S. Grant*, 496-501; *Whiskey Frauds Testimony*

¹⁰⁴¹ Calhoun, *The Presidency of Ulysses S. Grant*, 481-510; *Whiskey Frauds Testimony*; McDonald, *Secrets of the Great Whiskey Ring*

¹⁰⁴² Calhoun, *The Presidency of Ulysses S. Grant*, 481-560; *National Republican*. (Washington), September 29, 1876; Boynton, "The Washington Safe Burglary Conspiracy"

¹⁰⁴³ Boynton, "The Washington Safe Burglary Conspiracy," 443; *Evening star*. (Washington), September 21, 1876.

¹⁰⁴⁴ Boynton, "The Washington Safe Burglary Conspiracy," 443; *Evening star*. (Washington), September 22, 1876; *National Republican*. (Washington), September 23, 1876.

¹⁰⁴⁵ Boynton, "The Washington Safe Burglary Conspiracy," 443; *Helena weekly herald*. (Helena, MT), April 13, 1876.; *The New York herald*, April 10, 1876.

¹⁰⁴⁶ Boynton, "The Washington Safe Burglary Conspiracy," 420-443

a counsellor in the first trial, so feared the odds against him that he fled the district to evade his own capture and increasingly likely conviction.¹⁰⁴⁷

Of the damning testimony offered by Whitley and Nettleship, Whitley's stands out for its implication of both Harrington and Babcock in the conspiracy. Whitley portrayed Babcock as a puppet master working behind the scenes to pull the strings of the Safe Burglary operation, while Harrington was shown as Babcock's whipping boy with an ego far greater than his societal standing.¹⁰⁴⁸ Whitley testified that he had expressed problems with the first trial to Harrington, stating that "I complained to him that the whole matter of the safe burglary seemed to be falling upon the secret service, and that we would likely get into trouble about it. Harrington said: 'No; I am the real district attorney at Washington, and I will protect all of you.'"¹⁰⁴⁹ Whitley then attested that in Autumn 1875 he spoke with Babcock about being reassigned, and when Whitley suggested that he would like to stay in the country rather than flee to Europe as Babcock countered, that "Babcock said: 'If any trouble comes up you can 'slide off,' or words to that effect. I told him I had had trouble enough in connection with the case, and did not want any more."¹⁰⁵⁰

The testimony of those men directly involved in the Safe Burglary Conspiracy was staggering, but it had little impact on the events of the trial itself. The defense made Harrington a scapegoat *in absentia* and instead focused on exonerating Babcock and Somerville, as the prosecution offered little evidence other than their association with heinous individuals and the

¹⁰⁴⁷ Davis, "The Safe Burglary Case," 172-181; Boynton, "The Washington Safe Burglary Conspiracy," 443

¹⁰⁴⁸ *Helena weekly herald*. (Helena, MT), April 13, 1876; *The New York herald*, April 10, 1876.

¹⁰⁴⁹ *New York Sun*, September 21, 1876.

¹⁰⁵⁰ *New York Sun*, September 21, 1876.

testimonies of admitted felons.¹⁰⁵¹ Still, the evidence mounted, and in the wake of the scandal that surrounded the Whiskey Ring, Babcock and other District Ring members did not want to chance guilt by association. Thus, the Ring worked to stack the jury box again, signaled perhaps most prominently by the presence of the Steward of the Washington Club House, a man “who prepared the lunch for Harrington and those prominent worthies of the Ring, who so long before had arranged with him to celebrate the arrest of Alexander, and the downfall of the memorialists.”¹⁰⁵² In other words, the literal alibi for one of the defendants was a member of the jury. Facing a reprioritization of resources that shifted to combatting the Whiskey Ring, the new Attorney General, Alphonso Taft, requested that President Grant reinstate Riddle to the case for his mastery of the details of the events in question.¹⁰⁵³ The President agreed, stating that “there should be good counsel employed so that the public should be satisfied, after the trial, that the verdict of the court was a fair and impartial one.”¹⁰⁵⁴ Riddle returned to the prosecution only to face another impossible trial due to the stacked jury he hoped to avoid through new indictments.

In the end, the veracity of the prosecution under the reinstated Riddle and the evidence gathered against the conspirators was no match for the District Ring, as the trial ended in a notable lack of charges against the accused. Like Williams before them, Babcock and Somerville were exonerated by a corrupted jury in a verdict which came back after only one hour of deliberation.¹⁰⁵⁵ With the other conspirators either unable to be tried, unable to be found, or given immunity in exchange for testimony, this scandal, steeped as it was in conspiracy and the

¹⁰⁵¹ Boynton, “The Washington Safe Burglary Conspiracy,” 443-446; *National Republican*. (Washington), September 29, 1876.

¹⁰⁵² Boynton, “The Washington Safe Burglary Conspiracy,” 443

¹⁰⁵³ Boynton, “The Washington Safe Burglary Conspiracy,” 443; Davis, “The Safe Burglary Case,” 168; Ulysses S. Grant to Alphonso Taft, September 16, 1876

¹⁰⁵⁴ Ulysses S. Grant to Alphonso Taft, September 16, 1876

¹⁰⁵⁵ Boynton, “The Washington Safe Burglary Conspiracy,” 445-446; *Evening star*. (Washington), November 24, 1876.

corruption of the criminal justice, legal, political, and judicial systems, ended not with a bang, but a whimper.

It is difficult to measure the success of a secret society, for they leave little to no record of their existence in their quest for secrecy. What we know about shadow organizations like the Whiskey Ring or the Gold Ring is gleaned from records of trials after their organizational dissolution.¹⁰⁵⁶ Although the burglary itself failed to accomplish its original goal to tarnish the reputation of Columbus Alexander and his Memorialist cohort, the Ring did manage to protect those amongst its ranks from conviction. Furthermore, we do not have proof that the Ring was disassembled in the wake of this conspiracy. The true success of the District Ring, then, is that it worked so effectively and efficiently behind the scenes of the trials for the Washington Safe Burglary that it was not exposed, nor did these trials lead to the forced disintegration of the Ring itself.

The extent to which the District Ring continued to operate in the wake of the Safe Burglary Conspiracy is unknown. What is known is its power and ability to operate unperturbed in the nation's capital became drastically limited. Several of the key players in this conspiracy were left with tainted reputations that led to their own individual loss of power. Harrington, for example, went into his self-imposed exile from the capital, forfeiting his successful law practice and the connections he made within Washington society in order to evade arrest. He would later reemerge in Delaware after the statute of limitations for his crimes expired, where he lived and practiced law until his death sometime before 1923.¹⁰⁵⁷ The members of the Secret Service who were involved in this event were either reassigned or terminated, highlighted by Colonel

¹⁰⁵⁶ For such records on the Whiskey Ring, consider: McDonald, *Secrets; Whiskey Frauds Testimony*. For information on the Gold Ring, consider Ackerman, *The Gold Ring*.

¹⁰⁵⁷ Davis, "The Safe Burglary Case," 172-181; Boynton, "The Washington Safe Burglary Conspiracy," 443

Whitley's resignation from the Treasury Department.¹⁰⁵⁸ Shepherd lost his position as governor of the District in June 1874, though he stayed in the region as a real estate magnate and venerated member of the community.¹⁰⁵⁹ He declared bankruptcy in 1876 and, after settling his accounts in Washington, he and his family moved to Mexico where he attempted to regain his lost fortune by mining silver.¹⁰⁶⁰ The revelation that Babcock was affiliated with not one, but two Rings in as many years made him *persona non grata* in the capital, and while he maintained his position on the Office of Public Buildings and Grounds, his career in politics was in serious jeopardy. While the Safe Burglary Trials may not have been effective in outright incarcerating the accused members of the District Ring, justice found alternate routes as most of those allegedly involved in both the case and the Ring saw their power and careers fade in the aftermath. We can safely say that the Safe Burglary Conspiracy marked a nadir for the Ring's operational capacities.

The dismantling of the Whiskey Ring proved the fragility of rings in a political landscape that held great animosity for corruption.¹⁰⁶¹ The Memorialists embraced this animosity in their attempts to reform their city of Washington, as did Major Richards who sought to prevent crime within the city he was charged with protecting. Still, their efforts to stop even some of the actions of the District Ring, namely the reshaping of the District itself, proved to be for naught. Through graft, the Ring reshaped the physical landscape of Washington. Through the Washington Club, they reshaped the power structure of the district behind closed doors. Through the trial of the Safe Burglary Conspiracy, they reshaped the criminal justice system, at

¹⁰⁵⁸ Lane, *Freedom's Detective; Evening star*. (Washington), September 10, 1874

¹⁰⁵⁹ John Richardson, *Alexander Robey Shepherd*

¹⁰⁶⁰ John Richardson, *Alexander Robey Shepherd*; John Mason Hart, *The Silver of the Sierra Madre: John Robinson, Boss Shepherd, and the People of the Canyons*. Tucson: University of Arizona Press, 2008.

¹⁰⁶¹ McDonald, *Secrets*

least temporarily, wielding their corrupt influence. In each instance, the District Ring played a significant role in mid-nineteenth century Washington, reshaping the capital to fit their own heinous goals.

Chapter Five: Purging the Party of Rogues: The Whiskey Ring, Babcock's Magnum Opus, Undone

In the waning years of the Grant Administration, as Babcock continued his roles in the White House and with Washington's public works, the president realized that there remained significant issues before him that required more direct resolution. In December 1874, President Grant highlighted these issues in his Annual Message to Congress, addressing Reconstruction in the Southern states and international affairs as he had in each of his previous messages to Congress.¹⁰⁶² President Grant implored Congress to act upon two specific legislative issues in an effort to correct growing concerns within the American government. One of these issues concerned civil service reforms. The president attested that "the rules adopted to improve the civil service of the Government have been adhered to as closely as has been practicable with the opposition with which they meet," but that it was also "impracticable to maintain them without direct and positive support of Congress."¹⁰⁶³ Presenting this case, he committed to "abandon" such reform efforts "if Congress adjourns without positive legislation," regarding such inaction as "a disapproval of the system."¹⁰⁶⁴

The second of the significant issues outlined by President Grant, and perhaps the more pressing matter for the administration, was the economy. Grant recognized that ongoing problems were not spurred by any issues of labor or of capital, insisting that these "two great elements of prosperity...have not been denied us."¹⁰⁶⁵ Instead, he posited that the issue dated

¹⁰⁶² Ulysses S. Grant, "Sixth Annual Message to Congress," December 7, 1874; Ulysses S. Grant, "Fifth Annual Message to Congress," December 1, 1873; Ulysses S. Grant, "Fourth Annual Message to Congress," December 2, 1872; Ulysses S. Grant, "Third Annual Message to Congress," December 4, 1871; Ulysses S. Grant, "Second Annual Message to Congress," December 5, 1870; Ulysses S. Grant, "First Annual Message to Congress," December 6, 1869.

¹⁰⁶³ Grant, "Sixth Annual Message to Congress"

¹⁰⁶⁴ Ibid

¹⁰⁶⁵ Ibid

back to the Civil War, and while it “made necessary, for temporary purposes, the raising of large sums of money from whatever source attainable,” it also “begot a spirit of speculation involving an extravagance and luxury not required for the happiness or prosperity of a people, and involving, both directly and indirectly, foreign indebtedness.”¹⁰⁶⁶ President Grant attested that it was time for the United States to rein in these financial excesses in such a manner that did not violate good faith towards the nation’s creditors, but which encouraged its burgeoning commerce.¹⁰⁶⁷

Grant was forced to consider many new approaches to America’s financial situation in the wake of his Annual Message. Many individuals suggested different policy changes in an effort to resolve some of the administration’s growing financial concerns. In terms of economics, Grant was a fiscal conservative who believed in ‘hard money’ backed by gold.¹⁰⁶⁸ He expressed these views in 1874 in a veto message for a bill that would have circulated \$100 million in new currency to alleviate the ongoing depression, which he believed was a “departure from true principles of finance.”¹⁰⁶⁹ As the depression continued, Grant had to consider new proposals to get the government out of its financial burden, including a proposal of spending money to make money by creating new transportation projects that would put the money in the hands of those who worked on the projects.¹⁰⁷⁰ He also considered a return to specie payments and repealing greenback tender, as well as a tariff on tea and coffee in order to raise revenue.¹⁰⁷¹

¹⁰⁶⁶ Ibid

¹⁰⁶⁷ Ibid

¹⁰⁶⁸ Charles Calhoun, *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017.

¹⁰⁶⁹ Ulysses S. Grant, *Veto Message on Monetary Legislation*, April 22, 1874.

¹⁰⁷⁰ Calhoun, *The Presidency of Ulysses S. Grant*, 481-482

¹⁰⁷¹ Calhoun, *The Presidency of Ulysses S. Grant*, 481-483

Perhaps the most significant change suggested was one from Secretary of the Interior Columbus Delano which focused on a hike to the tax on whiskey. Secretary Delano, who previously served as a commissioner of internal revenue, recommended an increase to the whiskey tax from 70 cents to \$1 per gallon, in addition to a tobacco tax increase from 20 to 24 cents.¹⁰⁷² An increased tax was something to which Grant was open, as he favored a 10 cent per gallon increase to the internal whiskey tax.¹⁰⁷³ However, both he and Secretary of the Treasury Benjamin Bristow believed that Delano's proposal was too steep of an increase and could lead to tax evasion amongst distillers.¹⁰⁷⁴ William Belknap, Secretary of War and a former revenue collector as well, worked to assuage Grant's concerns, and the faction in favor of the steeper increase prevailed and the plans were sent to Congress, where the bill passed 30-29.¹⁰⁷⁵

What Grant recognized in this proposed tax increase was a threat to whiskey, which to this point in America had a deep history intrinsically tied to specific parts of the population. Perhaps he recalled the infamous Whiskey Rebellion, a protest against a 1791 whiskey tax meant to raise revenue to pay off American debts from their Revolutionary War.¹⁰⁷⁶ However, farmers in Western Pennsylvania were used to distilling their surplus crops into whiskey. As official currency was rare in this area, and given its frequent consumption along the East Coast, these farmers used a barter system in which whiskey was a common replacement.¹⁰⁷⁷ Thus many of

¹⁰⁷² Hamilton Fish Diary, January 11, 1875, Hamilton Fish Papers, Library of Congress; *New York Times*, January 20, 1875.

¹⁰⁷³ *Annual Report of the Secretary of the Treasury*, 1874, xi-xvii.

¹⁰⁷⁴ Hamilton Fish Diary, January 11, 1875; *New York Times*, January 20, 1875.

¹⁰⁷⁵ *Ibid*; *Congressional Record*, 43rd Congress, 2nd session, 1884-2065; 18 Part 3 *United States Statutes at Large* 339-340.

¹⁰⁷⁶ Leland D. Baldwin, *Whiskey Rebels: The Story of a Frontier Uprising*. Pittsburgh: University of Pittsburgh Press, 1939.; Steven R. Boyd, ed. *The Whiskey Rebellion: Past and Present Perspectives*. Westport, CT: Greenwood Press, 1985; William Hogeland, *The Whiskey Rebellion: George Washington, Alexander Hamilton, and the Frontier Rebels Who Challenged America's Newfound Sovereignty*. New York: Scribner, 2006; Thomas P. Slaughter, *The Whiskey Rebellion: Frontier Epilogue to the American Revolution*. New York: Oxford University Press, 1986.

¹⁰⁷⁷ *Ibid*

these farmers took the whiskey tax as an attack on their way of life and protested, violently intimidating tax collectors until President George Washington sent in the militia to quell the rebellion.¹⁰⁷⁸ More recently, the taxes collected on the sale of liquor was a major source of revenue for the United States (**Figure 5.1**).¹⁰⁷⁹ Increasing these taxes could lead to attempts to evade taxes by those producing the whiskey, and it could further lead to political outcry as President Grant would be increasing taxes on something that was his alleged vice.¹⁰⁸⁰

Even with a cautionary history and potential backlash, plans proceeded within the administration to increase the tax on whiskey as Grant sought to make good on his efforts to

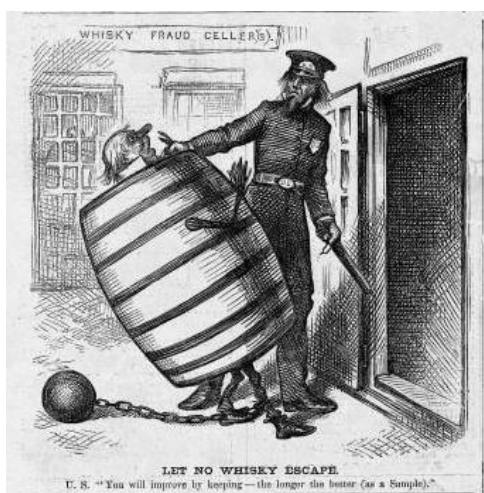


Figure 5.1: Let No Whisky Escape: “U.S. ‘You will improve by keeping – the longer the better (as a Sample)’” This double entendre references the whiskey aging process and hints that the longer those involved in defrauding the government in the Whiskey Ring will do well to age while in the darkness of prison.¹⁰⁸¹

¹⁰⁷⁸ Ibid

¹⁰⁷⁹ Edward S. Cooper, *John McDonald and the Whiskey Ring: From Thug to Grants Inner Circle*. Madison: Fairleigh Dickinson University Press, 2016; Gerald Carson and Mike Veach, "The Great Whiskey Steal." In *The Social History of Bourbon*. University Press of Kentucky, 1963. 114-127.

¹⁰⁸⁰ Recent scholarship shows that President Grant may have been an alcoholic, but he refrained from public drunkenness and favored binge drinking in isolation. These same scholars assert that it is unlikely Grant ever allowed his drinking to affect his capacities during the Civil War or his presidency in large part because of his prewar drinking issues. For more, consider: Joan Waugh, *U.S. Grant: American Hero, American Myth*. Chapel Hill: The University of North Carolina Press, 2009; William S. McFeely, *Grant: A Biography*. New York: W.W. Norton, 1981; Edward G. Longacre, *General Ulysses S. Grant: The Soldier and the Man*. Cambridge, MA: Da Capo Press, 2006; Ronald White, *American Ulysses: A Life of Ulysses S. Grant*. New York, NY: Random House, 2016; Jean Edward Smith, *Grant*. New York, NY: Simon & Schuster, 2001

¹⁰⁸¹ *Harper's Weekly*, March 4, 1876.

reform the civil service. In the spring of 1874, Congress refused Grant's request for funding for a Civil Service Board, but he remained dedicated to his reform instincts, going so far as asking both Congress and his Cabinet to abandon previous failed efforts and look towards the future.¹⁰⁸² Perhaps there was no better place for the president to begin his reform efforts than within his own Cabinet, and the perfect candidate was his Attorney General George Williams. Williams's status in Washington society was unstable, partly because of his wife's inability to get along with other cabinet wives, but mainly because of evidence he mismanaged the Justice Department.¹⁰⁸³ After a failed attempt by Mrs. Williams to threaten to expose key members of the administration for skimming money from the federal government, Orville Babcock, among others, apprised President Grant of the situation regarding Williams, and the president replaced Williams with Edwards Pierrepont, a former federal district attorney from New York.¹⁰⁸⁴ Even with this replacement, the administration proved to still be rife with men who sought to serve themselves before serving their country.

The most active figure in the efforts to clean up the civil service at this point in the Grant Administration was Secretary of the Treasury Benjamin Bristow. Bristow was born June 20, 1832 in Elkton, KY, and though he grew up in a border state, he aligned with the Union when fighting broke out in the Civil War.¹⁰⁸⁵ He practiced law until his enlistment and he reached the rank of colonel, fighting in the key battle of Shiloh where he was wounded and promoted to lieutenant colonel.¹⁰⁸⁶ He was elected as a State Senator for Kentucky in 1863, and after the Civil

¹⁰⁸² Marshall Jewell to Elihu B. Washburne, October 17, 1874, Elihu B. Washburne Papers, Library of Congress; James D. Richardson, *Compilation of the Messages and Papers of the Presidents*. Washington DC: Bureau of National Literature and Art, 1903. 7:300-301

¹⁰⁸³ Calhoun, *The Presidency of Ulysses S. Grant*, 488-489

¹⁰⁸⁴ Calhoun, *The Presidency of Ulysses S. Grant*, 488-490

¹⁰⁸⁵ Ross L. Webb, *Benjamin Helm Bristow: Border State Politician*. Lexington, Ky: The University Press of Kentucky, 1969.

¹⁰⁸⁶ Webb, *Benjamin Helm Bristow*

War was appointed Assistant District Attorney for the Louisville area before being promoted to District Attorney for the area in 1866.¹⁰⁸⁷ In 1870, Bristow was appointed to be America's first United States Solicitor General, a post which assists the Attorney General by arguing cases before the Supreme Court.¹⁰⁸⁸ During his rise to prominence, Bristow became known as a reformer within the Republican Party, cleaning up his offices and rooting out corruption in others. He stated his philosophy on reform during the 1876 election campaign: "I believe that the way to insure success in 1876 is to purge the party of all rogues that have fastened themselves upon us and to satisfy the people that we mean to have honest government."¹⁰⁸⁹ In this crusade Bristow gained a key ally in Solicitor of the Treasury Bluford Wilson, with whom he kept close communication for both his friendship and his commitment to revamping the rotting political system.¹⁰⁹⁰

In 1874, Bristow was appointed Secretary of the Treasury to replace William Richardson in the wake of a scandal involving the improper collection and payment of Treasury contracts to private citizens known as the Sanborn incident.¹⁰⁹¹ In this post, Bristow played a key role in the ousting of several members of Grant's Cabinet, some for legitimate reasons and others for personal reasons. While serving as Solicitor General, Bristow undermined the Attorney General Amos T. Akerman until left Grant no choice but to replace him with George Williams.¹⁰⁹² Bristow was then influential in the aforementioned ousting of Attorney General Williams, though he finally came to work well with his replacement, Edwards Pierrepont, perhaps because

¹⁰⁸⁷ Webb, *Benjamin Helm Bristow*

¹⁰⁸⁸ Webb, *Benjamin Helm Bristow*

¹⁰⁸⁹ Benjamin Bristow to John Marshall Harlan, September 10, 1875, John Marshall Harlan Papers, Library of Congress; Benjamin Bristow to James Harrison Wilson, July 27, 1875, Ulysses S. Grant Papers, Ulysses S Grant Presidential Library

¹⁰⁹⁰ Webb, *Benjamin Helm Bristow*; Calhoun, *The Presidency of Ulysses S. Grant*, 490-491

¹⁰⁹¹ Webb, *Benjamin Helm Bristow*; Calhoun, *The Presidency of Ulysses S. Grant*, 446-462

¹⁰⁹² Calhoun, *The Presidency of Ulysses S. Grant*, 320-326

they were equals in the cabinet and not in a superior-subordinate relationship.¹⁰⁹³ He found another “rogue” in the cabinet in the form of Secretary of the Interior Columbus Delano, who he found to be engaging in land office schemes in the Wyoming Territory with his son John.¹⁰⁹⁴ The schemes were legal by the letter of the law, but they were clearly attempts to cheat the government and the intent of the law, leaving Grant to replace Delano with Zachariah Chandler.¹⁰⁹⁵ Bristow’s efforts had a significant impact on the cabinet and struck several resounding blows for Grant’s desired civil service reforms.

Ironically, President Grant’s two major concerns in his 1874 Annual Message – economics and civil service reform – polymerized to create a scandal of national proportions that implicated local and federal government employees in an effort to steal millions in revenue from the government. The Whiskey Ring dated to the Lincoln Administration, as whiskey distillers in the Midwest bribed treasury agents to evade taxes on their products.¹⁰⁹⁶ It took on a more spirited dynamic during the Grant Administration, as corrupt civil servants began to work with the distillers to continually steal revenue from the federal government. This resulted in inquests helmed by Bristow into those involved in the frauds, and his investigation went so high as to implicate General Orville Babcock. The investigations came to a head in criminal trials that captured the attention of the nation and became one of the most notorious scandals of its era, if not all of American history.

Babcock’s alleged actions as a key member of the Whiskey Ring have been the lasting impression historians have of his role as a political agent, and for good reason. This event was

¹⁰⁹³ Calhoun, *The Presidency of Ulysses S. Grant*, 493; Webb, *Benjamin Helm Bristow*

¹⁰⁹⁴ Calhoun, *The Presidency of Ulysses S. Grant*, 492-3

¹⁰⁹⁵ Ibid

¹⁰⁹⁶ Ronald White, *American Ulysses*, 563; McFeely, *Grant*, 410; Henry W. Brands, *The Man Who Saved The Union: Ulysses Grant in War and Peace*. New York, NY: Random House, 2012. 557.

arguably the biggest political scandal amidst the Reconstruction Era apart from the presidential impeachment of Andrew Johnson. It received widespread news coverage, resulted in congressional trials, and saw government officials jailed for their roles. It damaged the reputations of the President, his administration, his party, and the nation in general. This sobering event has been seen by some as the defining moment of the Grant Administration and the Reconstruction Era at large.¹⁰⁹⁷ As a result, many have focused on this moment in a vacuum rather than focusing on this as another step in a winding road of Reconstruction corruption. It is critical to understand this event singularly and as a part of a behavioral pattern in the career of Orville Babcock. By considering the event as a part of Babcock's political career, we can see that it is the result of previous failures to secure personal fortune, opportunity based on political status, and associations with corrupt individuals and networks. The Whiskey Ring plays an important role in Babcock's career as it exemplifies his development as a political agent, his corrupt actions in his political role, and the ways in which he damaged the reputations of almost all of those with whom he was associated because of his personal misdeeds.

St. Louis: The Gateway to the Theft

The Whiskey Ring was perhaps America's worst kept secret during the Reconstruction Era. It began during the Civil War, as whiskey distillers bribed treasury agents to evade the rising taxes on their product in an effort to create a slush fund for themselves.¹⁰⁹⁸ Criminal networks developed throughout Reconstruction, and in the 1870s they took on the added dimension of

¹⁰⁹⁷ Some who consider this as a defining moment in Reconstruction include: William Archibald Dunning, *Reconstruction: Political & Economic, 1865–1877*. New York: Harper and Brothers, 1907; Claude G. Bowers, *The Tragic Era: The Revolution after Lincoln*. Cambridge, MA: Riverside Press, 1929; John W. Burgess, *Reconstruction and the Constitution, 1866-1876*. New York: Charles Scribner's Sons, 1902; E. Merton Coulter, *The South During Reconstruction, 1865-1877*. Baton Rouge: LSU Press, 1948.

¹⁰⁹⁸ Calhoun, *The Presidency of Ulysses S. Grant*, 494; Paul Kahan, *The Presidency of Ulysses S Grant: Preserving the Civil War's Legacy*. Yardley, PA: Westholme Publishing, 2018.

including federal agents in the efforts to skim taxes on spirits. These networks developed in cities across the Midwest, with hubs in Milwaukee, Cincinnati, and Chicago, but it was based in St. Louis, Missouri.¹⁰⁹⁹ Due to the intensive network of distillers, local agents, and federal connections with powers in Washington, the development of the Whiskey Ring in St. Louis is the most appropriate loci of focus for this scandal. The contacts developed by Orville Babcock in St. Louis, as well as his subsequent trial in the city, focuses our attention on this city rather than on other distilled turmoil in the region.

Why was whiskey the focus of this developing criminal enterprise? Liquor taxes were a significant source of income in Reconstruction-era America. The money was there to attract the criminals, but if one were to defraud the government by bilking funds from whiskey sales, they could not fully capitalize on it without the assistance of the several businesses and government agents involved. Involving the businesses crafting and distributing the liquor was necessary due to the existing system of checks in place to prevent such fraud. Each distillery was assigned a storekeeper who kept records of the grain and other materials brought in to make the whiskey in an effort to ensure similar outputs were also recorded.¹¹⁰⁰ A gauger determined the exact amount of liquor produced and compared it to the raw materials noted by the storekeeper.¹¹⁰¹ Each barrel of whiskey was both serial numbered and affixed with a warehouse stamp, also serial numbered, before placing the barrel in a warehouse on distillery premises.¹¹⁰² Taxes had to be paid to a federal revenue collector before the barrels could leave the warehouse, at which point the barrel was affixed with yet another serial-numbered tax-paid stamp, at which point it was sent to a

¹⁰⁹⁹ Timothy Rives, "Grant, Babcock, and the Whiskey Ring." *Prologue Magazine* 32, no. 3, Fall 2000.

¹¹⁰⁰ 44th Congress, 1st sess., Executive Document No. 4. *Report of the Commissioner of Internal Revenue for the Fiscal Year ended June 30, 1875*. Washington DC: Government Publishing Office, 1875. xv-xvi.

¹¹⁰¹ Ibid

¹¹⁰² Ibid

rectifier for repackaging and sale to the public.¹¹⁰³ The rectifier, before removing the liquor from its barrel, was responsible for telling the revenue collector, who in turn had the gauger measure the liquor in the barrel once more and destroy the stamped barrels to prevent illegal reuse.¹¹⁰⁴ Within this system, the storekeepers, gaugers, and revenue collectors were all federal employees, meaning that if someone wanted to defraud the system as it existed, they needed to turn agents promised to uphold the law to their side.¹¹⁰⁵

The head of the Whiskey Ring during the Grant Administration was a Civil War veteran, and a pragmatico, General John McDonald (**Figure 5.2**). Born in Rochester, New York on February 22, 1832, McDonald journeyed west to St. Louis when he was seventeen, where he found himself amidst a ballooning population thanks to the reach of manifest destiny.¹¹⁰⁶ In St. Louis, he wed his wife Mary while organizing a partnership with his friends to set new fees for steamboat operators.¹¹⁰⁷ His time as a steamboat “runner” in St. Louis instilled a desire to coordinate legitimate organizations to operate under his terms as he eventually coerced the boat owners to play by his rules in spite of such factors as his illiteracy and criminality.¹¹⁰⁸ By 1860, McDonald held partnerships in several local businesses, and his wealth and status afforded him the opportunity to impact elections through mainly illegal methods.¹¹⁰⁹ At the outbreak of the Civil War, McDonald organized a regiment of men he called the “American Zouaves,” which consisted largely of steamboat workers, and on June 1, 1861 this group was mustered in as the

¹¹⁰³ Ibid

¹¹⁰⁴ Ibid

¹¹⁰⁵ Ibid

¹¹⁰⁶ Howard Louis Conard, ed. *Encyclopedia of the History of Missouri*, vol. 6. St. Louis, MO: Southern History Co., 1901. 178.

¹¹⁰⁷ *Oshkosh Daily Northwestern*, June 8, 1878; *Chicago Daily Tribune*, November 20, 1875; Lawrence O. Christensen, ed. *Dictionary of Missouri Biography*. Columbia, MO: University of Missouri Press, 1999. 534.

¹¹⁰⁸ Ibid

¹¹⁰⁹ Cooper, *McDonald and the Whiskey Ring*, 9-10



Figure 5.2: General John McDonald: This sketch of McDonald, a former Army veteran turned Revenue Agent who consistently leveraged his position for private gain was published in McDonald's personal account of his involvement in the Whiskey Ring.¹¹¹⁰

Eighth Missouri with McDonald appointed as the regiment's major.¹¹¹¹ McDonald fought in such battles as those at Forts Henry and Donelson, and while it is unknown when initial contact was made between the two, the earliest likely meeting between McDonald and General Grant could have been during these battles.¹¹¹²

McDonald proved to have a temper and a profane nature during his military service, getting into altercations with superiors and subordinates alike.¹¹¹³ In one extreme instance, McDonald became irate with a newly-appointed superior, indicating that the man was a "son of a bitch," and when he was ordered to consider himself under arrest, he shouted "Kiss my ass, you can't have my sword, you or any other son of a bitch."¹¹¹⁴ McDonald faced court martial for his

¹¹¹⁰ Gen. John McDonald, *Secrets of the Great Whiskey Ring: And Eighteen Months in the Penitentiary. Containing a Complete Exposure of the Illicit Whiskey Frauds Culminating in 1875, with Documentary Proofs. to which is Added the Author's Remarkable Experiences while a Convict in the Missouri Penitentiary, at Jefferson City.* St. Louis, Mo: W. S. Bryan, 1880.

¹¹¹¹ Cooper, *McDonald and the Whiskey Ring*, 12-13

¹¹¹² Cooper, *McDonald and the Whiskey Ring*, 25-32

¹¹¹³ Cooper, *McDonald and the Whiskey Ring*, 33-44

¹¹¹⁴ National Archives, Form 86, Military Service Records, John McDonald; Thomas P. Lowry, *Tarnished Eagles: The Courts-Martial of Fifty Union Colonels and Lieutenant Colonels.* Mechanicsburg, PA: Stackpole Books, 1997. 108-110.

attempts to fight a senior officer, was found guilty, and before he was summarily dismissed from military service he submitted his resignation, which was accepted.¹¹¹⁵ McDonald then went into land speculation in Memphis, where he was assigned as a civilian in charge of abandoned property when Confederate forces fled the city.¹¹¹⁶ McDonald allegedly used this post to turn a profit, and allegations began to swirl that he was also engaged in cotton speculation and bribery, with some claiming he was “a thrifty soldier in the commerce of war” with “an itching palm.”¹¹¹⁷ McDonald remained dedicated to the Union cause as it offered him opportunities to further line his pockets. Even with rumors abound, he was asked by General William Tecumseh Sherman to raise a militia in Memphis to defend the city from Confederate incursions, and though he started as a colonel in this mission he was promoted to Brigadier General by August 1864.¹¹¹⁸ By the end of the war, McDonald not only made a small fortune for himself, but he made enough friends who would support him that he could seek a government job with their endorsements.¹¹¹⁹

McDonald was appointed as a collector of internal revenue overseeing Arkansas on October 5, 1869, by President Ulysses S. Grant, who soon added Missouri to his area of oversight.¹¹²⁰ Under McDonald, the Whiskey Ring took on new life, particularly in St. Louis, which he made his base of operations. This new iteration started sometime in McDonald’s first year as a Revenue Collector, though it is unclear exactly when because of the lack of a paper trail.¹¹²¹ Still, McDonald used his new connections with whiskey distillers and other federal agents in an effort to build his own criminal network. Here, McDonald approached potential

¹¹¹⁵ Ibid

¹¹¹⁶ Cooper, *McDonald and the Whiskey Ring*, 35-36

¹¹¹⁷ Cooper 36-9; John Hallum, *The Diary of an Old Lawyer*. Nashville: Southwestern Publishing House, 1895. 288-314.

¹¹¹⁸ Cooper, *McDonald and the Whiskey Ring*, 39-40; *New York Times*, August 25-28, 1864.

¹¹¹⁹ Cooper, *McDonald and the Whiskey Ring*, 40-48

¹¹²⁰ Cooper, *McDonald and the Whiskey Ring*, 48-52

¹¹²¹ Rives

coconspirators by alleging that his plan was approved by shadowy players within the Republican Party to fundraise for their candidates, particularly for President Grant's reelection campaign in 1872.¹¹²² As many of the federal agents were patronage appointees given their jobs by the Republican Party that maintained control over the nation in 1871, several of those approached in this manner were able to be swayed into illegality.¹¹²³ McDonald insisted that this plan was approved by Grant, though these claims were not only unproven but were written after trials and investigations proved McDonald's reputation as a lout.¹¹²⁴

McDonald's plot to defraud the government was simple in retrospect, though there were multiple methods in which the Ring made its profits. In one method, the rectifier bought one hundred barrels from the distiller on which the tax was paid and then had the gauger record that each of the eighty-gallon barrels only contained forty gallons of whiskey.¹¹²⁵ The revenue collector then needed to report that the four thousand gallons of whiskey were in transit to their point of sale, knowing full well that eight thousand gallons were shipped.¹¹²⁶ This would leave four thousand gallons of untaxed whiskey to be sold before the serial numbers on the barrels were destroyed, and at an existing tax rate of seventy cents per gallon, the Ring avoided \$2800 each time this occurred.¹¹²⁷ Another method of deceit used by the Ring involved the powers at play not destroying the serialized barrels once they were emptied. In this instance, the rectifier bought one hundred barrels on which the taxes were paid with the full amount listed by the

¹¹²² McDonald, *Secrets*, 27; Kahan, *Presidency of Ulysses S. Grant*, 117

¹¹²³ Rives, "Grant, Babcock, and the Whiskey Ring"; Hoogenboom, *Outlawing the Spoils*; Kahan, *Presidency of Ulysses S. Grant*

¹¹²⁴ McDonald, *Secrets*

¹¹²⁵ 44th Congress, 1st sess., Executive Document No. 4. Report of the Commissioner of Internal Revenue for the Fiscal Year ended June 30, 1875. Washington DC: Government Publishing Office, 1875. xv-xvii.

¹¹²⁶ Ibid

¹¹²⁷ Ibid; today this would equate to roughly \$68,000.

storekeeper and gauger in their initial measurements.¹¹²⁸ Once the rectifier repackaged the whiskey within these barrels, though, the serial numbers were not destroyed but instead sent back to the distillers, as the storekeepers and gaugers turned a blind eye as these barrels were refilled and sent out, thereby avoiding the \$5600 in taxes on an entire batch of barrels sold at full retail price.¹¹²⁹ McDonald's plan was layered, but simplistic, and as a result it began to gain traction.

Initially, there was some hesitance among the distillers to take up with McDonald. The distillers needed assurance that the government collector would be on their side, and to this point there was nothing suggesting that would be the case. The standing collector, Charles Ford, was as against McDonald as a person could be, telling President Grant that he was "a bad egg" and warning that the last thing he needed as he sought reelection was McDonald as his "special champion."¹¹³⁰ Perhaps even more pressing to the distillers was McDonald's dedication to President Grant. It was clear that President Grant sought a second term, and he had his work cut out for him in Missouri, where long-tenured Senator Carl Schurz continued to lambast him through his German-language newspaper *Westliche Post* and its steadfast editor Joseph Pulitzer.¹¹³¹ McDonald made inroads with other notable Missouri newspapers to support the President's bid for a second term, but he promised too much when he swore he could convince William McKee, the owner of the *Missouri Democrat*, to lend his support.¹¹³² Even with this overpromise, McDonald recognized that he could kill two birds with one stone through McKee. McKee was able to be bought with a share of the illegal whiskey operations, a plan he had long

¹¹²⁸ Ibid

¹¹²⁹ Ibid; today this would equate to roughly \$136,000.

¹¹³⁰ Lucien Eaton in 44th Congress, 1st sess. Index to the Miscellaneous Documents of the House of Representatives, Misc. Doc. 186, *Whiskey Frauds Testimony*. Washington DC; Government Printing Office, 1873. 100.

¹¹³¹ McDonald, *Secrets*, 58-60; *St. Louis Daily Globe Democrat*, Nov. 16-17, 1875; Cooper, *McDonald and the Whiskey Ring*, 54-56

¹¹³² Ibid

percolated of on his own, but that was thwarted when Grant appointed Ford to his post.¹¹³³

McDonald uncovered evidence that Ford ran his own small-scale fraud scheme at one local distillery, and with a quick threat to lay bare Ford's plan should he not join the larger Whiskey Ring, Ford fell into the Ring.¹¹³⁴ McKee suggested that they loop in Conduce Megrue, an old friend who was passed over by President Grant for Ford's post, as an accomplice because he had a history of dealing with the distillers.¹¹³⁵ McDonald arranged a meeting and found Megrue capable, making him the bagman and de facto manager of the daily operations of the Ring.¹¹³⁶

With the Ring coming together in St. Louis, McDonald's next task was to extend his network into Washington to ensure the Ring's protection. Here, Orville Babcock emerged as a vital ring member. McDonald organized the Ring under the guise of serving as a fundraising effort for Grant's reelection campaign.¹¹³⁷ McDonald met with President Grant to discuss plans for campaign fundraising, and Grant put McDonald in touch with Babcock, suggesting that whatever the two did to raise funds "was satisfactory all around" and that he would make personnel changes to facilitate their efforts.¹¹³⁸ There is no evidence other than McDonald's account written later in anger towards President Grant that suggests he knew that McDonald and Babcock intended to skim from the campaign war chest developed through illegal means.¹¹³⁹

¹¹³³ Ibid

¹¹³⁴ Ibid

¹¹³⁵ Ibid

¹¹³⁶ Ibid

¹¹³⁷ John Joyce, *A Checkered Life*. Chicago: S.P. Rounds, 1883. 165-168; *New York Times*, February 23, 1872.

¹¹³⁸ Benjamin Perley Poore, *Perley's Reminiscences of Sixty Years in the National Metropolis*. Philadelphia: Hubbard Brothers, 1886; It is unclear at this point if Babcock was approached by McDonald for the purpose of serving as a member of the Whiskey Ring. Based on the existing evidence, we cannot say for certain whether this was a partnership that was established from the outset or if it grew over the course of continued meetings and correspondence between Babcock, McDonald, and Joyce. What we do know is that these men developed a friendship over the years that was strengthened through greased palms, but we cannot state definitively who propositioned who to engage in this criminal partnership.

¹¹³⁹ McDonald, *Secrets*

This partnership proved to be particularly lucrative for a time before leading to the near ruination of the contemporary and historical reputations of the Grant Administration.

Ford and McKee also sought to meet with President Grant to ensure he would protect them as McDonald claimed, and McDonald agreed on the condition that they spoke only of the reelection fund, not the frauds they planned to commit.¹¹⁴⁰ This way, McDonald could maintain both the lies of protection he had given to the ring members and the lies of fundraising he promised to Republican Party members in Washington. McDonald still needed a contact on the inside of Washington society to maintain the stories he spread, and he found such a partner in Orville Babcock. Babcock arranged for a meeting with President Grant, where the President ensured Ford and McKee that he trusted McDonald with certain matters and that he understood those matters, a statement which was in reference to the fundraising efforts but that was in hindsight regrettable given its interpretation by those at the meeting.¹¹⁴¹ McKee then encouraged President Grant to consider replacing the Army Quartermaster in St. Louis with a more influential Republican, offering forth Major Edward Grimes, a friend of Babcock's since the early Civil War, as an option, and Grimes was subsequently transferred.¹¹⁴²

Other ring members sought further assurances that they would receive advanced notice before Internal Revenue agents came to inspect their properties.¹¹⁴³ McDonald entrusted this task to his assistant John Joyce because he used to work in the Internal Revenue office in Washington.¹¹⁴⁴ Joyce found the perfect person in his friend William Avery, the chief clerk of the Washington Bureau, and he drummed up a story that, because McDonald became enraged

¹¹⁴⁰ McDonald *Secrets* 58-60; *New York Times* February 12, 1876.

¹¹⁴¹ Ibid

¹¹⁴² Ibid

¹¹⁴³ William Avery in *Whiskey Fraud Testimony*, 81-83.

¹¹⁴⁴ Ibid

when his authority was questioned, he would appreciate a heads up if agents were coming for checks in St. Louis.¹¹⁴⁵ Avery agreed to assist his friend, and Joyce brought him into the payroll of the Whiskey Ring as thanks for his help.¹¹⁴⁶ At this point, Megrue contacted the distillers to inform them that they had the desired protections from Washington and set the financial terms of the Ring accordingly: 50% of the money made would be given to the distillers to split with the rectifiers, with the remaining 50% given to him to distribute to ring members, with attached financial reports delivered to him to ensure that there was indeed honor among thieves.¹¹⁴⁷

Although McDonald and Babcock established the Whiskey Ring as an effective shadow network, McDonald's reputation began to catch up with him in August 1872. McDonald was tasked with traveling to the American Southwest to resolve a dispute between the United States government and the Utes who lived in the region, forcing him away from his home and criminal oversight amid a crucial point for the Ring.¹¹⁴⁸ The end of McDonald's term from his initial appointment in St. Louis was approaching, and McKee and Ford commenced a campaign of letter writing to President Grant to express their support for McDonald, claiming that he should be retained as Supervisor of Internal Revenue in Missouri.¹¹⁴⁹ Among the letters were reminders to the president that McDonald had valuable connections to Missouri's Republican Party that could aid efforts for reelection in the upcoming presidential campaign.¹¹⁵⁰ President Grant remarked that "the dispatches and letters received in favor of Sup'r McDonald are so numerous, and from people of such standing and responsibility" that he was compelled to appoint

¹¹⁴⁵ Ibid

¹¹⁴⁶ Ibid; *Chicago Tribune*, November 17, 1875.

¹¹⁴⁷ *Chicago Tribune*, November 17, 1875.

¹¹⁴⁸ Cooper, *McDonald and the Whiskey Ring*, 61-66

¹¹⁴⁹ McDonald, *Secrets*, 73-74.

¹¹⁵⁰ Ibid

McDonald to the open post.¹¹⁵¹ Joyce kept McDonald apprised of the ongoing situation during his mission with the Utes, and as soon as Babcock messaged Joyce that the commission was signed, Joyce messaged McDonald, intimating the riches their illicit future held together: “I received yours of the 17th inst., wherein you give glowing ideas of what we may be worth in the future. Put me down for a gold mine, a silver gulch and a diamond quarry.”¹¹⁵²

McDonald’s return to St. Louis heralded a new day for the Whiskey Ring. Megrue began to collect from the distillers in September 1871 per their original plan, and each Saturday he collected and distributed money for the Ring.¹¹⁵³ Money was set aside for their Washington accomplices Avery and Babcock, and during visits or when given advance notice of impending investigations, they were given special gifts of money and diamonds.¹¹⁵⁴ By November 1872, each of the ring members made between \$50,000-\$60,000, reaching a sobering point where more than a half-million dollars was stolen from the federal coffers.¹¹⁵⁵ Still, there seemed no temperance to McDonald’s greed, as he pressed distillers “why in hell don’t you manufacture more” as “the thing must pan out better.”¹¹⁵⁶ His tactics went so far as to make threats. At one point, one of the distillers got cold feet and tried to back out, but McDonald confronted him on the street, asking “Ain’t you going to the office this morning? You had better go, the boys are waiting for you there.”¹¹⁵⁷ The distiller had a remarkable change of heart and returned as a dedicated piece of the Whiskey Ring.

¹¹⁵¹ McDonald, *Secrets*, 76; John Simon, ed., *The Papers of Ulysses S. Grant*, vol. 23, February 1-December 31, 1872. Carbondale: Southern Illinois University Press, 1997. 218-219.

¹¹⁵² Ibid

¹¹⁵³ *Chicago Daily Tribune*, November 17, 1875 & February 18, 19, 1876; *New York Times*, November 17, 1875 & February 18, 1876; David Dyer in *Whiskey Fraud Testimony*, 31-32.

¹¹⁵⁴ Ibid

¹¹⁵⁵ Ibid

¹¹⁵⁶ Cooper, *McDonald and the Whiskey Ring*, 69

¹¹⁵⁷ Ibid

The Whiskey Ring was a large-scale operation, and while its members made some effort to hide their misdeeds, many outsiders aware of the brewing schemes simply felt that complaining would bring them undue attention and possible harm, as they assumed the Ring had institutional protection. McDonald was appointed to his post by Commissioner of Internal Revenue Columbus Delano, and when Delano was promoted to Secretary of the Interior, McDonald claimed that his replacement, John Douglass, was appointed in part because of the Ring.¹¹⁵⁸ It is unclear if Douglass was ever brought into the Ring, but he was certainly incompetent. Rumors circulated the local press, but nothing was ever substantiated.¹¹⁵⁹

Eventually the rumors spread surrounding the impropriety amongst government agents and whiskey distributors in St. Louis to the attention of others in Washington. Secretary Bristow prepared for investigations into the alleged misdeeds alongside his Solicitor in the Treasury Department, Bluford Wilson. The secretary worried about the effectiveness of Douglass in his post, but had no definitive proof justifying his removal him from his post, so he instead launched a tiered investigation in which Douglass oversaw only a section of the inquest.¹¹⁶⁰ Part of the reason that Douglass was not removed was that the top nominee for his replacement was Harry Wilson, Bluford's brother, and President Grant balked at having two brothers in such high-ranking posts in the same department.¹¹⁶¹ This halted one avenue of investigation for the time being, but both Bluford Wilson and Bristow were intrigued by the possibility of uncovering Babcock as the alleged mole in the White House for the Whiskey Ring.¹¹⁶²

¹¹⁵⁸ Ibid

¹¹⁵⁹ Special Dispatch to The Chicago Tribune. "GIGANTIC FRAUD." *Chicago Daily Tribune*, May 11, 1875; "THE WESTERN WHISKY RING." *New York Times*, Feb 05, 1876

¹¹⁶⁰ Calhoun, *The Presidency of Ulysses S. Grant*, 494-497

¹¹⁶¹ *Whiskey Fraud Testimony*; Calhoun, *The Presidency of Ulysses S. Grant*, 495-496

¹¹⁶² Ibid

Bristow continued his investigation by sending revenue agents from Washington to ascertain the legitimacy of the rumors. An in-person investigation was spurred on when Revenue Agent B.P. Brasher reported to Douglass that something was amiss in the distilleries in St. Louis, and Douglass responded by having two more revenue agents join Brasher for the investigation.¹¹⁶³ Douglass's incompetence was exposed by his omission of copies of the written orders on file, meaning that neither Babcock nor Avery could warn McDonald of the incoming visitors.¹¹⁶⁴ The three revenue agents arrived in St. Louis in mid-November and went to one of the local distilleries where they were quickly met by McDonald, Joyce, and an unknown large man who was seemingly an enforcer of the Ring.¹¹⁶⁵ McDonald and the investigators got into an argument when he asked for their orders and they refused, claiming they were confidential orders, and McDonald angrily followed the men during their investigation.¹¹⁶⁶ One of the investigators later reported that they "did not regard his authority to forbid [our investigation], yet he either followed along with us wherever we went, or retarded our movements...by his constant presence...he kept himself in our way."¹¹⁶⁷ McDonald's attempts were fruitless, as the investigators easily uncovered enough evidence over three days to write a full report detailing the malfeasances.¹¹⁶⁸ They omitted that McDonald was the head of the Ring in St. Louis for fear of retaliation, though they planned to report as much verbally when reporting to Douglass.¹¹⁶⁹

Even with a detailed report filled with implications, McDonald and his compatriots escaped further penalties thanks to friends in high, and low, places. Brasher, the agent who

¹¹⁶³ *New York Times*, February 10, 1876

¹¹⁶⁴ *Ibid*

¹¹⁶⁵ William Gavett in *Whiskey Fraud Testimony*, 378-380.

¹¹⁶⁶ *Ibid*

¹¹⁶⁷ *Ibid*

¹¹⁶⁸ *Ibid*

¹¹⁶⁹ *Ibid*

initiated the investigation in the first place, had no interest in submitting the report they compiled, instead using it to blackmail some of the distillers in the Ring for \$10,000.¹¹⁷⁰ Once he received his hush money, Brasher returned to Washington and reported to Douglass that the investigation turned up only technical violations which were duly corrected.¹¹⁷¹ The other investigators assumed Douglass buried their report, and rumors continued to plague Douglass that illegality was ongoing in St. Louis.¹¹⁷² Douglass asked McDonald to investigate and find if there was any truth to the allegations, and McDonald assured him that Brasher's work was correct and that he himself looked into it "but I have not been able to procure any evidence of fraud," leaving Douglass satisfied.¹¹⁷³ Amid these ongoing whispers, Megrue grew concerned that the Ring would be uncovered and left his post as bagman, and the Ring replaced him with Joseph Fitzroy, a deputy revenue collector.

Megrue's departure was problematic, but a more significant wrench was thrown into the works when Revenue Collector Charles Ford unexpectedly died after a meeting with both McDonald and President Grant in Memphis, TN in October 1873.¹¹⁷⁴ The day after their meeting, which occurred during a reunion of the Army of the Tennessee honoring both Grant and Sherman, McDonald and Ford began their return to St. Louis when Ford suddenly fell ill and died.¹¹⁷⁵ McDonald reported the death to Grant as Joyce informed Babcock, telling his co-conspirator "Poor Ford is dead. McDonald is with his body. Let President act cautiously in his

¹¹⁷⁰ *St Louis Daily Globe Democrat*, November 16, 17, 1875; *New York Times*, November 17, 1875; Homer Yaryan in *Whiskey Fraud Testimony*, 328.

¹¹⁷¹ *Ibid*

¹¹⁷² *New York Times*, February 10, 1876; *St. Louis Daily Globe Democrat*, November 19, 1875

¹¹⁷³ *Ibid*

¹¹⁷⁴ *New York Times*, October 16, 1873; L.M. Dayton, *Report of the Proceedings of the Society of the Army of Tennessee at the Seventh Annual Meeting Held at Toledo, Ohio. October 15th and 16th*. Cincinnati: Published by the Society, 1877. 109-179

¹¹⁷⁵ Dayton, *Proceedings of the Society of the Army of Tennessee and the Seventh Annual Meeting*, 120-180; Joyce, *A Checkered Life*, 180; Simon, *Papers of Ulysses S Grant*, vol 23, 1873, 232

successorship.”¹¹⁷⁶ McDonald discussed the situation with McKee, who suggested that he only trusted a man named Constantine Maguire in the post for the Ring’s success.¹¹⁷⁷ McKee, McDonald, and Maguire met once McDonald returned to St. Louis and Maguire, who agreed to do as he was told by ring members should he receive the appointment.¹¹⁷⁸ Joyce messaged Babcock while McKee messaged Grant, both indicating their preferences for Maguire’s appointment to revenue collector.¹¹⁷⁹ Meanwhile the Ring continued its business in St. Louis, dividing the weekly payments with one fewer cut given Ford’s death, and two days later President Grant appointed Maguire as Ford’s successor.¹¹⁸⁰ Around the same time, Joyce was given a promotion from law clerk to revenue agent, and he was allowed to remain in McDonald’s district, serving as his confidential secretary.¹¹⁸¹ As thanks for aiding with the appointment, McDonald sent Babcock a box of game meat with instructions to “please share with President Grant with my compliments.”¹¹⁸²

By the time President Grant appointed Maguire as the new Revenue Collector, Douglass had become determined to find proof of the illegal whiskey dealings in St. Louis. He attempted to break up the Ring’s actions by ordering Joyce to San Francisco for two months on March 7, 1874, a decision Joyce protested but was rebuffed.¹¹⁸³ Two days later Douglass sent agents to again investigate the distilleries in St. Louis.¹¹⁸⁴ Avery informed McDonald of the impending searches, and McDonald had Joyce cease all illegal distilling while destroying incriminating

¹¹⁷⁶ Joyce, *A Checkered Life*, 180; Simon, *Papers of Ulysses S Grant*, vol 23, 1873, 232

¹¹⁷⁷ Edwards Pierpont in *Whiskey Frauds Testimony*, 12; McDonald, *Secrets*, 81

¹¹⁷⁸ *Ibid*

¹¹⁷⁹ *Ibid*

¹¹⁸⁰ *New York Times*, January 22, 1876

¹¹⁸¹ McDonald, *Secrets*, 104; Joyce, *A Checkered Life*, 164

¹¹⁸² Simon, *Papers of Ulysses S. Grant*, 25, 1874, 333-334

¹¹⁸³ *New York Times*, November 30, 1875; John Forrest Dillon, *Cases Determined in the United States Circuit Courts for the Eighth Circuit*. Davenport, IA: Day, Egbert, & Fidler, 1876. 3:599-602; *The Federal Cases: Cases Argued in the Circuit and District Courts of the United States*. St. Paul, MN: West Publishing, 1896. 24:920.

¹¹⁸⁴ *Ibid*

evidence before he left for California.¹¹⁸⁵ As a result, the investigators sent to St. Louis found nothing at the distilleries of note, fining two of them for incomplete records (caused by book burning when news of the investigations spread).¹¹⁸⁶ However, one of the investigators seemingly received a hush money payment from the Ring for his silence and for future information regarding investigations.¹¹⁸⁷ Joyce also telegraphed Babcock to get Douglass to “call off his scandalhounds,” and after meeting with Douglass, Babcock assured his partners in St. Louis that “there are no charges against any official out there.”¹¹⁸⁸

Once the Whiskey Ring began to outright bribe investigators for their silence, it again fell to Joyce to determine if additional investigations would be opened into the proceedings in St. Louis. Upon Joyce’s return from California, he began to wade through the muck surrounding the Whiskey Ring, and his first stop was Washington to inquire to the status of events in St. Louis.¹¹⁸⁹ Joyce found that Avery was promoted to a new post as Chief Clerk of the Treasury Department, and with another friend in a lofty position, he messaged McDonald that “Matters are hunkey, Go it lively” and to “Let the machine go.”¹¹⁹⁰ Joyce resolved an issue with Babcock where a diamond shirt stud given to him as a gift by the Ring was found to be a fraud, and McDonald had this issue resolved with haste to avoid angering his cover artist in Washington.¹¹⁹¹ There was an attempt at an investigation during Joyce’s time away that amounted to very little. One unidentified man wrote to Douglass through his lawyer that, in exchange for immunity, he could provide details on those involved in the Ring and specifics for how much was stolen from

¹¹⁸⁵ Ibid

¹¹⁸⁶ Cooper, *McDonald and the Whiskey Ring*, 72-74; Simon, *Papers of Ulysses S. Grant*, 24, 1873. 232

¹¹⁸⁷ Ibid

¹¹⁸⁸ Ibid

¹¹⁸⁹ *New York Times*, February 15, 1876; *The Federal Cases* 920; Edwards Pierrepont in *Whiskey Frauds Testimony*, 31.

¹¹⁹⁰ Ibid

¹¹⁹¹ Ibid

the government.¹¹⁹² Douglass met with the lawyer and began the proper procedures for finding the information, but he soon found that the lawyer in question had a hidden agenda and dropped the matter.¹¹⁹³ A report by the *New York Sun* around this time implicated McDonald as the head of the Ring, insinuating that “every time illegal operations involving whiskey are discovered the facts are quickly buried.”¹¹⁹⁴ McDonald wrote a letter to Douglass insisting that these accusations were “false and damnable insinuations” and that the actions in question were the work of “sneak-thieves” who continually attempted to blackmail St. Louis’s honest distillers.¹¹⁹⁵

While this occurred, McDonald continued to ingratiate himself to both President Grant and General Babcock in an effort to maintain his post. In October 1874, President Grant visited St. Louis, where McDonald arranged the most luxurious room at a nearby hotel free of charge.¹¹⁹⁶ While in town, Grant entered some of his horses into the St. Louis Fair’s blue-ribbon competition, though he was discouraged as his horses had a penchant for losing in such competitions.¹¹⁹⁷ McDonald spoke with the President of the Fair Association and suggested that the prize be given to President Grant, and after some debate, it was declared that McDonald would decide the winner, at which point he named Grant’s horse Claymore as the victor.¹¹⁹⁸ A local newspaper reporter wrote an article suggesting that “the ribbon was given as a compliment to the President and not to the animal,” and while McDonald complained openly about the report, Grant later met with the newspaper’s editor and thanked the printer for reporting so fairly on the event.¹¹⁹⁹ During his trip to St. Louis, President Grant mentioned that he loved driving a

¹¹⁹² McDonald, *Secrets*, 64-70; Simon, *Papers of Ulysses S. Grant*, 26, 1875, 116-117

¹¹⁹³ Ibid; Elverton Chapman in *Whiskey Frauds Testimony*, 395

¹¹⁹⁴ *St. Louis Daily Globe Democrat*, November 19, 1875

¹¹⁹⁵ Ibid

¹¹⁹⁶ McDonald, *Secrets*, 95-101; Simon, *Papers of Ulysses S. Grant*, 25, 1874, 207-208

¹¹⁹⁷ Ibid

¹¹⁹⁸ Walter B. Stevens, *Grant in St. Louis*. St. Louis: Franklin Club, 1916. 110-114

¹¹⁹⁹ Ibid

particular team of horses and a carriage that belonged to McDonald and offered him \$1000 for the team.¹²⁰⁰ McDonald rebuffed the president, insisting that he planned to give them to him as a gift.¹²⁰¹ McDonald took things a step further by having gold breastplates made for each horse engraved with Grant's name, and he turned over the receipts to the president while making a copy for his own records should he need leverage over Grant someday.¹²⁰² McDonald delivered the horses to the White House that December, and Grant insisted on paying for them; later McDonald attested that Grant "gave me a \$10 note and I returned him \$7 in change, leaving me with the sum of \$3 for a \$6,000 outfit."¹²⁰³ McDonald continued his efforts to flatter Grant during the entirety of his tenure, but these moments represent the most blatant attempts to gain the president's favor.

McDonald left his meeting with President Grant heading to see Babcock to determine why new investigations were being conducted into the whiskey trade in St. Louis.¹²⁰⁴ Babcock assured McDonald he neither knew why men were being sent nor would he allow them to again blackmail the distillers in the Ring.¹²⁰⁵ Babcock took McDonald to meet with Douglass the next day to warn him off from sending agents to St. Louis.¹²⁰⁶ McDonald went further, accusing Douglass of being in cahoots with the agents in the blackmailing scheme, threatening them that he would report them to President Grant if the agents were sent.¹²⁰⁷ Douglass was rattled by McDonald's outburst and assured him that no agents would be sent to St. Louis as there were no

¹²⁰⁰ McDonald, *Secrets*, 95-102; Cooper, *McDonald and the Whiskey Ring*, 79; *New York Times*, October 11, 1874

¹²⁰¹ Ibid

¹²⁰² Ibid

¹²⁰³ Cooper, *McDonald and the Whiskey Ring*, 80; McDonald, *Secrets*, 105-108

¹²⁰⁴ McDonald, *Secrets*, 110-115; *New York Times*, February 18, 1876

¹²⁰⁵ Ibid

¹²⁰⁶ Cooper, *McDonald and the Whiskey Ring*, 16; *New York Times*, February 18, 1876

¹²⁰⁷ Ibid

grounds for suspicion.¹²⁰⁸ Satisfied with the parts in play in Washington, McDonald returned to St. Louis, but not before telling Babcock to follow up with the agents and ensure they knew their orders to go to St. Louis were cancelled.¹²⁰⁹ Babcock responded via telegram on December 13th “I succeeded. They will not go. Will write you. *Sylph*,” ending the message with an inside joke between the old friends.¹²¹⁰ On his return to St. Louis, McDonald made sure Joyce thanked Babcock for his efforts, sending him a box of the best cigars they could find with a \$1000 bill enclosed.¹²¹¹ Babcock thanked them in a letter, adding that he and the president were pleased with “the excellent flavor of those cigars.”¹²¹²

By this point, Commissioner Douglass was extremely frustrated by his lack of success uncovering the Whiskey Ring. His efforts to investigate the Ring were continuously rebuffed, so Douglass decided to break up the organization by transferring McDonald and Joyce to Philadelphia.¹²¹³ This plan required the approval of Secretary of the Treasury Benjamin Bristow, who approved the plans effective February 15, 1875.¹²¹⁴ When he heard of his impending transfer, McDonald messaged Douglass in a panic, and Douglass responded that this was only a temporary measure.¹²¹⁵ McDonald was unhappy with any reassignment, regardless of how temporary, and he had Babcock insist the order be withdrawn as bad policy that would bring undue attention to President Grant, and Douglass refused, insisting that only Grant could revoke the orders.¹²¹⁶ Grant had the orders overturned to the delight of ring members, as well as the

¹²⁰⁸ Ibid

¹²⁰⁹ David Patterson Dyer, *Autobiography and Reminiscences*. St. Louis: Willim Harvey Miner, 1922. 167.

¹²¹⁰ Ibid

¹²¹¹ McDonald, *Secrets*, 119-122

¹²¹² Ibid

¹²¹³ Dillon, *Cases for the Eighth Circuit*, 3:609-613; John Henderson in *Whiskey Frauds Testimony*, 70-71; Supervisor Tutton in *Whiskey Frauds Testimony*, 438; *Chicago Daily Tribune*, February 2, 1875; *New York Tribune*, April 2, 3, 1874; *Washington Evening Star*, May 5, 1874

¹²¹⁴ Ibid

¹²¹⁵ Ibid

¹²¹⁶ Ibid

disdain of Douglass and Bristow, and he assured them that Babcock had not tried to influence his decision on the matter whatsoever, but that he did so because of pressure from “prominent men” of whom he would not reveal the names.¹²¹⁷

Joyce returned from St. Louis and continued his dastardly acts under the assumption that the Whiskey Ring was safe. His first action when he returned was to thank both Babcock and Avery for their roles in putting down the order.¹²¹⁸ He and the Ring had to replace Fitzroy, their bagman, when he fell ill and had to leave St. Louis.¹²¹⁹ His replacement was chosen to be Abijah Everest, who was quickly put to work by Joyce delivering repayment to Babcock and Avery.¹²²⁰ His first act was to convert \$1000 in small bills into two \$500 bills and send one to each of the two men, assuring that they knew the Ring was grateful for their assistance. The Whiskey Ring was stronger than ever, even with a few members having been rotated out, and their successes in hiding their misdeeds ensconced them as a force to be reckoned with in St. Louis.

Breaking the Ring

Though the Whiskey Ring subverted the majority of investigations brought forth by the IRS, it was ultimately a feud between local newspapermen that led to its downfall. William McKee, the owner of the *Missouri Democrat* who was an early member of the Whiskey Ring, was in the midst of a bitter fight with his partner in the paper, George Fishback.¹²²¹ Growing differences over the paper’s operations forced the two to resolve their problems in court with McKee selling his shares to Fishback.¹²²² McKee then launched his own competing newspaper,

¹²¹⁷ Ibid

¹²¹⁸ *St. Louis Daily Globe Democrat*, November 18, 1875; *New York Times*, February 11, 1876

¹²¹⁹ Ibid

¹²²⁰ Ibid

¹²²¹ Cooper, *McDonald and the Whiskey Ring*, 85-87

¹²²² Ibid

the *St. Louis Globe*, and a battle broke out between the two as McKee stole Fishback's editor for his new startup.¹²²³ McKee had the added benefit of being funded partially by the Whiskey Ring, while Fishback was in desperate need of funding and turned to McDonald to ask for a loan of \$5000.¹²²⁴ He played on McDonald's ego by presenting him with an editorial praising him for his role as an influential Republican, but he was not swayed.¹²²⁵ McDonald, in perhaps his greatest mistake, turned down Fishback's offer even though he knew Fishback was aware of the Ring's efforts in the city.

In February 1875, furious over McDonald's unwillingness to pay the \$5000 loan/hush money, Fishback wrote a seething letter to his Washington correspondent with instructions to show its contents to Secretary of the Treasury Benjamin Bristow (**Figure 5.3**).¹²²⁶ Fishback assured Bristow that it was possible to break the Ring if he could appoint an individual with absolute authority to be named by Fishback and assure complete secrecy on the matter.¹²²⁷ Bristow quickly set up a meeting with Fishback and Solicitor of the Treasury Bluford Wilson where Fishback provided the facts as he knew them, and Wilson and Bristow were convinced that everyone associated with whiskey distilling and its oversight was complicit in defrauding the government.¹²²⁸ Fishback offered the name of Myron Colony, the commercial editor of the *Democrat*, as a potential investigator, as his position offered him cover to gather evidence into the crimes being committed and Bristow agreed, deputizing Colony as a Secret Service agent.¹²²⁹ McDonald learned that Fishback traveled to Washington and telegraphed Babcock to inquire into

¹²²³ Ibid

¹²²⁴ Ibid; McDonald, *Secrets*, 125-126

¹²²⁵ McDonald, *Secrets*, 125-126

¹²²⁶ Bluford Wilson in *Whiskey Frauds Testimony*, 353; Edith Wharton, "The Whiskey Ring," *North American Review* 12 (1876) 282-283

¹²²⁷ Ibid

¹²²⁸ Ibid

¹²²⁹ Ibid



Figure 5.3: Benjamin H. Bristow: Bristow was a rising star in the Republican Party, a man who was seen as a reformer and a future presidential candidate whose chances at a nomination were made even more likely when President Grant appointed him his Secretary of the Treasury in 1874.¹²³⁰

the reason for this trip, to which Babcock incorrectly responded “Have seen the gentleman [Fishback] and he seemed very friendly. He is here looking after the improvement of the rivers.”¹²³¹

The undercover operations carried out by Colony were a critical missing piece for the earlier investigations into the Whiskey Ring. Colony made it known around St. Louis that he was conducting a survey of the business activity in the city, and he placed men at each freight and landing depot to copy cargo records.¹²³² These men, unaware they were working for the Secret Service, kept record of staple articles, including whiskey.¹²³³ Meanwhile Bristow and Bluford Wilson arranged to send investigator Homer Yaryan to St. Louis without notifying Commissioner of Internal Revenue John Douglass, who they did not trust.¹²³⁴ On his trip, Yaryan, who was already associated with McDonald, informed him that he was there to

¹²³⁰ Matthew Brady, *Benjamin Helm Bristow*. Photograph. Photo Courtesy of the Library of Congress

¹²³¹ McDonald, *Secrets*, 127

¹²³² McDonald, *Secrets*, 128-129; Homer Yaryan in *Whiskey Frauds Testimony*, 333

¹²³³ Ibid

¹²³⁴ Ibid

investigate back taxes for the railroads, while his real purpose was meeting with Fishback and Colony to assess their progress.¹²³⁵ Fishback and Colony, wary of a revenue collector from Washington, remained “distant and apparently afraid” of Yaryan.¹²³⁶ They were correct to view him in this manner, as he met multiple times with McDonald and Joyce on this trip. At one such meeting, Joyce showed him “a pile of letters – from General Babcock, written to him, and in one of the letters...he allowed me to read a portion where there was a very cordial invitation to go to Long Branch and stay a month, or all summer if he wanted to,” bragging of his close relationship to such a powerful figure.¹²³⁷

McDonald was quick to recognize what Colony and his agents were doing in St. Louis, and it was too late to take any meaningful action. He was not aware of this situation, though, so he still made an attempt to ensure his Ring’s secrecy. McDonald sent some low-level thugs to harass and physically beat Colony’s investigators, but by that point, Colony’s men had collected enough information.¹²³⁸ Colony discarded all information except those related to distilling, and in doing so he developed an understanding of the entirety of the St. Louis whiskey shipping processes that by mid-April fully exposed the racket.¹²³⁹ He presented his information to Solicitor Bluford Wilson, who in turn presented the information to Bristow. The two then began to plan a series of raids across the Midwest to catch the tax evaders with special focus on McDonald’s operation in St. Louis.

McDonald, continuing to do what he could to protect the Whiskey Ring, traveled to Washington once again to meet with Secretary Bristow, General Babcock, and President Grant.

¹²³⁵ Ibid

¹²³⁶ Ibid

¹²³⁷ Ibid

¹²³⁸ Bluford Wilson in *Whiskey Frauds Testimony*, 354-355; Cooper, *McDonald and the Whiskey Ring*, 86-87

¹²³⁹ Ibid

He first met with Bristow in a meeting where he attempted to find out what the Secretary knew, and Bristow said that “I can’t exactly tell you that but I have got a barrel of [evidence].”¹²⁴⁰ Bristow further suggested that “it would be more gratifying to him to have the officers [of the Ring] resign than to be compelled to remove them” before McDonald hurried off to meet with Grant and Babcock.¹²⁴¹ At this meeting, McDonald realized that stopping Bristow was impossible and, after a brief attempt to make a deal with Bristow, he handed President Grant his letter of resignation.¹²⁴² McDonald returned to St. Louis and informed his fellow ring members of his meetings and the evidence against them, at which point they also submitted their resignations.¹²⁴³ McDonald continued to receive updates from Babcock, who falsely assured him that no deals would be made with the distillers in exchange for immunity, entirely unaware that the prosecution would turn his way soon enough.¹²⁴⁴

Bristow and Wilson met again in early May 1875 and agreed to carry out their plans to raid St. Louis. Bristow wanted to hurry to uncover these crimes so he could take the credit for reforming the system himself.¹²⁴⁵ Wilson sent men to St. Louis to raid the distilleries on May 10th, and Myron Colony met them outside of town with carriages that took the agents directly to the distilleries.¹²⁴⁶ These raids were coordinated to also eliminate similar rings in Chicago, Milwaukee, and other cities across the American Midwest to prevent any destruction of evidence should word spread.¹²⁴⁷ The seizures carried out in St. Louis rivalled “anything that the real or

¹²⁴⁰ Bluford Wilson in *Whiskey Frauds Testimony*, 354-356, 482; McDonald, *Secrets*, 158-160

¹²⁴¹ *Ibid*

¹²⁴² *Ibid*

¹²⁴³ *Ibid*

¹²⁴⁴ *Ibid*

¹²⁴⁵ *Ibid*; Calhoun, *The Presidency of Ulysses S. Grant*, 497

¹²⁴⁶ Elverton Chapman in *Whiskey Frauds Testimony*, 389-393; Simon, *Papers of Ulysses S. Grant*, 26, 1875, 284-285; Bluford Wilson in *Whiskey Frauds Testimony*, 482

¹²⁴⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 497-498; Dyer, *Autobiography*, 138-152; H.V. Boynton, “The Whiskey Ring,” *North American Review* 123 (October 1876): 299-300.

fictional Elliot Ness and his ‘Untouchables’ ever accomplished during the prohibition era in America,” according to author and researcher Edward S. Cooper.¹²⁴⁸ On the day of the raids, McDonald worked to prevent the complete overhaul of his Whiskey Ring. He wired Douglass to inform him of the distilleries and rectifying houses that were seized by government agents and complain that this was done without his knowledge.¹²⁴⁹ He asked for orders, unaware that Douglass was replaced, and Douglass responded that his orders would come from someone else.¹²⁵⁰ Desiring to reform the system in St. Louis, Grant sought new blood in the federal attorney’s office, and Bristow recommended David Dyer, who was nominated, approved, and immediately went to work gathering evidence and securing indictments.¹²⁵¹ Continuing their reform efforts, Bristow and Grant received a report that “the most outrageous frauds” lay “under the Commissioner’s nose unexamined” for months and they immediately fired Commissioner Douglass.¹²⁵² These raids served as a wake-up call for both the criminal and the criminally negligent as they signaled that changes lay on the horizon.

After the raids, the investigations into the Whiskey Ring proceeded at a lightning pace. McDonald was introduced to Supervisor of Internal Revenue Lucien Hawley, who informed him that he was assigned to “special duty in the State of Missouri” by Bristow.¹²⁵³ McDonald attempted to keep this new player under his thumb by offering Hawley space to work in his office, but Hawley declined, setting up his home base in a nearby hotel.¹²⁵⁴ From the Lindell

¹²⁴⁸ Cooper, *McDonald and the Whiskey Ring*, 88

¹²⁴⁹ Cooper, *McDonald and the Whiskey Ring*, 89; McDonald, *Secrets*, 131-169

¹²⁵⁰ Ibid; *Whiskey Frauds Testimony*, 354-482

¹²⁵¹ Calhoun, *The Presidency of Ulysses S. Grant*, 497-498; Dyer, *Autobiography*, 138-152; H.V. Boynton, “The Whiskey Ring,” *North American Review* 123 (October 1876): 299-300; “Sylph” [Orville Babcock] to John McDonald, December 13, 1874, telegram; Elverton Chapman in *Whiskey Frauds Testimony*, 390-392

¹²⁵² Cooper, *McDonald and the Whiskey Ring*, 89; McDonald, *Secrets*, 131-169; *Whiskey Frauds Testimony*, 354-482; Hamilton Fish Diary, April 13-21, 1875

¹²⁵³ McDonald, *Secrets*, 154-169

¹²⁵⁴ Ibid

Hotel, Hawley brought in many workers from the seized businesses, examining them under oath to determine the extent of the Ring's power.¹²⁵⁵ They obtained such evidence as a memoranda book from a bookkeeper, Joseph Gross, who kept record of dates and payments to specific agents.¹²⁵⁶ Hawley continued to dig in spite of rumors that aimed to stop the investigation, particularly one orchestrated by McDonald that Bristow's investigations were nothing but an attempt to discredit President Grant so he could win the Republican presidential nomination in the next election.¹²⁵⁷ Perhaps this rumor resulted from Babcock's informing McDonald of the prosecution's testimony-for-immunity arrangement, and Babcock warned McDonald "keep your head level and undertake nothing you cannot carry out for certain – and beware of skunks – who profess to be friends."¹²⁵⁸ Babcock himself started to receive letters from "A Friend Who Knows" in St. Louis, who McDonald later proved through handwriting to be former bagman Joseph Fitzroy, indicating that "If you don't protect the subordinate officers in St. Louis who are now in trouble, lightning will strike in Washington."¹²⁵⁹ Amid the growing concerns in St. Louis, President Grant was forced to comment that "McDonald had been a friend of his, and had grievously betrayed, not only that friendship, but the public" through his actions, and on May 22, he accepted McDonald's resignation.¹²⁶⁰

On June 14, 1875, newly-appointed District Attorney David Dyer informed Benjamin Bristow that a grand jury indicted five men, including McDonald and Joyce, for their roles in the Whiskey Ring.¹²⁶¹ Dyer was determined to uncover each individual associated with the Whiskey

¹²⁵⁵ Elverton Chapman in *Whiskey Frauds Testimony*, 390-392

¹²⁵⁶ *Ibid*

¹²⁵⁷ Cooper, *McDonald and the Whiskey Ring*, 89-90; McDonald, *Secrets*, 170-179

¹²⁵⁸ *Ibid*

¹²⁵⁹ *Ibid*

¹²⁶⁰ Simon, *Papers of Ulysses S. Grant*, 26, 1875, 238, 284-285; Elverton Chapman in *Whiskey Frauds Testimony*, 391; Dyer, *Autobiography*, 151-163; *New York Times*, May 23, 1875

¹²⁶¹ Simon, *Papers of Ulysses S. Grant*, 26, 1875, 118; *New York Times*, February 11, 1876

Ring, assuring Bristow that he would “have the whole gang before they adjourn.”¹²⁶² McDonald was released after posting a \$5,000 bail, but his situation looked dire.¹²⁶³ He did not let this situation get the best of him, though. Amid Dyer’s continued investigations and presentations of information before the grand jury, McDonald took Joyce on a vacation to his estate, Sunnyside, in Wisconsin.¹²⁶⁴ Joyce later remarked “if the newspaper puritans knew how happy I was, and the real indifference I felt at their efforts to put me in prison, a hardware factory would not be sufficient to furnish files for their biting.”¹²⁶⁵ These newspapermen did comment on Joyce and McDonald’s gallivant through Sunnyside, though they erred in asserting that Joyce served as “the brains, the energetic, active agent” of the Ring while McDonald was labeled “a nobody.”¹²⁶⁶

With key Ring members beginning to receive more attention in the press, other members began to worry about their futures with some afraid that the investigations would lead all the way up the hierarchy to Washington, reaching such accomplices as Orville Babcock. Babcock himself began to worry that McDonald might agree to a plea deal with Bristow and strategized to prevent McDonald from talking. Babcock could not communicate openly with McDonald during his indictment, so he arranged for the quartermaster in St. Louis, Major Edward Grimes, to oversee events in St. Louis in his stead.¹²⁶⁷ Grimes served as an intermediary between Babcock and McDonald, and he was also charged with determining if Dyer’s investigation might extend beyond St. Louis to Washington.¹²⁶⁸ Grimes met with both Dyer and McDonald, then reported back to Babcock that Dyer “would be governed by his instructions from Washington” and at that

¹²⁶² Ibid

¹²⁶³ Ibid

¹²⁶⁴ Joyce, *A Checkered Life*, 242; *Highland Weekly News* (Hillsboro, OH), December 9, 1875

¹²⁶⁵ Joyce, *A Checkered Life*, 242

¹²⁶⁶ *Highland Weekly News* (Hillsboro, OH), December 9, 1875

¹²⁶⁷ Edwards Pierrepont in *Whiskey Frauds Testimony*, 6; McDonald, *Secrets*, 182-184

¹²⁶⁸ Ibid

point did not seem intent on looking beyond the Midwest.¹²⁶⁹ Grimes mentioned that if any connection to Washington was uncovered, then it would be overlooked, and in a worst case scenario, any indictments would be withdrawn by the prosecution.¹²⁷⁰ This worried Babcock, who knew Dyer to be an honest man, making Grimes's report dubious.¹²⁷¹ Babcock tasked Grimes with questioning Dyer once again with more direct questions, and he returned with information that better aligned with Babcock's assumptions: Dyer was determined to expose and dismantle the Ring even if the charges went so high as the President.¹²⁷² He told McDonald that he had "done all I can with him" and that "if he persists in covering the entire White House with disgrace, my suggestion would be to have him dismissed."¹²⁷³

During pretrial investigations, Dyer continued to uncover pieces of evidence that tied specific individuals indelibly to the Whiskey Ring. Dyer discovered a gauger who swore he knew a man named Conduce Megrue who once collected money for the Ring, and he subsequently indicted Megrue, seeking his return to St. Louis.¹²⁷⁴ Prior to appearing before the grand jury, Megrue made a deal with Dyer to implicate McDonald, Joyce, Ford, and McKee in his testimony.¹²⁷⁵ Dyer also made deals with two of the distillers to implicate William Avery as an accomplice.¹²⁷⁶ By making these deals, Dyer uncovered some of the most damning evidence in his quest to bring the Ring to justice.

In preparation for his defense, McDonald hired attorney Chester Krum to maintain the protections of a well-reputed lawyer. Krum was a former U.S. Attorney for the district at the

¹²⁶⁹ Ibid

¹²⁷⁰ Ibid

¹²⁷¹ Ibid

¹²⁷² Ibid

¹²⁷³ Ibid

¹²⁷⁴ *New York Times*, July 29, 1875; David Dyer in *Whiskey Frauds Testimony*, 32

¹²⁷⁵ Ibid

¹²⁷⁶ Ibid

outset of the Ring's operations under McDonald who resigned in Fall 1872 to run for circuit judge.¹²⁷⁷ Krum was an enemy turned ally of McDonald, as he initially opposed his placement in St. Louis but reconsidered his statements and joined the August 1872 letter-writing campaign to ensure the extension of McDonald's tenure as Internal Revenue Supervisor due to his prominent connections in the Republican Party.¹²⁷⁸ This change of heart is likely attributed to a \$600 campaign contribution from McDonald in Krum's attempt at a judgeship, which he won.¹²⁷⁹ McDonald made it clear that this money was from the Whiskey Ring, and upon McDonald's indictment Krum resigned so he could defend the Ring rather than prosecute it.¹²⁸⁰ Krum proved to be a valuable asset in McDonald's quest to avoid jail time, though McDonald did not always heed his lawyer's advice.

Babcock soon began to worry about being uncovered as a member of the Whiskey Ring. He wrote to McDonald, afraid his cohort would make a deal with Dyer to turn him in, assuring him that he was "not aware that I have ever received anything but kindness at the hands of you or Joyce."¹²⁸¹ He also wrote to Avery, who was concerned about his involvement being uncovered via the distillers' testimony.¹²⁸² He incorrectly informed Avery that the distillers would not be allowed to turn state's evidence while asking Avery to find out if they would be called as witnesses.¹²⁸³ He also told him that he had a middleman in St. Louis through whom Avery should communicate with McDonald should the need arise.¹²⁸⁴ As the days passed, Babcock

¹²⁷⁷ Joyce, *A Checkered Life*, 242

¹²⁷⁸ McDonald, *Secrets*, 73-74

¹²⁷⁹ Joyce, *A Checkered Life*, 242

¹²⁸⁰ Ibid

¹²⁸¹ Simon, *Papers of Ulysses S. Grant*, 26, 1875, 240

¹²⁸² *New York Sun*, November 22, 1876

¹²⁸³ Ibid

¹²⁸⁴ Ibid

grew more worried about McDonald due to silence between the two, and he spoke with President Grant about potentially meeting with McDonald on their upcoming visit to St. Louis.¹²⁸⁵

Babcock journeyed to St. Louis with President Grant in late September 1875 for a preplanned stop in a national tour. Upon his arrival, Babcock messaged McDonald to meet him at a nearby restaurant, ensuring that he was not followed en route.¹²⁸⁶ He was wise to encourage these precautions, as on the same day that Grant's party arrived in St. Louis, Dyer's assistant was given a letter from Solicitor Bluford Wilson instructing him to place McDonald and Joyce "under strict surveillance for the next ten days or two weeks" for fear they might flee the country.¹²⁸⁷ At their meeting, Babcock ensured McDonald that he was on his side, but that McDonald must suggest that President Grant fire Bristow, Wilson, and Dyer.¹²⁸⁸ McDonald, aware of the detectives assigned to follow him and Joyce, made an effort to inconspicuously bump into President Grant in a public room of the hotel in which the President was staying, while Babcock served as an intermediary between the two, and the brief meeting went off without a hitch.¹²⁸⁹

Here Babcock takes on a particularly important role in the story of the Whiskey Ring. Babcock was known as the mouthpiece of the president, so McDonald trusted him, to an extent, that the words he relayed on behalf of the president were truly the president's. However, to this point Babcock handled nearly everything between Washington and McDonald, and President Grant had no knowledge of the work McDonald was doing behind the scenes allegedly for Grant's benefit. Babcock presented information to McDonald that Grant hoped McDonald could

¹²⁸⁵ McDonald, *Secrets*, 201

¹²⁸⁶ McDonald, *Secrets*, 201-204

¹²⁸⁷ Simon, *Papers of Ulysses S. Grant*, 26, 382; Bluford Wilson in *Whiskey Frauds Testimony*, 358-359, 488

¹²⁸⁸ McDonald, *Secrets*, 201-204

¹²⁸⁹ Ibid

dig up some evidence that would allow him to have Bristow, Wilson, and Dyer removed from their posts. He also informed his coconspirator that the president assured him if a jury were to convict, a pardon would be issued the very moment a verdict was announced.¹²⁹⁰ Yet the evidence shows that this was not something Grant ever suggested but was entirely the creation of Babcock in an effort to conceal his misdeeds.¹²⁹¹ This worked, as McDonald informed Babcock that the only way he would allow a trial to happen without making a deal with the investigators was the expectation of a pardon.¹²⁹² Babcock's efforts prove that he was a step ahead of McDonald in the dynamic runaround of the Whiskey Ring.

McDonald, perhaps proving there was no honor amongst thieves, was hesitant to outright trust Babcock's words, and as such he began to prepare a counternarrative for the investigation. McDonald, either by his own hand or through a subordinate, stole Wilson's letter ordering surveillance of the Ring.¹²⁹³ He then took that letter and amended a critical line; in a section stating "You should neglect no fair precaution to reach the very bottom or top of the conspiracy," McDonald added the letters "W.H." after the word "top," suggesting an investigation into the White House was warranted.¹²⁹⁴ He then presented the letter to Babcock to implicate the investigators in going beyond the scope of their inquiry, hopefully convincing Grant that Bristow et al were after him, providing the needed pretext for their removal.¹²⁹⁵ Babcock presented both Bristow and Pierrepont with this forged evidence, which was quickly discredited as a fake.¹²⁹⁶ Babcock, dissatisfied with how easily Pierrepont and Bristow saw through McDonald's ruse,

¹²⁹⁰ Ibid

¹²⁹¹ Ibid

¹²⁹² Ibid

¹²⁹³ Bluford Wilson in *Whiskey Frauds Testimony*, 488

¹²⁹⁴ Ibid

¹²⁹⁵ Ibid

¹²⁹⁶ Bluford Wilson in *Whiskey Frauds Testimony*, 359, 488

involved his patron, President Grant, in matters concerning the investigation. He informed the president of Wilson's letter that went after the commander in chief, and Grant responded by summoning Wilson, demanding an explanation of the letter.¹²⁹⁷ He impressed upon Wilson that Babcock was his most trusted ally and that Dyer seemed to be among his greatest enemies before Wilson showed the president proof that this letter contained a forged "W.H."¹²⁹⁸ He insisted that even if the investigations reached the White House, the "top" referred to in the original letter referred to Babcock, not to the President.¹²⁹⁹ Wilson stated later that the president was "entirely satisfied with my explanation," clearly misreading Grant given the events to come.¹³⁰⁰

While this internal division was sown in Washington, Joyce was forced to confront the upcoming trials against him, and he and his legal team began to reap favorable circumstances within the legal field. While visiting Sunnyside, Joyce learned that the grand jury in Jefferson City also indicted him as a part of a book-clearing scheme in Kansas City.¹³⁰¹ Joyce worried that the smaller-scale thefts in Kansas City would lead to the uncovering of the St. Louis Ring, and he orchestrated a legal maneuver claiming that the Jefferson City indictment now charged him with failing to inform superiors of a conspiracy to produce illegal whiskey.¹³⁰² As the two locales bickered over who had jurisdiction indicting Joyce, he and his legal team recognized that the charges in Jefferson City were less significant than those in St. Louis, so they hoped for Jefferson City as the official trial spot.¹³⁰³ Joyce's luck had not yet run out, as his trial was set for Jefferson

¹²⁹⁷ Simon, *The Papers of Ulysses S. Grant*, 26, 381-383

¹²⁹⁸ Ibid

¹²⁹⁹ Ibid

¹³⁰⁰ Ibid

¹³⁰¹ Joyce, *A Checkered Life*, 253-254

¹³⁰² Ibid

¹³⁰³ Joyce, *A Checkered Life*, 237-260

City, where Joyce hoped to rebuff the “political enemies of President Grant” on the grand jury and effectively defend his actions.¹³⁰⁴

Joyce’s trial, set for October 20, 1875, in Jefferson City, Missouri, kicked off a series of separate trials for members of the St. Louis Whiskey Ring. During the pre-trial period, Joyce went to Washington to attain documents to aid in his defense proceedings.¹³⁰⁵ Here he met with Secretary Bristow, who had the authority to release the needed documents, but before doing so he attempted to turn Joyce to the prosecution’s side.¹³⁰⁶ Joyce reiterated that he had no knowledge of whiskey frauds in Missouri, but Bristow leaned on sympathies for Joyce’s military service before inadvertently presenting a key description of the prosecution’s strategy in the Whiskey Ring cases: “I have no disposition to pursue you to prison, as you were a mere subordinate; but I feel that these parties over the way (pointing to the White House) were the responsible heads of the whole whiskey conspiracy.”¹³⁰⁷ As Joyce once again told Bristow he had no knowledge of these alleged crimes, Bristow responded “Well, if you want to go to prison for other people, it is none of my business.”¹³⁰⁸

Joyce returned to Jefferson City for his trial, where he found that other ring members took the prosecution’s offer to turn state’s witness.¹³⁰⁹ Several of the gaugers and shopkeepers at multiple distilleries involved in the Ring pled guilty and agreed to testify against Joyce.¹³¹⁰ His trial lasted three days, and the jury deliberated for four hours before returning a verdict of guilty

¹³⁰⁴ Ibid

¹³⁰⁵ Ibid

¹³⁰⁶ Ibid

¹³⁰⁷ Ibid

¹³⁰⁸ Ibid

¹³⁰⁹ Joyce, *A Checkered Life*, 253-254; *New York Times*, October 24, 1875; *St. Louis Globe-Democrat*, October 21-25, 1875

¹³¹⁰ Ibid

for the crime of failure to notify superiors of illegal activity.¹³¹¹ Joyce was remanded to the Jefferson City jail awaiting a motion for a new trial.¹³¹² As he waited in the jail, a deputy marshal from St. Louis arrived with a warrant to bring him to St. Louis as a witness in trials into other ring members.¹³¹³ Joyce was aware that if he went to St. Louis he would be tried and likely charged with far greater crimes than those of which he was just convicted in Jefferson City and accordingly withdrew his motion for a new trial, seeking immediate sentencing in Jefferson City, expecting a fairly lenient sentence.¹³¹⁴ Joyce was stunned when the judge sentenced him to a \$2,000 fine and a three and a half year stay in the Missouri State Penitentiary.¹³¹⁵

In November, just days after the close of the election cycle, the grand jury serving the Whiskey Ring investigation sat and proceeded to dole out indictments for the accused.¹³¹⁶ John McDonald and William Avery were the two main suspects, with additional indictments offered for men like Megrue and McKee.¹³¹⁷ By early December, reports circulated through the media that additional indictments were ordered for Orvil Grant, President Grant's brother, and Orville Babcock, among others.¹³¹⁸ The prosecution was quick to quash these rumors, namely those involving President Grant's brother, but their investigations into Babcock remained viable, just not provable given the existing evidence.¹³¹⁹ Bristow wrote about the situation with Babcock that "so far as I am advised, there is no *sufficient* proof before the grand jury to convict him, though there is enough to cast grave suspicions on him, and whether indicted or not the next House of

¹³¹¹ Ibid

¹³¹² Ibid

¹³¹³ *New York Times*, November 13, 14, 1875

¹³¹⁴ Ibid

¹³¹⁵ Joyce was convicted of a federal offense but there were no federal penitentiaries, so he served his time in the Missouri State Penitentiary. Ibid; Cooper, *McDonald and the Whiskey Ring*, 100

¹³¹⁶ Calhoun, *The Presidency of Ulysses S. Grant*, 511

¹³¹⁷ Ibid; Cooper, *McDonald and the Whiskey Ring*, 91

¹³¹⁸ Calhoun, *The Presidency of Ulysses S. Grant*, 513-514; *New York Times*, November 5, 6, 1875

¹³¹⁹ Ibid

Representatives through an investigating committee can & will make a great deal of it.”¹³²⁰ The stakes were extremely high, particularly since the newly elected Congress saw a massive influx of Democrats waiting to make hay of the Republican administration’s alleged malfeasances.¹³²¹ The imminent trials into the Whiskey Ring became noteworthy news for anyone interested in the political realm.

The Whiskey Fraud Trials

McDonald’s trial began on November 15, 1875, with the deck stacked against him, as he had to contend with those in the Whiskey Ring who turned states’ witnesses in order to lessen their own charges. The witness list for the prosecution included bagmen, distillers, shopkeepers, and gaugers, each of whom already pled guilty.¹³²² Meanwhile the defense planned to rely on character witnesses for McDonald, including one by General William Tecumseh Sherman.¹³²³ Krum sought Babcock as a character witness, which Babcock outright refused, perhaps worried that his involvement would lead to suspicion of him as a member of the Ring.¹³²⁴ One reporter noted that “McDonald is the most courageous man in the Ring, and will fight to the last,” a prescient declaration given the events which followed.¹³²⁵

Perhaps the chief witness against McDonald was Conduce Megrue, the former bagman for the ring. The previous June, Dyer messaged Bristow that Megrue “holds the key to the Ring,” and his time on the stand proved this to be the case.¹³²⁶ Megrue testified that in 1871 he received

¹³²⁰ Ibid

¹³²¹ Calhoun, *The Presidency of Ulysses S. Grant*, 511

¹³²² David Dyer in *Whiskey Frauds Testimony*, 32; John Henderson in *Whiskey Frauds Testimony*, 60; *St. Louis Daily Globe-Democrat*, November 16, 1875; Simon, *Papers of Ulysses S. Grant*, 26, 1875, 239-240

¹³²³ Ibid

¹³²⁴ Ibid

¹³²⁵ *New York Times*, November 16, 1875; *Chicago Daily Tribune*, November 19, 1875

¹³²⁶ David Dyer in *Whiskey Frauds Testimony*, 32; John Henderson in *Whiskey Frauds Testimony*, 60; *St. Louis Daily Globe-Democrat*, November 16, 1875; Simon, *Papers of Ulysses S. Grant*, 26, 1875, 239-240

a letter from McDonald, asking him to transfer from Cincinnati to St. Louis where money could be made.¹³²⁷ He explained that he met with McDonald and Joyce as they discussed organizing a Ring to evade taxes and line their own pockets, and he outlined the strategies they developed between distillers and government agents.¹³²⁸ He told the jury he collected an average of \$8500 per week, which he divided at McDonald's office to go to McDonald, Joyce, McKee, Ford, and himself.¹³²⁹ He stated that he earned between \$50-60,000 as a part of the Ring, all of which he lost in the stock market.¹³³⁰

Krum, McDonald's attorney, had his work cut out for him when it came to Megrue's damning testimony. His strategy rested on attempting to impeach Megrue's credibility. Krum elicited testimony from Megrue that he was a married man with children that moved to New York after leaving the Ring in November 1872.¹³³¹ Krum pushed Megrue about his relationship with Kate Chase, a known prostitute, and Megrue admitted to using her services in St. Louis, and that he "knew her in New York as I knew her here," finally getting him to reveal that he paid her \$100 on different occasions for her services.¹³³² Krum further introduced evidence that Megrue was under indictment for bribery, and he reminded the jury that this man made more than \$50,000 as a member of the Ring.¹³³³ Though Megrue was a successful witness for the prosecution, Krum's defense strategy was clear: show that those claiming McDonald was a criminal were criminals themselves.

¹³²⁷ *Chicago Tribune*, November 17, 1875; *St. Louis Globe-Democrat*, November 16, 1875

¹³²⁸ *Ibid*

¹³²⁹ *Ibid*

¹³³⁰ *Ibid*

¹³³¹ *St. Louis Daily Globe-Democrat*, November 17, 1875

¹³³² *Ibid*

¹³³³ *Ibid*

Though Megrue was seen as the lynchpin of the prosecution's efforts, several others took to the stand and assailed McDonald as the leader of the criminal enterprise. Macklot Thompson of the Thompson Distillery; Andrew McGrew, Alfred Bevis and Edward Frazer of the Bevis and Frazer Distillery; rectifier Barnet Engleke; shopkeeper Selvin Thorpe; bookkeeper Joseph Gross; and collector Joseph Fitzroy were all brought forth to reveal details of the Ring.¹³³⁴ They revealed that they were convinced to join the plan to produce illegal whiskey and that they would be paid handsomely for their contributions.¹³³⁵ They also revealed the bribery and coverups that McDonald undertook to prevent discovery by investigators.¹³³⁶ The stories told by each of these individuals were so similar that it suggested the information given was the whole truth, and the prosecution rested its case confident that they proved McDonald's guilt beyond a reasonable doubt.¹³³⁷

It was during the testimony given during the prosecution's case in McDonald's trial that Babcock was implicated as a member of the Whiskey Ring. Multiple figures mentioned General Babcock as a figure lurking in the shadows to support the Ring. Bevis stated that he was assured of protection from Washington and that Joyce showed him a letter signed "Bab," understanding it to reference the president's private secretary.¹³³⁸ Thorpe testified that Joyce informed him that, alongside McDonald, Babcock received money from the Ring for assistance from Washington.¹³³⁹ This testimony was sensationalized by headlines reporting "Testimony

¹³³⁴ *St. Louis Daily Globe-Democrat*, November 17-20, 1875; *New York Times*, November 18-20, 1875; *Chicago Daily Tribune*, November 18, 1875

¹³³⁵ *Ibid*

¹³³⁶ *Ibid*

¹³³⁷ *Ibid*

¹³³⁸ *St. Louis Daily Globe-Democrat*, November 17, 1875

¹³³⁹ *St. Louis Daily Globe-Democrat*, November 17-20, 1875; *New York Times*, November 18-20, 1875; *Chicago Daily Tribune*, November 18, 1875

Implicating General Babcock” that spread through major publications.¹³⁴⁰ McDonald claimed later that, as these ideas circulated, a member of the prosecution approached him to offer him one last attempt to plead guilty if he were able to name names of higher ups like Babcock who were involved in the conspiracy.¹³⁴¹ McDonald stood firm though, replying that he “would accept all consequences” that resulted from the trial, hoping that his defense case would exonerate him.¹³⁴²

Once it was the defense’s time to make their case, Krum made several attempts to clear McDonald of his culpability. He called General Sherman to the stand, and Sherman attested that he knew McDonald since 1861 and he knew “his character for honesty and upright conduct up to the time he was indicted. My knowledge of him was confined to his position as major of the Eighth Missouri, and his reputation there was good.”¹³⁴³ However, he admitted that he knew little of McDonald’s affairs since the war, leaving his actions in the time since up to interpretation.¹³⁴⁴ Krum followed Sherman’s testimony with other character witnesses who, when probed, admitted they had little contact with him in recent years.¹³⁴⁵ Krum continued to enter evidence meant to impeach the reputations of the prosecution’s witnesses before calling William McKee to the stand, where he swore he neither had any knowledge of or any contact with McDonald regarding the Whiskey Ring.¹³⁴⁶ He continued to call members of the Whiskey Ring to the stand, where they also testified they had no knowledge of any misdeeds associated with a Ring.¹³⁴⁷

¹³⁴⁰ Ibid

¹³⁴¹ McDonald, *Secrets*, 212-213

¹³⁴² Ibid

¹³⁴³ *St. Louis Globe Daily-Democrat*, November 20, 1875

¹³⁴⁴ Ibid

¹³⁴⁵ Ibid

¹³⁴⁶ *St. Louis Daily Globe-Democrat*, November 20-21, 1875; *Chicago Daily Tribune*, November 21, 1875; Simon, *Papers of Ulysses S. Grant*, 26, 233, 340-341

¹³⁴⁷ Ibid

On Monday, November 22, the trial came to a close.¹³⁴⁸ Both Krum and Dyer gave their closing arguments, and the jury left to deliberate. After less than four hours, the jury reached a verdict, and the court reconvened for the results.¹³⁴⁹ The jury announced that they found McDonald guilty on all counts, and Dyer asked that the judge either immediately pass sentence or take McDonald into custody.¹³⁵⁰ The judge decided it would be best to wait until the other Whiskey Ring trials were complete to pass sentence and accordingly ordered McDonald to be held in the St. Louis jail until he could post a \$50,000 bail.¹³⁵¹

After his conviction, McDonald was left in a tenuous situation. He had no intention of posting the obscenely high bail.¹³⁵² He believed that, regardless of his legal troubles, that he remained a favorite agent of Babcock and a friend of President Grant, so he hoped that the pardon Babcock previously promised would be on its way as soon as his sentence was passed.¹³⁵³ He believed that his going to jail would prove his loyalty to the higher-ups in Washington.¹³⁵⁴ Before reporting to the jail, McDonald went to Krum's office, where Krum encouraged him to ask for an immediate pardon.¹³⁵⁵ He was much more concerned about McDonald's future than he was about those in Washington, so he tried to present his best case for his client. McDonald received a letter from Babcock earlier that day reassuring him that Grant would offer a pardon, Babcock's own attempt to prevent McDonald from turning on him.¹³⁵⁶ Yet Babcock did not need to worry, as McDonald remained steadfast, sure that his asking for a pardon would jeopardize his

¹³⁴⁸ *New York Times*, November 23, 1875

¹³⁴⁹ *Ibid*

¹³⁵⁰ *Ibid*

¹³⁵¹ *Ibid*

¹³⁵² McDonald, *Secrets*, 213-215

¹³⁵³ *Ibid*

¹³⁵⁴ *Ibid*

¹³⁵⁵ *Ibid*

¹³⁵⁶ *Ibid*

friends in Washington.¹³⁵⁷ He later wrote “My position, serious as it was, did not make me forget my duty. I had avowed my determination to protect...Gen. Babcock even at the sacrifice of my own feelings and humiliation.”¹³⁵⁸ After leaving Krum’s office, McDonald was escorted to jail and assigned to a cell.¹³⁵⁹

To say that McDonald’s time in jail was a punishment would be an outright lie. Upon his arrival, a guard recognized him and took him out of his small cell and left him in the hallway until the jailer returned while ordering dinner and champagne for him from a nearby restaurant.¹³⁶⁰ The jailer worked to ensure McDonald’s comfort, ordering special bedding, painting his cell and decorating with oil paintings, and allowing meals cooked to order alongside cigars and fine drinks.¹³⁶¹ He allowed McDonald visitors, including reporters for interviews, and conjugal visits with his mistress.¹³⁶² He hosted parties for his friends and the jail officers alike, offering delicacies that have no place in jail.¹³⁶³ He was even allowed to leave the jail on certain occasions as long as he was accompanied by the jailer or one of his deputies.¹³⁶⁴ In this capacity, he was allowed nightly passes to attend parties thrown by friends or to visit his mistress either in the nearby home he set up for her or in a nearby hotel.¹³⁶⁵ In many ways, McDonald continued to live in jail as he had as a free man.

From his “cell,” McDonald followed the ongoing trials into the Whiskey Ring, and he witnessed Dyer’s continued efforts to connect Babcock to the alleged crimes in St. Louis through

¹³⁵⁷ Ibid

¹³⁵⁸ Ibid

¹³⁵⁹ Cooper, *McDonald and the Whiskey Ring*, 105

¹³⁶⁰ Cooper, *McDonald and the Whiskey Ring*, 107

¹³⁶¹ McDonald, *Secrets*, 6-7

¹³⁶² McDonald, *Secrets*, 6-11

¹³⁶³ Ibid

¹³⁶⁴ Ibid

¹³⁶⁵ Ibid; *Chicago Daily Tribune*, May 16, June 26, 1878

the ongoing William Avery trial. Avery's testimony implicated McDonald, Joyce, and other members of the Whiskey Ring, as did additional testimony from Conduce Megrue, in an effort to establish that Avery was a stool pigeon in a broader scheme of corruption.¹³⁶⁶ Dyer however continued to push the envelope. He was certain that there was a greater target at which to aim, and through his investigations he became convinced that this target was General Orville Babcock.¹³⁶⁷ He wired Washington these suspicions accordingly: "Acting upon what I consider sufficient testimony to connect Babcock with the conspiracy to defraud the revenue in this district, or at least with having a guilty knowledge thereof, I shall prepare and lay before the grand jury a bill of indictment against him."¹³⁶⁸ By the time Babcock heard this, it was already too late, as Dyer was determined that "when the testimony is sufficient, let neither place, position, nor wealth shield the guilty party," and in this case he was convinced that Babcock wore that guilt.¹³⁶⁹

It was clear by this point in the proceedings that Bristow was on a mission to weed out corruption in the administration wherever it may live, seeking to make a name for himself accordingly. Bristow was determined to make a run at the presidency on the Republican ticket on the basis of his reform efforts, and in doing so, he was determined to make an example of someone with a significant position.¹³⁷⁰ Bristow believed that he was "surrounded by treachery & hatred at every point."¹³⁷¹ He griped about Attorney General Edwards Pierrepont, suggesting his colleague was "utterly unscrupulous & treacherous" to the point that "he will secretly do

¹³⁶⁶ Simon, *Papers of Ulysses S. Grant*, 26, 1875, 236; *New York Times*, November 24-27, December 3-4, 1875; *New York Sun*, November 22, 1876

¹³⁶⁷ Ibid; David Dyer in *Whiskey Frauds Testimony*, 37

¹³⁶⁸ Ibid

¹³⁶⁹ Ibid

¹³⁷⁰ Webb, *Benjamin Helm Bristow*

¹³⁷¹ Calhoun, *The Presidency of Ulysses S. Grant*, 513-514; Benjamin Bristow to John Marshall Harlan, November 7, 1875, John Marshall Harlan Papers, Library of Congress; *New York Times*, November 5-6, 1875

what he can to save the exposure of certain parties to destroy me.”¹³⁷² Bristow also made efforts to investigate other administration members, and in doing so made enough enemies that he alienated himself. He considered resignation, but a friend warned him that any future plans he held would be “imperiled if [he] should quit [his] post voluntarily when the war upon the whiskey ring is raging.”¹³⁷³ Bristow held strong in his post despite relentless opposition within his own party, and his focus shifted to unveiling who he believed to be the mastermind of the Whiskey Ring: Orville Babcock.

By the end of November, Babcock’s situation became dire. The rumors of his indictment throughout the media incited him to take action to prevent his political demise. His friend and former Grant-aide Horace Porter came to Washington to provide counsel to Babcock, and together they convinced Pierrepont to send solicitor Bluford Wilson from the Justice Department to St. Louis to advise Dyer not to indict Babcock “except upon the clearest and fullest testimony.”¹³⁷⁴ Here again Bristow thought Pierrepont sought to undermine his investigations by sending his own subordinate to stop the scandal, but Wilson played along so well that he assured Pierrepont “we have nothing to fear from hasty or ill advised action.”¹³⁷⁵ He omitted from his reports that Dyer continued to investigate Babcock as a potential ring member.¹³⁷⁶ Babcock sought further aid from Porter to use President Grant as a shield, and Porter did so by confronting Wilson on his return with a letter he had written instructing officers in St. Louis to tail McDonald

¹³⁷² Ibid

¹³⁷³ Ibid; John Marshall Harlan to Benjamin Bristow, November 7, 1875, Benjamin Bristow Papers, Library of Congress

¹³⁷⁴ *Whiskey Frauds Testimony*, 361; Bluford Wilson to Benjamin Bristow, November 10, 1875; Bluford Wilson to Edwards Pierrepont, November 10-11, 1875 (telegrams); David Dyer to Bluford Wilson, November 10, 1875, Benjamin Bristow Papers, Library of Congress

¹³⁷⁵ Ibid

¹³⁷⁶ Ibid

and Joyce while President Grant visited the city.¹³⁷⁷ This was the message that urged the recipient to “reach the very bottom or *top* of the conspiracy” with the letters “W.H.” indicating that the White House may be involved.¹³⁷⁸ Wilson maintained his original letter book and showed Porter that he had not written the “W.H.,” insisting that someone else inserted it into the copy in an effort to stir up strife.¹³⁷⁹ Porter attempted once again to persuade Wilson to omit evidence that could damage President Grant’s reputation before leaving, though Wilson did not heed this advice.¹³⁸⁰

As Babcock scrambled to defend his own reputation amidst the growing allegations, perhaps the most damning evidence suggesting his involvement with the Whiskey Ring was uncovered in mid-November during John McDonald’s trial in St. Louis. On the same day that Bristow met with President Grant to inform him that nothing had been found implicating Babcock, Wilson and the St. Louis prosecutors continued to dig into the matter.¹³⁸¹ They soon found a telegram that would crack their case wide open. This telegram was dated December 5, 1874 and was sent from Babcock to Joyce, and it informed its recipient that the sender did not find “that anyone had gone or is going.”¹³⁸² Babcock here referred to investigators not being sent to investigate the ring in St. Louis, but here he did not use a pseudonym to sign the telegram but his own name.¹³⁸³ When Bristow received the evidence, he showed it to President Grant, who expressed his faith in his friend but nevertheless expressed “that if he was guilty he hoped he

¹³⁷⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 514-515; *Whiskey Frauds Testimony*, 358-362, 540-542

¹³⁷⁸ Ibid

¹³⁷⁹ Ibid

¹³⁸⁰ Ibid

¹³⁸¹ Bluford Wilson to James Harrison Wilson, November 18, 1875; Benjamin Bristow to James Harrison Wilson, November 20, 1875, Ulysses S. Grant Papers, Ulysses S. Grant Presidential Library; Bluford Wilson to Lucien Eaton, November 17, 1875, Orville Babcock to John Joyce, December 5, 1874, quoted in Eaton to Bluford Wilson, November 19, 1875 (telegram), “J” to Orville Babcock, December 3, 1874, quoted in Eaton to Bluford Wilson, November 29, 1875 (telegram), Benjamin Bristow Papers, Library of Congress

¹³⁸² Ibid

¹³⁸³ Ibid

would be prosecuted to the bitter end.”¹³⁸⁴ The two then confronted Babcock with the telegram, and he insisted that he did not remember the context of the message but assured them that “in any event it could not relate to any criminal transaction, between himself and the person to whom it was addressed.”¹³⁸⁵

This telegraph proved problematic for Babcock in part because, when combined with another series of telegrams, it implicated him as a key member in the Whiskey Ring. This series of telegrams, referred to as the “Sylph Telegrams,” spelled doom for Babcock in Dyer’s investigation. As the investigators dug into McDonald’s sent and received telegrams, they came across a copy of one that was signed “Sylph” which read “I succeeded. They will not go. Will write you.”¹³⁸⁶ The investigators noticed the indication of someone preventing something amid their uncovering a conspiracy and determined to find out who Sylph could be. Dyer messaged Bristow the copy of the telegram and asked him to go to the telegraph office in Washington where the records of original messages were kept to find the original.¹³⁸⁷ Bristow did as he was asked, and after conferring with Dyer, they determined that the original was written in Babcock’s handwriting.¹³⁸⁸ The timing of the missive coincided with a cancelled investigation in St. Louis, leading the investigators to believe the two were related.¹³⁸⁹ When confronted, Babcock suggested that this letter was in reference to a bridge being built in St. Louis and that “Sylph”

¹³⁸⁴ Bluford Wilson to David Dyer, November 20, 1875, Benjamin Bristow Papers, Library of Congress

¹³⁸⁵ Ibid

¹³⁸⁶ Dyer, *Autobiography*, 166-167; Edwards Pierrepont in *Whiskey Frauds Testimony*, 2; “Sylph” (Orville Babcock) to John McDonald, December 13, 1874 (telegram); *Washington Evening Star*, July 8, 1875; Simon, *Papers of Ulysses S. Grant*, 26, 118, 239, 285-286; Calhoun, *The Presidency of Ulysses S. Grant*, 498

¹³⁸⁷ Ibid

¹³⁸⁸ Ibid

¹³⁸⁹ Ibid

referenced the honor of a woman, and as such he could not disclose its meaning, but he insisted it was nothing more than an inside joke.¹³⁹⁰

The true meaning behind the anonymous “Sylph” may never be known for sure, but several rumors emerged. One such rumor from Bluford Wilson was that Horace Porter suggested Sylph was a woman President Grant took as a mistress, though this came only from hearsay.¹³⁹¹ Joyce suggested that it referred to a joke about a woman he and Babcock saw in Washington whom he compared to a sylph, leading to the two to jokingly sign letters to one another accordingly.¹³⁹² The more conventionally accepted understanding of Sylph was given later by John McDonald. McDonald recalled that one day, he, Babcock, and Joyce were walking down the street in St. Louis when a beautiful woman walked pass, causing Joyce to tip his cap in acknowledgment.¹³⁹³ Babcock was enamored by the woman’s petite frame and her beauty and remarked as such to Joyce, who informed his friend that she was “the essence of grace with a tongue on which the oil of vivacity and seduction never ceased running.”¹³⁹⁴ Babcock asked Joyce more about her and Joyce, no stranger to poetry, quoted a known Kentuckian that “Her Sylph-like form, her beauty and grace, She floats like a seraph on the light wings of space.”¹³⁹⁵ By this point, Babcock became enraptured with the woman, a courtesan named Louise Hawkins, and Joyce informed Babcock that it would be improper to meet her again on the street, instead suggesting that he could make arrangements for the two to meet in a few hours.¹³⁹⁶ They arranged to meet at a nearby restaurant later that night, where Babcock and Hawkins chatted and

¹³⁹⁰ Cooper, *McDonald and the Whiskey Ring*, 109; Jean Edward Smith, *Grant*, 591

¹³⁹¹ Bluford Wilson in *Whiskey Frauds Testimony*, 359

¹³⁹² Joyce, *A Checkered Life*, 282

¹³⁹³ McDonald, *Secrets*, 115-119

¹³⁹⁴ *Ibid*

¹³⁹⁵ *Ibid*

¹³⁹⁶ *Ibid*

drank before Joyce offered Babcock the key to McDonald's office located above the restaurant.¹³⁹⁷ Joyce left the restaurant as Babcock and his Sylph proceeded up the stairs for the evening, creating a lasting story for the friends to remember in code through the pseudonym "Sylph" in future correspondence.¹³⁹⁸

Regardless of who Sylph was, a handwriting comparison made Bristow sure that Babcock was the sender of the Sylph telegram, and that other suspicious telegrams could accordingly be linked to him as well.¹³⁹⁹ What's more, Bristow was sure from the telegrams collected that Babcock and McDonald were conspiring to defraud the government, and that they were attempting to hide their identities while doing so.¹⁴⁰⁰ Bristow instructed the prosecutors for the cases into the May raids to seek an indictment for Babcock.¹⁴⁰¹ Dyer compiled the existing testimony and evidence and promised to present it to the grand jury so they could successfully indict Babcock.¹⁴⁰²

Before Dyer could present this information to the grand jury, one of his associates erred by presenting evidence that implicated Babcock in one of the ongoing trials into the Whiskey Ring. John Henderson, who was one of the prosecutors in the case into William Avery, caused an uproar in his closing arguments when he referred to the indiscretions Babcock made by sending telegrams allegedly important to the actions of the Ring.¹⁴⁰³ What drew the media's attention though was that Henderson invoked President Grant in his passionate diatribe to the jury.¹⁴⁰⁴ "What right had the President to interfere with the honest discharge of the duties of a

¹³⁹⁷ Ibid

¹³⁹⁸ Ibid

¹³⁹⁹ Cooper, *McDonald and the Whiskey Ring*, 110-111; David Dyer in *Whiskey Frauds Testimony*, 37

¹⁴⁰⁰ Ibid

¹⁴⁰¹ Ibid

¹⁴⁰² Ibid

¹⁴⁰³ Simon, *Papers of Ulysses S. Grant*, 26 375-379; *New York Times*, December 3, 11, 1875

¹⁴⁰⁴ Ibid

Secretary of the Treasury? None whatever...It belonged not to Grant, it belonged not to Babcock, it was [revenue collector] Douglass's own business."¹⁴⁰⁵ This impassioned closing argument quickly reached the White House and spread throughout the nation, though it took longer than the jury in the Avery case, which returned a guilty verdict after only four hours.¹⁴⁰⁶

As Avery's trial came to a close and he was found guilty, President Grant convened a cabinet meeting and brought forth a request from Babcock for a military court of inquiry into the allegations against him.¹⁴⁰⁷ Some members of the cabinet supported the idea, while others noted that the impending civil indictment from the grand jury took precedence.¹⁴⁰⁸ The following day, the president granted Babcock's request, ordering Secretary Belknap to comprise a council comprising General Phil Sheridan, General Winfield Hancock, and General Alfred H. Terry as judges.¹⁴⁰⁹ The generals in charge of this trial were acquaintances, if not friends, of both Grant and Babcock, and the assigned prosecutor, Asa Bird Gardner, had performed financial services for Babcock in the past.¹⁴¹⁰ As this military inquiry began, Attorney General Pierrepont instructed the civil court not to suspend their proceedings, and given the precedence of the civilian court, the court of inquiry was dissolved.¹⁴¹¹

On December 9, 1875, Babcock was indicted for conspiracy to defraud the government of tax revenue on one million gallons of whiskey, scheduling the trial to begin three months later

¹⁴⁰⁵ Ibid

¹⁴⁰⁶ Ibid

¹⁴⁰⁷ Allan Nevins, *Hamilton Fish: The Inner History of the Grant Administration*. New York: Dodd, Mead, 1936. 790-791; McFeely, *Grant*, 410-411; *New York Times*, December 5, 1875

¹⁴⁰⁸ Ibid

¹⁴⁰⁹ Ibid; Calhoun, *The Presidency of Ulysses S. Grant*, 516-517

¹⁴¹⁰ Nevins, *Hamilton Fish*, 790-791; McFeely, *Grant*, 410-411; *New York Times*, December 5, 1875

¹⁴¹¹ Ibid

on February 8, 1876.¹⁴¹² With this indictment, Babcock believed he had “a means of vindication” in federal court and asked that Grant dismiss the military inquiry, which he did.¹⁴¹³ This indictment was a media disaster that the Grant Administration did not need given its connections to other improprieties. One member of the grand jury, former Republican state chairman Elias Fox, was friends with both Grant and Babcock, and he attempted to relieve this pressure on the administration.¹⁴¹⁴ He and the other grand jurors wrote a public letter to President Grant expressing their gratitude for his moral support of their duties.¹⁴¹⁵ They explained that his assertion to “Let no guilty man escape” was something they tried to embody and saluted his “wisdom, patriotism, and independence” in rooting out these criminals.¹⁴¹⁶ This was nowhere near enough to make up for the disaster that Babcock’s indictment brought with it, but it showed that there was a belief that President Grant was not involved and that the people supported him.

Babcock and his legal team quickly began to prepare for a trial into his actions as an alleged member of the Whiskey Ring, and in doing so they began to ascertain what information, if any, Dyer had that could implicate Babcock. They received assurances from both McDonald and Joyce that the two would not testify against Babcock, and Babcock made attempts to attain the letters he sent to them both, though McDonald made efforts to keep some as insurance if needed.¹⁴¹⁷ This still was not enough for Babcock, so he organized to send a former Union spy, Charles Bell, to investigate Dyer’s evidence and plan of attack.¹⁴¹⁸ Bell, masquerading as a

¹⁴¹² Simon, *Papers of Ulysses S. Grant*, 26, 380-385; *Whiskey Frauds Testimony*, 40-41, 335-342; Lucien Eaton to Bluford Wilson, December 7, 9, 1875 (telegrams), Benjamin Bristow Papers, Library of Congress; David Dyer, *The Indictment* (St. Louis: 1875), in Orville Babcock Papers, Newberry Library

¹⁴¹³ Ibid

¹⁴¹⁴ Ibid

¹⁴¹⁵ Ibid

¹⁴¹⁶ Ibid

¹⁴¹⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 520-521

¹⁴¹⁸ Cooper, *McDonald and the Whiskey Ring*, 113; Edward Bonekemper, *Ulysses S. Grant: A Victor Not a Butcher*. Washington, DC: Regency, 2004. 91.

special agent of the Department of the Interior, was sent to St. Louis, with instructions from Babcock to destroy any evidence he found that implicated him.¹⁴¹⁹ Bell had a change of heart on his mission, realizing he had an opportunity to make a continued income should he turn on Babcock and offer services as a double agent and detective for Dyer.¹⁴²⁰ Bell met with Dyer and informed him of the evidence he was in the process of taking to convince him of the task ordered of him, and Bell turned over a cypher that Babcock used with friends and members of the Ring alike to be used as evidence.¹⁴²¹ Bell was not offered a job with Dyer, and in response he went to New York where he had a friend publish the cypher in the *New York Herald* alongside a note that the detective who brought it forward “was in the employ of Babcock until he became satisfied of Babcock’s guilt, and withdrew from the case, considering his duty to the Government of more consequence than loyalty to supposed defrauders of the revenue.”¹⁴²² Bell lost his job in the Department of the Interior, but was at least trusted enough to be called as a witness to implicate Babcock, who finally realized the trouble he was now in.¹⁴²³

Amid the investigation into the Whiskey Ring came Grant’s famous assertion to “Let no guilty man escape, if it can be avoided. No personal considerations should stand in the way of performing a public duty.”¹⁴²⁴ The intent of this statement was to ensure that Grant was on the side of reforming the system that clearly failed in this instance, and the president intended to back up his words through determined action. Therefore, when the prosecution engaged in the tactic of offering lesser sentences or even immunity for testimony against hire ups in the Whiskey Ring, President Grant took issue. He sent investigators of his own to St. Louis to delve

¹⁴¹⁹ Charles Bell in *Whiskey Frauds Testimony*, 111-130; *New York Times* April 6, 1876

¹⁴²⁰ David Dyer in *Whiskey Frauds Testimony*, 44-45; Bluford Wilson in *Whiskey Frauds Testimony*, 365

¹⁴²¹ Ibid

¹⁴²² Ibid; *Whiskey Frauds Testimony*, 116-134; *New York Times*, April 11, 1876

¹⁴²³ Ibid

¹⁴²⁴ Ulysses S. Grant endorsement on a letter regarding the Whiskey Ring, received July 29, 1875

deeper into the prosecution's strategies, and he messaged Babcock's wife Annie after receiving their report, hopeful for his "full vindication": "My confidence in Gen. Babcock is the same now [that] it was when we were together in the field contending against the unknown enemies of the government."¹⁴²⁵ Over the course of the investigation and into the trials, Grant was bombarded with reports of the prosecution's tactics that stood in direct opposition to his initial orders. Grant expressed his concern with these practices, stating "When I said let no guilty man escape, I meant it, and not that nine men should escape, and one be convicted."¹⁴²⁶ Grant remained convinced that the trial into Babcock was meant as an assault on himself, and he detested the prosecution's choice of strategy in doing so.

On February 8, 1876, Judge John Dillon sat in the St. Louis courthouse as Dyer opened the case against Babcock (**Figure 5.4**).¹⁴²⁷ Babcock's defense was helmed by Emory Storrs, assisted by McDonald's lawyer Chester Krum and former Attorney General George Williams.¹⁴²⁸ Dyer led the prosecution through its tried and true strategy of calling ring members to testify in exchange for immunity and reduced sentences.¹⁴²⁹ Dyer relied on testimony from storekeepers, gaugers, and distillers to paint the portrait of the Ring's operations for those in the jury.¹⁴³⁰ Dyer also had a surprise witness (not so much a surprise to Babcock's team, who received warning from Washington) – Ring bagman Abijah Everest, who was offered not only a deal but protection in hiding until his time on the stand for fear that Babcock and his compatriots

¹⁴²⁵ Simon, *Papers of Ulysses S. Grant*, 26, 430; *Whiskey Frauds Testimony*, 44-45, 53-54, 110-140, 363-365, 487

¹⁴²⁶ Simon, *Papers of Ulysses S. Grant*, 27, 219-220; *Whiskey Frauds Testimony*, 7-19, 38-43, 366-368, 445-463; Hamilton Fish diary, February 1, March 7, 1876

¹⁴²⁷ *New York Times*, February 9-10, 1876

¹⁴²⁸ Cooper, *McDonald and the Whiskey Ring*, 120; Calhoun, *The Presidency of Ulysses S. Grant*, 522; Simon, *Papers of Ulysses S. Grant*, 27, 23; Horace Porter to Ulysses S. Grant, February 4, 1875 [1876], Ulysses S. Grant Papers, Library of Congress

¹⁴²⁹ *New York Times*, February 9-10, 1876

¹⁴³⁰ *Ibid*



Figure 5.4: The Great Whiskey Ring Trial: This scene depicts the opening of the case of *The United States v. O.E. Babcock* on February 7th, 1876. The media covered this case with fervor given its connections to the White House.¹⁴³¹

would get to him.¹⁴³² Everest testified that he was responsible for sending money from Joyce to Babcock on behalf of the Ring.¹⁴³³ They also called Major Edward Grimes, who revealed that Babcock maintained communication with McDonald while he was under indictment and that he was often the intermediary between the two.¹⁴³⁴ During the early trial, the only way that anyone could tie Babcock to the Whiskey Ring was via association with its major players.

Much of Babcock’s legal strategy hinged on the potential for his friend, President Grant, to testify on his behalf. This would be a major stroke for Babcock. Never before had a sitting president testified on behalf of a defendant as a part of a criminal trial, and his team was sure that if Grant gave his personal testimony, “*an honorable acquittal will absolutely follow.*”¹⁴³⁵

President Grant wanted to go to St. Louis in person to testify and informed his cabinet

¹⁴³¹ *Harper’s Weekly*, February 26, 1876

¹⁴³² *New York Times*, February 11, 1876; James Broadhead in *Whiskey Frauds Testimony*, 90-91

¹⁴³³ *Ibid*

¹⁴³⁴ *Ibid*

¹⁴³⁵ Calhoun, *The Presidency of Ulysses S. Grant*, 522; Simon, *Papers of Ulysses S. Grant*, 27, 23; Horace Porter to Ulysses S. Grant, February 4, 1875 [1876], Ulysses S. Grant Papers, Library of Congress

accordingly, who promptly objected to this precedent-setting testimony.¹⁴³⁶ According to Secretary of State Hamilton Fish, the president “manifested a great deal of excitement and complained they had taken his Secretaries & clerks, his Messengers, & doorkeepers; that the prosecution was aimed at himself, & that they were putting him on trial.”¹⁴³⁷ Still, the cabinet convinced him that he had his own reputation to consider, which could be not only damaged, but tarnished upon cross-examination should he speak passionately in defense of his friend, or worse if manufactured evidence was sprung upon him on the stand.¹⁴³⁸ Clearer heads prevailed within the cabinet room, and President Grant decided instead to submit a deposition from Washington.¹⁴³⁹

Babcock’s defense was thrilled with Grant’s decision to submit a deposition from the White House, giving them exactly the character witness they desired without live redirect from the prosecution. The president was sworn in by Chief Justice of the Supreme Court Morrison Waite and Both Secretary of the Treasury Bristow and Attorney General Pierrepont were present alongside representatives from both the prosecution and defense councils.¹⁴⁴⁰ It quickly became clear from the questions asked that not only was Babcock on trial, but so too was Grant for his appointment of McDonald.¹⁴⁴¹ Grant asserted he knew nothing of the money supposedly raised for his reelection campaign in St. Louis, and he accepted Babcock’s explanations of the Sylph telegrams referring to a bridge project and to a woman’s honor.¹⁴⁴² The president repeatedly

¹⁴³⁶ Cooper, *McDonald and the Whiskey Ring*, 120

¹⁴³⁷ David Dyer to Bluford Wilson, February 1, 1876 (telegram), Bluford Wilson to David Dyer, February 1, 1876 (telegram), in Benjamin Bristow Papers; Hamilton Fish diary, February 8, 1876

¹⁴³⁸ Ibid

¹⁴³⁹ Ibid

¹⁴⁴⁰ Cooper, *McDonald and the Whiskey Ring*, 121-122; Simon, *Papers of Ulysses S. Grant*, 27, 26; *New York Times*, February 18, 1876

¹⁴⁴¹ Calhoun, *The Presidency of Ulysses S. Grant*, 523-524; Simon, *Papers of Ulysses S. Grant*, 27, 35-50

¹⁴⁴² Cooper, *McDonald and the Whiskey Ring*, 121-122; Simon, *Papers of Ulysses S. Grant*, 27, 26; *New York Times*, February 18, 1876

attested that he did not remember individual conversations with Ford or McDonald.¹⁴⁴³ He praised Babcock's integrity and his devotion to duty.¹⁴⁴⁴ After the deposition's conclusion, Grant was sure that this prosecution was not into Babcock, but into "the idea of the complicity of the President" in the Whiskey Ring, as he attested to Secretary of State Hamilton Fish.¹⁴⁴⁵ His overall testimony is clearly his best attempt at presenting the truth as he knew it while supporting Babcock the best he could, and the deposition worsened his opinions of those investigating him, namely Wilson and Bristow.¹⁴⁴⁶

Knowing that Grant's testimony was on its way, Babcock's legal team devised an alternate defense stratagem to ensure the viability of a different story. They found a mailman to testify that Joyce retrieved the letters with money in them before they were sent to Babcock, a ridiculous piece of testimony that one paper remarked "created a very bad impression."¹⁴⁴⁷ Joyce later remarked from prison that the testimony given by this mailman "was an absolute lie, manufactured out of the whole cloth, web, and woof" by the defense.¹⁴⁴⁸ Babcock's team then paraded a number of character witnesses before the jury, including General William Tecumseh Sherman, before reading President Grant's deposition into evidence upon its arrival.¹⁴⁴⁹ The defense presented many politically related instances of communication between Babcock and Joyce in an attempt to debunk any allegations of impropriety in messages between the two.¹⁴⁵⁰ They further convinced the judge to exclude one of the Sylph telegrams from December 4, 1874

¹⁴⁴³ Ibid

¹⁴⁴⁴ Calhoun, *The Presidency of Ulysses S. Grant*, 523-524; Simon, *Papers of Ulysses S. Grant*, 27, 35-50

¹⁴⁴⁵ Bluford Wilson to David Dyer, February 9, 1876, Benjamin Bristow Papers; Hamilton Fish diary, February 8, 1876

¹⁴⁴⁶ Ibid

¹⁴⁴⁷ *New York Times*, February 18, 1876; *Chicago Daily Tribune*, February 18-19, 1876

¹⁴⁴⁸ Cooper, *McDonald and the Whiskey Ring*, 122; Joyce, *A Checkered Life*, 278-279

¹⁴⁴⁹ Simon, *Papers of Ulysses S. Grant*, 27, 44; Calhoun 525; *New York Times*, February 18, 1876

¹⁴⁵⁰ Calhoun, *The Presidency of Ulysses S. Grant*, 524-525; *St. Louis Globe-Democrat*, February 9-18, 1876; *New York Herald*, February 11, 1876

on the grounds that the original order form was lost, therefore there was no way to prove Babcock sent it even when his name was signed to it.¹⁴⁵¹ Finally, they explained away other telegrams between Babcock, McDonald, and Joyce by attesting that McDonald and Joyce were the true masterminds who had simply duped Babcock into sending them vague messages they could use to coerce potential ring members.¹⁴⁵² This plan made Babcock out to be a rube rather than a complicit member of a criminal organization, which was not great for Babcock's reputation but was at least better than his conviction.

The concluding remarks for both the prosecution and the defense hinged upon Babcock's telegrams, though for different reasons. The prosecution again remarked that the telegrams implicated Babcock, while the defense simply ignored those telegrams not entered into evidence while asserting that Babcock did not answer Joyce's missives, an outright lie given the existence of the December 5th Sylph telegram.¹⁴⁵³ That telegram circulated throughout the media in the days that followed, but the sequestered jury never saw this critical piece of evidence before or during their deliberations.¹⁴⁵⁴ That evening, after the court's adjournment, Babcock returned to his hotel room, where he "gave way to tears" following a "most painful day" in which he was "abused, maligned, and misrepresented."¹⁴⁵⁵ He wrote a letter to his wife Annie that considered what the judge and jury would do in the coming days, suggesting "if I am to be ruined, we must bear it."¹⁴⁵⁶ He closed his letter not with a statement of innocence, but a prayer for their future,

¹⁴⁵¹ Ibid

¹⁴⁵² *Whiskey Frauds Testimony*, 90-91; *St. Louis Globe-Democrat*, February 17-19, 1876

¹⁴⁵³ Calhoun, *The Presidency of Ulysses S. Grant*, 525-526

¹⁴⁵⁴ Ibid

¹⁴⁵⁵ Orville Babcock to Annie Campbell Babcock, February 23, 1876, Orville Babcock Papers, Newberry Library

¹⁴⁵⁶ Ibid

perhaps indicating remorse for his misdeeds now that he was caught: “God grant that I may be spared and be a good Christian all the remainder of my life.”¹⁴⁵⁷

On the final day of the trial, the presiding Judge, John Dillon, gave the defense one final boost with his instructions to the jury.¹⁴⁵⁸ Judge Dillon presented a fairly unbiased summary of the evidence to the jury before a few exceptions that were instrumentally in favor of the defense.¹⁴⁵⁹ He reminded the jury of the defense’s claims that Joyce’s December 3rd telegram went unanswered, and he noted that no testimony nor documentary evidence implicated Babcock in the conspiracy, leaving circumstantial evidence as the only implicating factors.¹⁴⁶⁰ Circumstantial evidence was enough to establish complicity, but without direct proof, Missouri law “clothes the defendant with a presumption of innocence...until it is overcome by testimony which proves his guilt beyond a reasonable doubt.”¹⁴⁶¹ This meant that “the evidence of his guilt, as charged, must be clear, positive, and abiding, fully satisfying the minds and consciences of the jury.”¹⁴⁶² These instructions proved to be instrumental to the result of the trial, as the jury returned after a mere two and a half hours of deliberation with a verdict that Babcock was not guilty.¹⁴⁶³ Dyer was so disgusted with the slanted instructions that he did not bother returning to the court for the verdict.¹⁴⁶⁴ The trial’s results received mixed responses in the press, but most were happy with avoiding a national embarrassment, exclaiming it “would have been an almost

¹⁴⁵⁷ Ibid

¹⁴⁵⁸ *New York Times*, February 25, 1876; *St. Louis Globe-Democrat*, February 25-26, 1876; Calhoun, *The Presidency of Ulysses S. Grant*, 526

¹⁴⁵⁹ Ibid

¹⁴⁶⁰ Ibid

¹⁴⁶¹ Ibid

¹⁴⁶² Ibid

¹⁴⁶³ Ibid

¹⁴⁶⁴ Ibid

intolerable mortification to every patriotic American if the private secretary of the United States had been found guilty of conspiracy to defraud the revenue.”¹⁴⁶⁵

In spite of the positive result from the trial, President Grant was forced to contend with the nation’s growing opinion, whether real or imagined, that his administration was corrupted by the inclusion of individuals like Babcock. He was angered by the prosecution’s legal bill, which totaled \$26,000, a total of more than half the President’s annual salary.¹⁴⁶⁶ The president told Secretary of State Hamilton Fish that, because of the circuses in which he was involved, he planned to inform Babcock “it was better for himself and necessary for the President” that Babcock leave the White House.¹⁴⁶⁷ Accordingly, Grant planned to make his son, Ulysses Jr., his permanent private secretary since he took on the post while Babcock dealt with his legal troubles.¹⁴⁶⁸ This appointment was multifaceted, as Ulysses Jr. proved to be capable as Babcock’s replacement, but also, any assaults on the position would be an assault on the President himself considering that the two now shared a name.¹⁴⁶⁹ Babcock however did not want to leave his post in the White House, feeling he was vindicated by the court case and ready to fully resume his duties.¹⁴⁷⁰ Babcock returned to Washington intent on fighting for his job, albeit with a tarnished reputation.

After Babcock’s trial, McDonald’s treatment in captivity changed drastically, and in response so too did his willingness to serve as Babcock’s patsy. In April 1876 McDonald was given the maximum sentence for his crimes: a \$5000 fine and a three year sentence in the

¹⁴⁶⁵ Calhoun, *The Presidency of Ulysses S. Grant*, 526-527; *New York Tribune*, February 25, 1876

¹⁴⁶⁶ Calhoun, *The Presidency of Ulysses S. Grant*, 527

¹⁴⁶⁷ Hamilton Fish diary, February 22, 1876

¹⁴⁶⁸ Calhoun, *The Presidency of Ulysses S. Grant*, 526-527

¹⁴⁶⁹ Ibid

¹⁴⁷⁰ Ibid

Missouri State Penitentiary in Jefferson City.¹⁴⁷¹ McDonald joined Joyce and Avery in Jefferson City for their sentences, and the wardens and guards, while kind to these particular inmates, were not as pliable as those in St. Louis.¹⁴⁷² Joyce's health worsened while incarcerated, and ongoing court cases implicated McDonald not only as the leader of the Whiskey Ring, but a man of poor character as well.¹⁴⁷³ Once Babcock's legal troubles were behind him, both Joyce and McDonald reached out in search of their promised pardons, with Joyce reminding Babcock that he and McDonald "have stood like rocks in mid ocean to break the waves that raged high and fearful against you."¹⁴⁷⁴ When the White House finally offered a pardon, it was for Avery, not McDonald or Joyce.¹⁴⁷⁵ This infuriated McDonald, who began to cry like a lark to anyone within earshot that Babcock and Grant were involved in the Whiskey Ring.¹⁴⁷⁶ He wrote to the committees continuing their investigations of the Whiskey Ring, and he later penned a tell-all titled *Secrets of the Whiskey Ring* that implicated both Babcock and Grant.¹⁴⁷⁷ This book served as evidence for generations of political scholars and historians who overlooked the motivation behind its vengeful source and assumed Grant's criminality regardless of the author's vendetta. McDonald received his pardon from President Grant in January 1877 at the very end of his term, while Joyce had to wait until the next administration took office to receive a pardon from Rutherford B. Hayes in December 1877.¹⁴⁷⁸ Neither man ever again reached the height of political and socioeconomic power that they did while members of the Whiskey Ring – they effectively served their purpose as pawns in General Babcock's schemes.

¹⁴⁷¹ Cooper, *McDonald and the Whiskey Ring*, 125

¹⁴⁷² Cooper, *McDonald and the Whiskey Ring*, 125-129

¹⁴⁷³ Cooper, *McDonald and the Whiskey Ring*, 128-131

¹⁴⁷⁴ Simon, *Papers of Ulysses S. Grant*, 28, 14; *New York Times*, October 15, 1876

¹⁴⁷⁵ Cooper, *McDonald and the Whiskey Ring*, 133-134

¹⁴⁷⁶ Cooper, *McDonald and the Whiskey Ring*, 135-155

¹⁴⁷⁷ Ibid; McDonald, *Secrets*

¹⁴⁷⁸ Cooper, *McDonald and the Whiskey Ring*, 137-140

Though a potential end was approaching the Grant Administration, Babcock's time in the capital was not yet over. He remained in his post in the Office of Public Buildings and Grounds as a military appointee and his fate there was in the hands of the Army Corps of Engineers.¹⁴⁷⁹ Not only that, but just weeks after the conclusion of his trial for the Whiskey Ring, Babcock faced another indictment in the nation's capital for the Safe Burglary Conspiracy.¹⁴⁸⁰ While Babcock remained in Washington in the wake of the Whiskey Ring trials, his leash was shorter than ever, his past continued to catch up with him, and his belief that he was untouchable given his high-ranking connections remained intact, though to others, his dismissal seemed more likely every day.

The Whiskey Ring proved to be a significant moment for all involved, just not in the way that any intended when they entered into dealings with or against the organization. The members of the Ring made significant financial gains for a time, but they were dashed through investigations and court cases. McDonald never rose to a point of such political and economic power again, and his running mate Joyce suffered terribly in jail. The prosecutors and investigators sought to make names for themselves and attain indictments at all levels of the Ring, but they made so many plea deals in search of a bigger fish that the penalties doled out were negligible at best. Bristow especially sought to build his reputation as a reformer that could ascend to the presidency in the wake of this moment, but he was unable to build upon this in part because of those he spurned in his ascension, losing the nomination to Rutherford B. Hayes in 1876.¹⁴⁸¹ President Grant and the Republican Party both suffered damage simply by association with the individuals involved. Babcock was acquitted from any official wrongdoings, but by this

¹⁴⁷⁹ Calhoun, *The Presidency of Ulysses S. Grant*, 527

¹⁴⁸⁰ This story is laid out in Chapter Four

¹⁴⁸¹ Webb, *Benjamin Helm Bristow*

point he developed such a reputation for impropriety that his future was left in question. As the days elapsed toward the end of the Grant Administration, Babcock was left with many questions about his political, economic, and potentially legal future.

Conclusion: Babcock's Final Work and the Death of a Pragmatico

With the reputation-tainting albatross that was General Orville Babcock removed from his administration, President Grant returned to considering his broader political future. Due to the investigations into his administration and the actions by his former Private Secretary, Grant's path to an unprecedented third term in the White House faced considerable roadblocks. Additionally, the uncovering of numerous scandals during Grant's eight years in office combined with unrest from the South resulting from the ongoing military Reconstruction left the nation desiring change. Several of these scandals involved Babcock. Others, such as the Sanborn incident in which government agents under Secretary of the Treasury William Richardson approved tax collectors who pocketed some of the money they collected, the Cattleism found in Navy Secretary George Robeson's department, and the Credit Mobilier scandal that implicated Grant's first Vice President Schuyler Colfax, involved other high-ranking members of the Grant Administration and similarly marred the president's reputation,, albeit to lesser degrees, as he was vicariously liable for the actions of his appointees.¹⁴⁸² Hopes for a third term candidacy for President Grant were all but smashed by the impact of the Whiskey Ring and other scandals that marred the Grant Administration.

With Grant's reputation in question among the American masses, his opponents took advantage of the situation through careful political tactics meant to limit his power. The Democrats, who were quickly regaining power as a national party, went beyond the search to

¹⁴⁸² Ron Chernow, *Grant*. Waterville, ME: Thorndike Press, a Part of Gale, a Cengage Company, 2018. 782; McFeely, *Grant* 129-147, 432; Jean Edward Smith, *Grant*. New York, NY: Simon & Schuster, 2001. 578; John Simon, ed., *The Papers of Ulysses S. Grant*, vol. 27. Carbondale: Southern Illinois University Press, 1997. 27, 62-63; Leonard Alexander Swann, *John Roach, Maritime Entrepreneur: The Years as Naval Contractor, 1862-1886*. Annapolis, MD: United States Naval Institute, 1965. 125-135; Robert B. Mitchell, *Congress and the King of Frauds: Corruption and the Credit Mobilier Scandal*. Roseville, MN: Edinborough Press, 2018.

eliminate scoundrels from the civil service and extended their reach to grab power by attacking their opponent.¹⁴⁸³ They began a process through which they aimed to embarrass Grant and the Republicans while simultaneously weakening his power in the executive branch.¹⁴⁸⁴ They assaulted Grant's selection process for the civil service through the House Military Affairs Committee by demanding a list of all army officers detailed for civilian service with the intention to kill this practice moving forward.¹⁴⁸⁵ The War Department assembled this list, but before the issue was addressed in Congress, the Cabinet took the list and changed the designation of the assignments therein from working for the president to working for the Commander in Chief of the Army, a designation the administration felt resolved this particular issue, wresting command back into Grant's hands.¹⁴⁸⁶ The Democrats also moved on a bill to lower future presidents' salaries, which Grant vetoed out of "duty to [his] successors," while Congress continued to insult Grant by demanding a record of Grant's absences from "the seat of government" in an effort to paint Grant as adverse to his duties.¹⁴⁸⁷ Though Grant rebuked and defended his actions away from the White House effectively, the Democrats were effective in sowing doubt about Grant in the American masses. Perhaps in response to the rumblings surrounding Grant, the House passed a resolution in December 1875 by a vote of 233-18 to declare that the two-term tradition was to prevent dictatorship, linking Grant to a perceived overhaul of the government in an effort to further discredit his potential candidacy for a third term.¹⁴⁸⁸

¹⁴⁸³ Charles Calhoun, *The Presidency of Ulysses S. Grant*. Lawrence, KS: University Press of Kansas, 2017. 532-534

¹⁴⁸⁴ Ibid

¹⁴⁸⁵ Calhoun, *The Presidency of Ulysses S. Grant*, 533-534; *New York Times*, January 18, 1876; Hamilton Fish, diary, February 15, 1876, Hamilton Fish Papers, Library of Congress

¹⁴⁸⁶ Ibid

¹⁴⁸⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 534; Hamilton Fish diary, April 4, 7, 25, May 4, 5, 1876; *New York Tribune*, May 5, 1876; James D. Richardson, *Compilation of the Messages and Papers of the Presidents*. Vol. 7. Washington DC: Bureau of National Literature and Art, 1903. 361-366, 380-381

¹⁴⁸⁸ "Presidential Term" Debate and Vote on December 15, 1875, 44th Cong., 1st sess., *Congressional Record* 4, pt. 1:228; Bruce G. Peabody and Scott E. Gant, "The Twice and Future President: Constitutional Interstices and the Twenty-Second Amendment." *Minnesota Law Review* (1999), 909.

The actions of the Democratic Party combined with the sheer number of scandals that emerged amongst those who Grant seemed to trust with high office were ultimately effective.¹⁴⁸⁹ These circumstances forced people to consider the president's judgement of character and therefore if he was fit to continue to lead the nation. This was an effective tactic for Grant's opposition, as his judge of character was one of his defining traits as a general which made him such an attractive political candidate in the first place.¹⁴⁹⁰ While continued claims of complicity in corruption and incompetence rained down on the administration, Grant found support from friends like Hamilton Fish, who found this as an "abuse of his confidence" by men who selfishly desired their own advancement.¹⁴⁹¹ Grant's Methodist minister excused his actions on the grounds that "he was of such personal integrity and uprightness that he refused to believe it possible that other men were not influenced by his own high motives."¹⁴⁹² Here we must consider Grant's naivete in assuming that other men held the same character traits as those Horace Porter recognized Grant held so dear: truth, courage, modesty, generosity, and loyalty.¹⁴⁹³ Those who truly knew Grant believed that he was an upstanding individual who projected these values onto others, and while he was definitely punished for doing so, he held hope in others that they had the same character as he did. Still, as questions about Grant persisted, he was forced to reckon with the potential end of his presidency in large part because of his faulty assumptions about those with whom he surrounded himself.

With the end to his second term approaching, Grant recognized that the odds of obtaining his party's nomination were not in his favor. Instead of fighting an uphill battle against not only

¹⁴⁸⁹ Calhoun, *The Presidency of Ulysses S. Grant*, 532-534

¹⁴⁹⁰ Ibid

¹⁴⁹¹ Hamilton Fish, "General Grant," *The Independent*, July 30, 1885

¹⁴⁹² Ibid

¹⁴⁹³ Gen. Horace Porter, "Personal Traits of General Grant." *McClure's Magazine* vol. II, no. 6 (May 1894).

public outcry but also the established precedent of two terms in the White House, Grant decided to aid his party in selecting his successor, putting the continuity of the Republican Party above his own political future and desire to serve his country.¹⁴⁹⁴ Grant began by remaining neutral, with some suspicions that he secretly supported New York Senator Roscoe Conkling or Secretary of State Hamilton Fish for the nomination.¹⁴⁹⁵ However, when the Republican nominating committee chose Ohio Governor Rutherford B. Hayes over the seeming favorite, Maine Senator James Blaine, Grant threw his support behind the nominee, stating “I know Governor Hayes personally, and I can surrender with unfeigned pleasure my present position to him, as I believe I shall do.”¹⁴⁹⁶ When the dust settled in the contentious election between Hayes and Democratic Nominee/noted ring-opponent Samuel Tilden, several states’ results were contested, leaving the election in question. President Grant signed legislation to form an Election Commission to resolve the issues of the election.¹⁴⁹⁷ This committee’s work led, combined with divisions between northern and southern Democrats and their desires for the nation moving forward, led to an arrangement where Hayes became President, at which point he withdrew the military from its southern occupation.¹⁴⁹⁸ Reconstruction efforts continued under Hayes and his predecessors, but they never reached the heights they did under Grant, with some historians recognizing the failure of the Lodge Force Bill in 1890 as the end of the attempts to ensconce

¹⁴⁹⁴ Bret Baier, *To Rescue the Republic: Ulysses S. Grant, The Fragile Union, and the Crisis of 1876*. Custom House Publishing: New York, 2021.

¹⁴⁹⁵ Calhoun, *The Presidency of Ulysses S. Grant*, 538-543

¹⁴⁹⁶ Speech by Ulysses S. Grant to the National Republican Convention in Cincinnati, June 19, 1876, as reported in *New York Herald*, June 20, 1876; Calhoun, *The Presidency of Ulysses S. Grant*, 548-550; Baier, *To Rescue the Republic*

¹⁴⁹⁷ Jean Edward Smith, *Grant*, 601-604

¹⁴⁹⁸ C. Vann Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction*. Boston: Little, Brown, & Co., 1966; Michael F. Holt, *By One Vote: The Disputed Presidential Election of 1876*. Lawrence, KS: University Press of Kansas, 2008; Michael Les Benedict, “Southern Democrats in the Crisis of 1876-1877: A Reconsideration of Reunion and Reaction.” *Journal of Southern History*. Vol 6, no 4 (November 1980): 489-524.

and protect black voting rights in the South.¹⁴⁹⁹ Grant was able to oversee a smooth transition of power within his own party, but he ultimately lost his opportunity to complete the Reconstruction efforts Lincoln began and he continued.¹⁵⁰⁰

As Grant's presidency came to an end, he reflected on his time in office in his final annual message to Congress. In this missive, Grant reflected on his administration and the claims that he had been corrupt in one of the most insightful openings of presidential addresses in American history:

Under such circumstances [being called to the presidency without previous political training] it is but reasonable to suppose that errors of judgement must have occurred. Even had they not, differences of opinion between the Executive, bound by an oath to the strict performance of his duties, and writers and debaters must have arisen. It is not necessarily evidence of blunder on the part of the Executive because there are these differences of views. Mistakes have been made, as all can see and I admit, but it seems to me oftener in the selections made of the assistants appointed to aid in carrying out the various duties of administering the Government – in nearly every case selected without personal acquaintance with the appointee, but upon recommendations of the representatives chosen directly by the people. It is impossible, where so many trusts are to be allotted, that the right parties should be chosen in every instance. History shows that no Administration from the time of Washington to the present has been free from these mistakes. But I leave comparisons to history, claiming only that I have acted in every instance from a conscientious desire to do what was right, constitutional, within the law, and for the very best interests of the whole people. Failures have been errors of judgment, not of intent.¹⁵⁰¹

¹⁴⁹⁹ Fitzhugh Brundage, "Reconstruction in the South," in Luke Harlow, ed. "The Future of Reconstruction Studies." *Journal of the Civil War Era* 7.1 (March 2017).

¹⁵⁰⁰ Calhoun, *The Presidency of Ulysses S. Grant*; Michael W. Fitzgerald, *Splendid Failure: Postwar Reconstruction in the American South*. Chicago: Ivan R. Dee, 2007; Philip Leigh, *U.S. Grant's Failed Presidency*. Columbia, SC: Shotwell Publishing, 2019

¹⁵⁰¹ Ulysses S. Grant, "Eighth Annual Message to Congress," December 5, 1876

The President's candor in admitting to errors of judgement is impressive, and while he likely overlooked the errors in selection made because of personal connections, specifically that of Babcock, his admission of naïveté directly served to prove some of his critics correct while maintaining his own dignity.

Even though he did not earn the support of his political party in 1876, Grant was not fully convinced that his political future was finished. After leaving office, Grant and his wife Julia set out on a world tour for more than two years.¹⁵⁰² On this tour they traveled to Europe, Africa, the Middle East, and East Asia, meeting with multiple dignitaries such as Queen Victoria, Pope Leo XIII, Otto von Bismarck, Tsar Alexander II, and Emperor Meiji of Japan.¹⁵⁰³ Grant's journey around the world was an unofficial diplomatic tour on behalf of the United States, one which was approved by the Hayes Administration who supplied them with transportation on naval ships on their voyage.¹⁵⁰⁴ This tour was documented by newspapers and documented in a book written by a fellow passenger on the tour, and the tour served as a demonstration to the world that the United States should be considered a new global power.¹⁵⁰⁵

Once Grant returned from his tour as an unofficial diplomat, he realized that he held a strong backing from certain members of his party which provided him an opportunity for an unprecedented third term in 1880. Some Republicans witnessed Hayes's policies as president with disgust and desired a more vigorous leadership for the nation, insisting that the return of

¹⁵⁰² This trip was documented in a book written by a reporter who accompanied the Grants on their journey. John Russell Young, *Around the World with General Grant*. Baltimore: Johns Hopkins University Press, 1879; McFeely, *Grant*, 448-449; Ronald C. White, *American Ulysses: A Life of Ulysses S. Grant*. New York, NY: Random House, 2016. 587-610; Edwina S. Campbell, *Citizen of a Wider Commonwealth: Ulysses S. Grant's Postpresidential Diplomacy*. Carbondale: Southern Illinois University Press, 2016.

¹⁵⁰³ Ibid; Chernow, *Grant*, 870-874

¹⁵⁰⁴ Ibid

¹⁵⁰⁵ Ibid

Grant would bring back such leadership.¹⁵⁰⁶ Grant remained silent in the press regarding a possible nomination, but he encouraged his friends and supporters to stir up support and organize delegates in his favor.¹⁵⁰⁷ By the time of the Republican Nominating Convention in 1880, Grant had more delegates than any other candidate, though he remained short of the majority needed to attain the nomination.¹⁵⁰⁸

When rumblings of Grant's potential candidacy reemerged during the 1880 election, his critics returned once again to their tried and true assaults of corruption.¹⁵⁰⁹ Of these assaults, one of the most notable came from *Puck Magazine*, which circulated a picture of Grant that depicted his many connections to illicit affairs and crooked individuals (seen below).¹⁵¹⁰ In large part because of these renewed fears of corruption and fears of Caesarism, Grant faced a difficult nomination battle at the Republican Nominating Convention in Chicago in 1880.¹⁵¹¹ Here Babcock saw Grant, perhaps for one of the last times in either of their lives, where he noticed that the president was "quiet and philosophical as usual," though he did find "Mrs. G. not as tranquil" amidst the hullabaloo.¹⁵¹² After thirty six ballots, former-President Grant was able to maintain the original 306 delegates who he started the convention with, but his opponents within the party united behind James A. Garfield, a proponent of Lincolnian Reconstruction in his own right, and propelled him to victory as both the Republican nominee and eventually the presidency.¹⁵¹³ In spite of his best efforts, Grant's political reputation was severely damaged,

¹⁵⁰⁶ Calhoun, *The Presidency of Ulysses S. Grant*, 571-574

¹⁵⁰⁷ Calhoun, *The Presidency of Ulysses S. Grant*, 572-579; William B. Hesseltine, *Ulysses S. Grant: Politician*. New York: Dodd, Mead and Co., 1935. 432-439

¹⁵⁰⁸ Henry W. Brands, *The Man Who Saved The Union: Ulysses Grant in War and Peace*. New York, NY: Random House, 2012. 600-603.

¹⁵⁰⁹ Calhoun, *The Presidency of Ulysses S. Grant*, 570-579

¹⁵¹⁰ *Puck Magazine*, February 4, 1880

¹⁵¹¹ Calhoun, *The Presidency of Ulysses S. Grant*, 575-579

¹⁵¹² Calhoun, *The Presidency of Ulysses S. Grant*, 578; Orville Babcock to Adam Badeau, June 27, 1880, Adam Badeau Papers, Library of Congress

¹⁵¹³ Baier, *To Rescue the Republic*; James Garfield, "Inaugural Address," March 4, 1881

effectively ending his political career with no hope of returning to office in the wake of the scandals caused by members of his administration like Orville Babcock (**Figure 6.1**).

Babcock's Final Chapter

While President Grant was forced to consider his own political future in the final days of his administration, his decision regarding Babcock's future was clear as he could no longer allow his friend to serve in such a high post. Still, their years of friendship and Grant's own sense of loyalty prevented him from simply tossing Babcock out on the curb like trash. Grant did Babcock one final kindness, reassigning him to the post of Inspector of Lighthouses of the Fifth District on March 3rd, 1877, in a move that corresponded with the removal of the "active" title and full promotion of Ulysses Jr. to Private Secretary.¹⁵¹⁴ Grant's favor to Babcock ensured the latter would maintain a career in public service. Although the position of Inspector of Lighthouses was not a prime role in a cosmopolitan hub where he could form another ring,



Figure 6.1: “Puck Wants a Strong Man at the Head of Government – But Not This Kind”: The actions of men like Babcock (pictured bottom right) led to an assumption that the Grant Administration supported rings, and that the president himself was the strength holding the whole operation in place, ultimately damning his chances of securing a third term.¹⁵¹⁵

¹⁵¹⁴ Calhoun, *The Presidency of Ulysses S. Grant*, 560

¹⁵¹⁵ *Puck Magazine*, February 4, 1880

Babcock took this new post head on and ably carried out his duties. In this post, Babcock was able to put his West Point Engineering degree and his training in the Army Corps of Engineers to practical use much as he had in Washington on the Board of Public Works while remaining on the government payroll. As Inspector and Engineer of the Fifth District, Babcock was responsible for overseeing the construction and efficiency of lighthouses along the Atlantic Coast from Delaware Bay to Cape Lookout, North Carolina.¹⁵¹⁶ Babcock seems to have realized that without Grant to protect him, he could not engage in pragmatic behaviors in this position. As such, he carried out his responsibilities as competently as possible while remaining out of the public eye, and his effectiveness enabled him to keep his position under the administrations of Presidents Rutherford B. Hayes, James Garfield, and Chester Arthur, respectively.¹⁵¹⁷ He was so successful in his post that, in 1882, President Arthur made him Inspector of the Sixth District as well, adding the remaining lighthouses along the southern coast of the Atlantic from South Carolina to Florida to his purview.¹⁵¹⁸

It is impossible to tell if General Babcock was engaged in nefarious activities during his posting as Inspector of Lighthouses. The existing records of Babcock's life do not suggest that he was engaged in anything corrupt during this time.¹⁵¹⁹ This post was one with far less political influence than he grew accustomed to in the previous decade, and his tarnished reputation as a result of his participation in several notorious scandals made him *persona non grata* amongst

¹⁵¹⁶ "Fifth L.H. District (Lighthouses of the Atlantic from Delaware Bay to Cape Lookout (larger size)) - Antique Map, 1904." Accessed March 15, 2023.

¹⁵¹⁷ *Annual Report of the Light-House Board of the United States to the Secretary of Treasury for the Fiscal Year Ended June 30, 1898*. Washington D.C.: Government Printing Office, 1898.

¹⁵¹⁸ Lionel Pincus and Princess Firyal Map Division, The New York Public Library. "Sixth l. h. district" New York Public Library Digital Collections. Accessed March 15, 2023; *Annual Report of the Light-House Board 1898*

¹⁵¹⁹ This is based on the papers that have been preserved by such institutions as the Newberry Library, which houses the Orville Babcock Papers, the Ulysses S. Grant Presidential Library, which houses many works written by and to Babcock, and the Library of Congress.

most of those with political influence as well as those looking to engage in further corruption, as his association with any project would bring added attention and scrutiny. This left Babcock to carry out his tasks as a civil servant, an inspector and an engineer, along the Southeast Coast of the United States.

On June 2nd, 1884, Babcock ran into the situation that would ultimately mean his end. The previous year, Babcock began oversight on the construction of the Mosquito Inlet Lighthouse in Florida.¹⁵²⁰ While aboard the government schooner *Pharos* on June 2nd to deliver construction supplies, a storm quickly rolled into the inlet, creating a dangerous swell and frightening several sailors onboard to the point that they sought to return to land.¹⁵²¹ The captain of the ship worried that the vessel would be grounded due to the weight of the supplies if they returned to shore. A nearby boat's captain and crew arrived at the *Pharos* in a rowboat in order to retrieve the men aboard and lead them out of their precarious situation.¹⁵²² However, Babcock, as the highest-ranking officer aboard the *Pharos*, albeit an Army officer shipboard among seasoned sailors, had final say in deciding whether to wait the storm out onboard or to set out for shore in rowboats. After taking lunch to consider, Babcock determined that, since the aiding sailors had rowed their boat safely to the *Pharos*, it made the most sense for his men to row to shore atop the storm-crafted tidal floors.¹⁵²³ As Babcock and his men approached the bar of the inlet in their rowboat, the seas raged and capsized the boat. Babcock was thrown from the ship and would have been lost at sea were it not for a crewmate's decision to attach a lifeline to him, securing him to the boat.¹⁵²⁴ Still, the force of the storm was enough to tear loose his tether

¹⁵²⁰ B.B. Smith, *Account of Orville E. Babcock's Death* by B.B. Smith, June 7, 1884; "Ponce Inlet Lighthouse and Museum," www.ponceinlet.org; This lighthouse is now referred to as the Ponce de Leon Inlet Light.

¹⁵²¹ B.B. Smith, *Account of Orville E. Babcock's Death*

¹⁵²² B.B. Smith, *Account of Orville E. Babcock's Death*

¹⁵²³ B.B. Smith, *Account of Orville E. Babcock's Death*

¹⁵²⁴ B.B. Smith, *Account of Orville E. Babcock's Death*

from the ship, sending him into the surf. Others aboard the ship made it to land, where they recovered Babcock's limp body and attempted resuscitation to no avail.¹⁵²⁵ General Orville Elias Babcock became one of four drowning casualties on that fateful day in 1884, and while it led to delays in the project, the construction of the lighthouse was completed three years later in 1887 based on Babcock's original designs and plans.¹⁵²⁶

Babcock's death did not ripple through the media or the masses as that of other political agents of his era. Coverage of his demise was limited. Many of the national presses picked up the story as it was covered locally under the headline "General Babcock Drowned."¹⁵²⁷ Referring to him as a "Victim of the Sea," his obituaries largely covered either his military service or his work as Inspector of Lighthouses, with one mentioning his time in the Grant Administration succinctly with the notation "he was on duty at Washington."¹⁵²⁸ One recounting of his life noted his "checkered public career," but this is as far as any negativity went.¹⁵²⁹ Some swung far in the opposite direction, as was the case with the reverend who oversaw Babcock's funeral, citing that "his record is without a blot...he sought no personal aggrandizement at the expense of others...he had too much self-respect to join in the unseemly competition for emolument and place."¹⁵³⁰ Babcock was mourned by his friends, though mainly this was done privately. President Grant, perhaps his closest friend in life, was preoccupied with other matters, at the time, including a cancer diagnosis and the loss of his family fortune in a failed business

¹⁵²⁵ B.B. Smith, *Account of Orville E. Babcock's Death*; *Savannah Morning News*, Savannah, Georgia, June 06, 1884

¹⁵²⁶ B.B. Smith, *Account of Orville E. Babcock's Death*; *Boston Daily Advertiser*, June 4, 1884; "The Mosquito Inlet Disaster," *Washington Evening Star*, June 27, 1884; "Ponce Inlet Lighthouse and Museum"

¹⁵²⁷ *Savannah Morning News*, Savannah, Georgia, June 06, 1884; *Milwaukee Daily Sentinel*, June 4, 1884; *Atchison Globe*, Atchison, KS, June 5, 1884; *Rocky Mountain News*, Denver, CO, June 4, 1884

¹⁵²⁸ *Boston Daily Advertiser*, June 4, 1884; *Cleveland Daily Herald*, June 4, 1884

¹⁵²⁹ *Milwaukee Journal*, June 4, 1884

¹⁵³⁰ Rev. T. S. Wynkoop, *Address at the Funeral of the Late Orville E. Babcock*, June 7, 1884

venture by his son Buck and his crooked business partner, Ferdinand Ward.¹⁵³¹ There are no published public remarks made by Grant at the passing of his friend, and the only real mention of Babcock by Grant during this time came within Grant's memoirs. These mentions consisted of two brief acknowledgements of Babcock as a member of his staff during the Civil War, with one of these acknowledgements mentioning that then-General Grant had "great confidence" in his former friend.¹⁵³² Those who wrote and spoke of Babcock after his passing highlighted his military career and his commitment to the nation while downplaying his pragmatico behavior.¹⁵³³ They did not address his alleged involvement in rings or in graft. They did not acknowledge his impropriety with land grabs in Santo Domingo, whiskey frauds across the nation, or organizing ratfuckery in the nation's capital. They did not acknowledge that his hubris finally caught up to him, or that it cost the lives of three others aboard the *Pharos*.¹⁵³⁴ They instead celebrated his career in the military and public service and lamented the loss of life of one who had given his life in the service of his country.

Babcock's passing shows the result of the tumultuous careers of pragmaticos. A period of service to the country, in many cases via military service, set many pragmaticos on their path to government involvement. The bonds forged in perilous times established friendships and trust that, once the Civil War ended, many capitalized upon to receive postings or even elections in government jobs in a patronage system badly in need of civil service reforms. Many of these men entered positions in which they were underprepared in their training and thus had to

¹⁵³¹ Chernow, *Grant*, 908-927; Jean Edward Smith, *Grant*, 573-627

¹⁵³² Ulysses S. Grant. and John F. Marszalek, ed. with David S. Nolan and Louie P. Gallo. *The Personal Memoirs of Ulysses S. Grant*. The Complete Annotated Edition. Cambridge, MA: Belknap Press, 2017.

¹⁵³³ *Fayetteville Observer* (NC), June 12, 1884; Rev. T. S. Wynkoop, *Address at the Funeral of the Late Orville E. Babcock*, June 7, 1884

¹⁵³⁴ In a few newspaper stories at the time, the other parties lost to the sea this day were noted, but no blame was assigned other than to the sea. These articles include: *North American*, Philadelphia, PA, June 4, 1884; *Daily Evening Bulletin*, San Francisco, CA, June 13, 1884.

accomplish their goals by new methods. Eschewing the existing methods of political negotiations and concepts of proper governance, these pragmaticos exchanged money and favors to hasten the accomplishment of their own goals, and while some of these favors benefitted the masses, many benefited the individual first and foremost. Eventually, the pragmaticos' actions were discovered, unleashing a torrent of disgust by those in favor of more traditional, some may say honest, governance. The pragmatico faced this backlash, but perhaps more importantly, so too did their patron who recommended them for their job or who oversaw their position and served as a shield for their nefarious deeds. The patron thus had to decide when their affiliation with the pragmatico was of greater harm than help, at which point they would remove the pragmatico from their post, leaving them to find another career and toil in far greater anonymity than their political career incarnation allowed. Babcock's career followed exactly this path: a nobody turned somebody because of relationships, a political novice turned ringleader, eventually an unscrupulous agent responsible for besmirching the reputation of an entire presidential administration, and ultimately a has-been who died in anonymity and was lost to history...until now.

Tarnished Legacies

Babcock's lack of attention in death is almost fitting for a man who sought to evade the spotlight in life as he worked to acquire his fortune through less than savory means. Though Babcock sought to reap the rewards for his actions, it seemed as though his actions were only made public when under scrutiny, as was the case in the attempted annexation of Santo Domingo as well as his involvement in the District and Whiskey Rings, respectively. For a man who seemingly dedicated his life to service, the lack of notoriety surrounding his death more than anything reflected the shame his actions brought upon him and those associated with him. Even

though he did not draw much attention in death, his impact on others persisted, particularly regarding how we remember them historically, again fitting given how often others suffered for his actions while he drew breath.

Perhaps no one's legacy took on so great a stain as Babcock's close friend and patron, Ulysses S. Grant. In the immediate aftermath of the Grant Administration, Southern Democrats and extremists in his own Republican Party took to the media to express their dissatisfaction with the man they felt wronged them for various reasons while he was in office.¹⁵³⁵ The media surrounding Grant was used as "proof" by historians of the Dunning School to lambast Grant's political ability, as he became known as a great general but a terrible president in the historical record.¹⁵³⁶ This was the prevailing narrative surrounding Grant for nearly a century, both in historical circles and in the eyes of the general public. Historian Arthur Schlesinger Sr. conducted polls in 1948 and in 1962, surveying historians and asking them to rank the presidents in terms of their effectiveness and their greatness. In both polls, President Grant finished second to last, topping only President Warren G. Harding.¹⁵³⁷ Grant's legacy is one that has only recently been repaired in historical circles. In a similar poll of historians in 2021, Grant jumped significantly compared to the polls conducted sixty years prior by Schlesinger Sr., ranking 20th out of the 44 men who had served to that point.¹⁵³⁸ The most recent generations of historians

¹⁵³⁵ Calhoun, *The Presidency of Ulysses S. Grant*, 565-593

¹⁵³⁶ For research by the Dunning School, consider: William Archibald Dunning, *Reconstruction: Political & Economic, 1865-1877*. New York: Harper and Brothers, 1907; Claude G. Bowers, *The Tragic Era: The Revolution after Lincoln*. Cambridge, MA: Riverside Press, 1929; John W. Burgess, *Reconstruction and the Constitution, 1866-1876*. New York: Charles Scribner's Sons, 1902; E. Merton Coulter, *The South During Reconstruction, 1865-1877*. Baton Rouge: LSU Press, 1948.

¹⁵³⁷ "A Comparison of Polls of Presidential Greatness*." Three Presidential Views of Presidential Power; Schlesinger, Arthur M. "Our Presidents: A Rating by 75 Historians". *The New York Times*. July 1962. pp. 12-13, 40-41, 43.

¹⁵³⁸ "Presidential Historians Survey 2021." C-SPAN. 2021.

have made efforts to restore Grant's legacy, but it was damaged for more than a century by the actions of those close to him like Babcock.¹⁵³⁹

Similarly to President Grant's legacy, the remembrance of the era's Republican Party took a significant hit because of Babcock's actions. The party's legacy has been maintained since the end of Reconstruction, and though it has gone through many alterations to its platform over time, it has persisted as one of the two major parties in the American political system.¹⁵⁴⁰

However, in the immediate aftermath of the Grant Administration, the party faced significant challenge from the Redeemer coalition of southern Democrats who sought to overhaul what they saw as the infringement of Radical Republicans during Reconstruction.¹⁵⁴¹ Democratic rhetoric became laden with claims of corruption by the Republicans as they sought to "turn the rascals out" of the government once more.¹⁵⁴² While Republicans held onto key political posts across the nation over the next few decades, including the presidency, the Democrats continued to beat the

¹⁵³⁹ For more from historians who have worked to resituate Grant's place in the historical record, consider: Calhoun, *The Presidency of Ulysses S. Grant*; Chernow, *Grant*; McFeely, *Grant*; Jean Edward Smith, *Grant*; Ronald White, *American Ulysses*; Henry W. Brands, *Man Who Saved The Union*; Edward H. Bonekemper III, *Ulysses S. Grant: A Victor, Not a Butcher*. Washington, DC: Regnery History, 2004; Fergus Bordewich, *Klan War: Ulysses S. Grant and the Battle to Save Reconstruction*. New York: Alfred A. Knopf, 2024.

¹⁵⁴⁰ For more on the history of the Republican Party, consider: Ambrosius, Lloyd E., ed. *A Crisis of Republicanism: American Politics in the Civil War Era*. Lincoln: University of Nebraska Press, 1990; Robert Cherny, *American Politics in the Gilded Age 1868–1900*. Wheeling, IL: Harlan Davidson Inc., 1997; George H. Mayer, *The Republican Party, 1854–1966*. New York: Oxford University Press, 1967; Lewis L. Gould, *The Republicans: A History of the Grand Old Party*, 2nd Edition. New York: Oxford University Press, 2014; Robert Allen Rutland, *The Republicans: From Lincoln to Bush*. Columbia, MO: University of Missouri Press, 1996.

¹⁵⁴¹ For more on the history of the Redeemer movement, consider: William Gillette, *Retreat from Reconstruction, 1869–1879*. Baton Rouge: Louisiana State Press, 1982; James Alex Baggett, *The Scalawags: Southern Dissenters in the Civil War and Reconstruction*. Baton Rouge: Louisiana State University Press, 2003; Edward L. Ayers, *The Promise of the New South: Life after Reconstruction*. 15th Anniversary Edition. New York: Oxford University Press, 2007; Michael Perman, *The Road to Redemption: Southern Politics, 1869–1879*. Chapel Hill: University of North Carolina Press, 1984; Woodward, *Reunion and Reaction*; James Tice Moore, "Origins of the Solid South: Redeemer Democrats and the Popular Will, 1870–1900." *Southern Studies*, 1983, 22(3): 285–301.

¹⁵⁴² Ibid: "Turn The Rascals Out." *The Democratic Advocate* (Westminster, MD), September 27, 1884. This article was widely published, including but not limited to the following papers on the following dates: Palatka Daily News, Palatka (FL), August 23, 1884; Millheim Journal, Millheim (PA), September 4, 1884; and The Weekly Register, Point Pleasant (VA), September 17, 1884.

corruption drum and made significant gains across the political realm.¹⁵⁴³ Meanwhile, the Redeemers who emerged in the Reconstruction South entrenched Jim Crow across the South as a result of the Compromise of 1876, and they entrenched systemic racial segregation in the region as a result of a weakened Republican Party caused by the reputations of Babcock and others like him.

More broadly, our historical understanding of the Reconstruction Era was critically affected by the actions of General Babcock, as well as others of his pragmatic ilk. After the Compromise of 1876 effectively ended Reconstruction, historians began to consider the era as a failure. Most notable among this group was the Dunning School, which held a particularly racist view that Reconstruction was a “Tragic Era” in which hard-working white southerners were deprived of their rights and saw their governments overthrown by invading northerners and ignorant freedpeople who were ill-equipped for political involvement.¹⁵⁴⁴ Chief among the complaints of the Dunning School was an effort to assail the corruption of the era, as they highlighted that corruption from northerners resulted in ineffective governance postbellum.¹⁵⁴⁵ This failure narrative was discarded by later generations of historians, only to be replaced recently by a more recent failure narrative centered around the inability to complete the plans for Reconstruction and fully bring to fruition the promise the era once held.¹⁵⁴⁶ Some recent specialized historical studies have investigated the political corruption of the era in a manner that rejects the racism of

¹⁵⁴³ Cherny; John M. Dobson, *Politics in the Gilded Age: A New Perspective on Reform*. New York: Praeger, 1972; H. Wayne Morgan, *From Hayes to McKinley: National Party Politics, 1877-1896*. Syracuse: Syracuse University Press, 1969; Arthur Schlesinger Jr., ed. *History of U.S. Political Parties*, vol. 2: 1860-1910: *The Gilded Age of Politics*. New York: Chelsea House Publishers, 1973; Mark Wahlgren Summers, *Party Games: Getting, Keeping, and Using Power in Gilded Age Politics*. Chapel Hill: University of North Carolina Press, 2004.

¹⁵⁴⁴ Bowers, *The Tragic Era*; Dunning, *Reconstruction*; Burgess, *Reconstruction and the Constitution*; Coulter, *The South During Reconstruction*

¹⁵⁴⁵ Ibid

¹⁵⁴⁶ Eric Foner, *Reconstruction: Americas Unfinished Revolution, 1863-1877*. Updated Edition. New York, NY: Harper Perennial, 2014. (originally 1988); Fitzgerald, *Splendid Failure*; Leigh, *U.S. Grant's Failed Presidency*

the Dunnings but instead properly investigates the corruption of the era and its impact as “The Era of Good Stealings.”¹⁵⁴⁷

Babcock’s actions, as well as those of other pragmaticos, further propelled a desire for change in postbellum-era politics and spurred on the need for civil service reforms. Efforts to reform the civil service were already underway by time Ulysses S. Grant came to the White House, most notably championed by Congressman Thomas Allen Jenckes of Rhode Island, who sought to overhaul the existing spoils system.¹⁵⁴⁸ Under President Grant these reform efforts continued, as his Civil Service Commission found limited success by implementing a merit system through the Cabinet, which hired more candidates based on merit rather than patronage.¹⁵⁴⁹ Grant also appointed several reformers to high-ranking positions, but this was still not enough to effectively overhaul the system.¹⁵⁵⁰ In 1883, following continued efforts to repair the system, Congress enacted the Pendleton Act, which established the United States Civil Service Commission, placing appointees based on merit via aptitude exams instead of patronage.¹⁵⁵¹ The Pendleton Act took time to take effect, but it eventually resulted in greater expertise and less patronage in the American government.¹⁵⁵² Though patronage might never

¹⁵⁴⁷ Mark Wahlgren Summers, *The Era of Good Stealings*. New York, NY: Oxford University, 1993; Calhoun, *The Presidency of Ulysses S. Grant*; Stephen Budiansky, *The Bloody Shirt: Terror after Appomattox*. New York: Viking Press, 2008; Edward S. Cooper, *John McDonald and the Whiskey Ring: From Thug to Grants Inner Circle*. Madison: Fairleigh Dickinson University Press, 2016; John P. Richardson, *Alexander Robey Shepherd: The Man Who Built the Nation’s Capital*. Athens: Ohio University Press, 2016.

¹⁵⁴⁸ Ari Hoogenboom, *Outlawing the Spoils: A History of the Civil Service Reform Movement, 1865-1883*. Champaign, IL: University of Illinois Press, 1961; Ari Hoogenboom, “Thomas Jenckes and Civil Service Reform,” *Mississippi Valley Historical Review*, vol 47, no 4 (March 1961): 636-658.

¹⁵⁴⁹ Calhoun, *The Presidency of Ulysses S. Grant*; Hoogenboom, *Outlawing the Spoils*; United States Civil Service Commission. *History of the Federal Civil Service, 1789 to the Present*. Washington, DC: United States Government Printing Office, 1941; Paul Van Riper, *History of the United States Civil Service*. Westport, CT: Greenwood Press, 1958.

¹⁵⁵⁰ Ibid: Chernow, *Grant*; Brands, *Man Who Saved The Union*; Jean Edward Smith, *Grant*

¹⁵⁵¹ Thomas S. Mach, “Gentleman George” Hunt Pendleton: *Party Politics and Ideological Identity in Nineteenth-Century America*. Kent, OH: Kent State University Press, 2007; Hoogenboom, *Outlawing the Spoils*; United States Civil Service Commission. *History of the Federal Civil Service, 1789 to the Present*; Paul Van Riper, *History of the United States Civil Service*.

¹⁵⁵² Ibid

truly leave the federal system, the actions of those who observed the corruption of the pragmatics made a more determined effort to reform and eliminate the spoils system.

The legacy tarnished the most by General Orville Babcock's actions was that of General Babcock himself because he has been largely forgotten. In the historical record, Babcock emerges as a bit player in narratives centered on President Grant, but this typically occurs when his nefariousness is unveiled to the masses.¹⁵⁵³ Grant himself nearly omits any mention of his one-time friend in his *Personal Memoirs*, referencing a man who served under him for more than ten years, within shouting distance for much of that time, but twice in his literary masterpiece.¹⁵⁵⁴ It is only recently that historians have dedicated more attention to him in their narratives, but even at that he is still seen as ancillary to the main narrative they present.¹⁵⁵⁵ Researchers interested in investigating Babcock in further detail are hindered by the dearth of information in his personal papers, caused not by any decisions made by archivists but instead by the lack of a paper trail left behind by this criminal mastermind so he could evade investigation.¹⁵⁵⁶ His omission from the record appears to be purposeful on two different accounts: as a self-induced effort to cover his tracks and prevent unveiling of his enterprises, and a concerted desire by those once close to him to erase his actions out of embarrassment.

¹⁵⁵³ For examples of histories of Grant that relegate Babcock to the periphery, consider: Calhoun, *The Presidency of Ulysses S. Grant*; Chernow, *Grant*; Brands, *Man Who Saved The Union*; Jean Edward Smith, *Grant*; Ronald White, *American Ulysses*; McFeely, *Grant*

¹⁵⁵⁴ Ulysses S. Grant and John F. Marszalek, ed. with David S. Nolan and Louie P. Gallo. *The Personal Memoirs of Ulysses S. Grant*. The Complete Annotated Edition. Cambridge, MA: Belknap Press, 2017. 547, 720.

¹⁵⁵⁵ For recent histories that portray Orville Babcock as a major political player, consider: Cooper, *McDonald and the Whiskey Ring*; Ryan Semmes, *Exporting Reconstruction: Ulysses S. Grant and a New Empire of Liberty*. Columbia, SC: University of South Carolina Press, 2024.

¹⁵⁵⁶ There are collections of personal papers for Babcock at both the Newberry Library in Chicago and the Ulysses S. Grant Presidential Library in Starkville, MS. This statement is not meant to be a commentary on either of these fine institutions as they have done a fantastic job preserving the documents they could. This is instead a comment on Babcock's awareness of his misdeeds and his desire not to be caught, as is seen throughout this dissertation by his efforts to send messages as covertly as possible.

Even the physical representation of Babcock's legacy suffered in the wake of his poor choices, particularly through the project named after him: the fish hatcheries in Babcock Lakes. In 1884, as construction of the Washington Monument neared its completion, the engineer in charge of the project, Colonel Thomas Lincoln Casey, explained that though the lakes did not necessarily threaten the stability of the monument, there was a suspicion of the monument settling because of the hatcheries nearby.¹⁵⁵⁷ Because of this, Colonel Casey offered that it was better to be safe than sorry and that the ponds "should be done away with for precautionary reasons."¹⁵⁵⁸ The Senate approved their closure in 1887, and the plots were filled in with the fish relocated to other ponds nearby the following year. Once this project was completed, in spite of all the public works projects he completed in the capital, Babcock's legacy in the nation's capital was left without a physical manifestation, an apt metaphor for his service and life.¹⁵⁵⁹

Babcock's omission from the main historical narrative of Reconstruction is a significant problem. Babcock was extremely important in shaping the landscape of the United States during the Civil War and Reconstruction, both figuratively and literally. He reshaped the physical, political, and social realms of the capital during his tenure in Washington. He shaped terrain in the American South during the Civil War, he recommended changes to the terrain in the American West in the war's immediate aftermath, and he constructed structures off the coast of the American Southeast after the end of his political career, all the benefit of his training in the Army Corps of Engineers. He made efforts to add new territory to the Union while providing reports and recommendations for improvements to locations his patron, Ulysses S. Grant, was

¹⁵⁵⁷ Ruthie Cooney, "The National Mall Was Once Home to a Huge Government Fish Farm That Wreaked Havoc on US Fisheries," *Boundary Stones*, November 4, 2022; "The Danger from the Lake: Why Col. Casey wants the Carp Pond Filled Up," *Washington Evening Star*, February 21, 1885

¹⁵⁵⁸ Cooney, "The National Mall..."; "The Danger from the Lake"; "Bits of Local News," *The Washington Post*, January 19, 1887

¹⁵⁵⁹ *Ibid*

unable to visit in person. He made connections with individuals who held similar desires, both publicly and privately, and used these connections to develop local and national rings to control political and economic factors for his and their desires. Babcock's life was far too impactful to be so largely forgotten in the historical record. He certainly does not deserve to be emulated, but his example is something that warrants remembrance for the simple sake that we can learn from it and do better moving forward.

Babcock's exclusion from the historical record represents another significant problem in that he is the prototype of the pragmatico archetype that emerged during the Civil War Era. To restate the definition of this new term from earlier, a pragmatico is a political operative during the Civil War era who sought to maintain a role in civil service after their time in the military by earning an appointment to a political post and who attempted to use this appointment for both public and private gain. Babcock fits this role to a "t," as he served in the military under General Grant, maintained his role in the civil service during the Grant Administration, and utilized his role in the civil service to try to improve life for the people of the United States, for his patron and friend Ulysses S. Grant, and for himself and his family. Yet Babcock was one of many of this ilk who emerged in this new world order. He was one of many he came into contact with as a part of his rise and fall in politics, and one of many in the narrative presented here. Men like Alexander Robey Shepherd, Raymond Perry, Hiram Whitley, Benjamin Bristow, John McDonald, John Joyce, and more are recognizable as pragmaticos with whom Babcock came into contact during his political career, whether through appropriate or inappropriate actions. Their actions varied based on each individual case, but each of these public servants worked for their own benefit as well as the benefit of the masses. By losing Babcock in the historical record, we also lose the example his lifelong development provides as the quintessential pragmatico.

General Orville Babcock's story is one that is critical to how we understand the politics of post-Civil War America. By considering that Babcock was an exemplar of the new way in which politics were done in the United States, particularly those enacted by the increasing number of lower-level appointees involved in the daily tasks of governing, we can understand the ways in which the antebellum political system transitioned into the postbellum system and how the Civil War shaped that transition. In understanding Babcock's life *en toto* rather than piecemeal as he emerged as a participant in certain events, we can see that the pragmatico mindset was learned and developed over an extended period of time as well as something that was a result of opportunities presented in the moment. While we should not accept pragmaticos' actions as correct given modern or contemporary standards, we do need to acknowledge that they held a significant role in this period's developing political realm. We should also recognize that, while Babcock was certainly one of many, he was a particularly noteworthy pragmatico through whom we can see an example of both spontaneous opportunity and developed strategies used by these political actors. It is through Babcock's example that we can see the pragmatico emerge in the American political system as well as how the system responded as some went to work "handling distinguished scoundrels" while others profited from the new system.¹⁵⁶⁰ Babcock was not the first, nor was he the last, of this newly established political archetype, but he is perhaps our best example. As such, if we as historians deign to understand the Reconstruction Era as best we can, we must recognize Babcock's role in shaping the political realm during his career.

¹⁵⁶⁰ H.V. Boynton, "The Washington Safe Burglary Conspiracy." *American Law Review* 11, no. 3 (April 1877): 443.

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