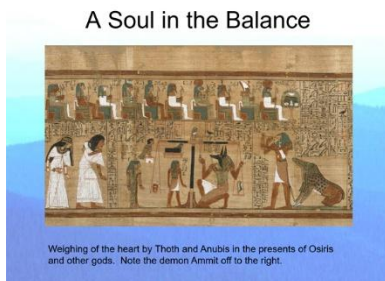


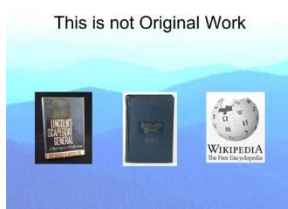
Good evening. As most of you know my name is Robert Schuldenfrei. The historical figure of Benjamin F. Butler has always been of interest to me. From the time I first heard about the American Civil War, I learned that the character of this man was impugned by both North and South alike. Who was this evil, incompetent person, who was a leader of men? For the next hour we are going to investigate Benjamin Franklin Butler.



Besides the Civil War, I have a keen interest in ancient Egypt. According to Egyptian mythology at death the soul of the deceased has to stand in the Hall of Judgment. Standing before the god Osiris and his fellow gods, the person's heart is weighed by Anubis and recorded by Thoth. Osiris makes no comment. Then, quivering with fear, the soul watches the god deliberately weigh his heart in the balance. On one side is his heart. On the other is the ostrich feather representing Maat, goddess of truth and justice. If the heart is found to be neither too heavy nor too light, the dead man is acquitted. On the other hand, if the heart is found wanting the soul is immediately devoured. This evening we are going to judge Benjamin Butler.

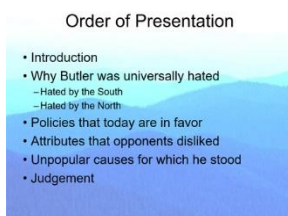
Most of you know me, but for the record, I am not a professional historian nor am I a lawyer. I do, however, have a keen interest in setting the historical record straight. Butler was neither an angel nor a devil. I hope by the end of this

presentation you will agree with me that the record needs to be corrected.



This is not original work. I had three main sources for tonight's presentation. The first work is entitled *Lincoln's Scapegoat General, a life of Benjamin F. Butler 1818 -*

*1893*, by Richard S. West, Jr. This book presents a fair and balanced representation of the general. The second source was Butler's own autobiography: *Butler's Book*. Clearly this source is not unbiased. The final sources are numerous Wikipedia references to Benjamin Butler and his opponents.



Before we weigh Ben's heart, we are going to look at what makes this character so unpopular. As you can see from this slide, we are already into this presentation. Those

who wrote the history of the war had their reasons for their dislike. There were obvious dislikes for him in the South. This was also true for any Union leader like Lincoln, Sherman, or Grant. What is less obvious was why Butler was despised in the North. We will investigate some of his policies that are in favor today, but not so much in Ben's period. He had some attributes that his opponents disliked; many of which were on display during his life and followed his reputation to the grave. Besides attributes, he often stood for unpopular causes. At the end, we, like Osiris will attempt to pass judgement.



We will start our investigation with this universality of dislike for Benjamin F. Butler. As was just mentioned, our boy was in the same boat as other Union leaders.

However, there was a special brand of venom reserved for him. Some of this was irrational, but much of this can be laid at his feet because of his own nature. Later in the hour we will expand on his deeds, speech, and psychology which goes a long way into understanding this complex historical figure.

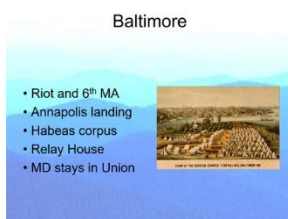


First, and foremost, Butler was a political “traitor.” After all, he was a Democrat. He was not alone as the image in this slide shows Andrew Johnson. He was put on the 1864 ticket precisely because he as a Democrat. From the beginning “war Democrats” were attacked in the South for not supporting the “cause.” The list was long to include McClellan, Stanton, and even Stephen Douglas. This last figure was the very “poster child” for the loyal Democrat. After losing the election to Lincoln, he professed his support for his rival and had a seat of honor at the inauguration. Sadly, Douglas died shortly afterwards.

Ironically, from an early age Butler was interested in politics, and the Democratic party. He attended Waterville College, now Colby College, in Waterville, ME. When some Whig students raised a campaign banner on campus, Ben seized the banner, ran off with it, and buried the offensive emblem in the woods. Lawyer Butler was chosen in 1844 as a delegate to the Democratic National Convention

that nominated Polk. In 1852 he won a seat in the Massachusetts State House.

Rewarded by the Secretary of War, Jefferson Davis, five years later, Butler became a general in the United States Army. This accompanied his appointment to the Board of Visitors at West Point. He was the youngest general in the army. In 1860 Ben condemned both Northern abolitionists and Southern “fire-eaters.” That year he first attended the Democratic convention in Charleston, SC as a member of the Massachusetts delegation. There he supported first Douglas and then Jefferson Davis who was running as a moderate. When the party split, northern members met in Baltimore where he helped nominate Breckinridge.



Ironically, the next vignette also takes place in Baltimore. It is April 1861. The 6<sup>th</sup> MA was passing through the city on the way to reinforce Washington. Mindful, that quick action to isolate the capital might force the North to let the South go, gangs harassed that unit leaving four soldiers dead. Butler was on a ship heading up a force of soldiers when they were ordered to Annapolis. Maryland governor Thomas H. Hicks feared that Union troops anywhere in his state would spark violence, and asked Butler to not put his regiment ashore. Butler would have none of it. He landed his troops and secured the railroad from there all the way to Washington. This allowed the 7<sup>th</sup> NY access to DC which assured the safety of the city. On April 27<sup>th</sup> Lincoln suspended the writ of habeas corpus along the military supply line from Philadelphia to Washington. Butler, without orders, took the rest of his command and moved on Relay

House, a rail junction just to the north of Baltimore. From there he occupied the city and insured the free flow of men and material from the north to Washington. After that, Maryland was never a threat to join the Confederacy.

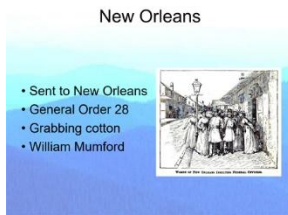


Because Butler acted without orders, Winfield Scott was not pleased. In spite of the fact that almost everyone in DC was ecstatic about the free flow of men and supplies, Scott was “old school,” and Ben was not of West Point. So... Butler was ordered to report to Scott to receive a formal dressing down. Although promoted to major general, Butler was sent to Fort Monroe, a less important assignment. Because Butler’s name had become famous in the North and infamous down south, he garnered a lot of press.

By mid-May Butler had secured the fort as the head of the Department of Virginia. Almost at once he sent an expedition up the James River and established a strong hold at Newport News. This caused some alarm in Richmond. They sent down troops. At this point Butler showed that overly complex plans can lead to disaster. The night operations proved too much for his untrained troops. Although not a large engagement, it was a loss for the Union and they retreated back to Fort Monroe. Scott reduced Butler’s forces so he could not go on the offense.

However, he was safe and secure inside the fort. That fact was not lost on slaves working near the Union lines. If a slave escaped, Butler would not follow the Fugitive Slave Law of 1850 which required him to return the slave to his

master. Butler claimed that the slaves were not people, but contraband of war.



Ben was favored by fortune, even after Scott had brought MG John Wool out of retirement to command in Virginia. Butler and Commodore Silas Stringham took a convoy of six ships and 860 men to Hatteras Inlet, NC. There they captured two forts and 615 confederates. He then sailed back to Washington to a hero's welcome. This was the first victory since Bull Run. He was selected to lead forces, together with Farragut and Porter, against New Orleans.

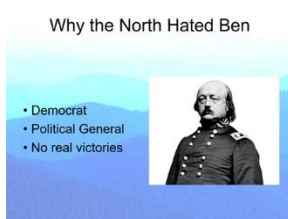
The Navy got the better of the forts on the Mississippi delta. The boats sailed on up river leaving Butler to capture the forts from the north. Then he joined Farragut sitting in the river with his guns all aimed at New Orleans. Navy men raised the American flag over the mint, but the next day secessionist men hauled it down. However, with the threat of absolute destruction of the city by the guns of the fleet, the flag was raised and the mayor reluctantly yielded.

Most all of the citizens of the town were unable to accept defeat. However, there was little they could do. The women of New Orleans were particularly demonstrative in their contempt for the soldiers. Farragut was the victim of a chamber pot emptying. In theory Butler believed in retaliation, but in this case he pulled back. With the help of his wife Sarah, Butler issued General Order No. 28 which said: "If any woman should insult or show contempt for any officer or soldier of the United States, she shall be regarded and shall be held liable to be treated as a woman of the

town plying her avocation.” The order produced the desired effect, as few women proved willing to risk retaliation simply to protest the Union presence, but the order was denounced in the North and the South as harsh.

Shortly after the Confiscation Act of 1862 became effective, Butler increasingly relied upon it as a means of grabbing cotton. The Act permitted confiscation of property owned by anyone "aiding the Confederacy." Ben and his brother Andrew clearly profited from the sale of this cotton, but to his credit Ben spent his own money for the welfare of his troops and even the citizens of New Orleans.

On June 7, 1862, Butler ordered the execution of William B. Mumford for tearing down the flag at the Mint. Most people expected Butler to pardon him; the general refused, but promised to care for his family if necessary. After the war Butler fulfilled his promise, paying off a mortgage on Mumford's widow's house and helping her find government employment.



There are many reasons why important people in the North hated Benjamin F. Butler. For a few minutes we will briefly discuss three major ones. Later on, we will ponder some of the character traits that he had which led many people to dislike the good general.

As we mentioned in connection with southern views, Ben was a Democrat at the time when most of the Washington, DC crowd, both civilian and military were Republican. The same thing happened to others of that party like the aforementioned George McClelland. And like George, the

DC band was with him when he was on top, but dropped like a hot stone when he was not. And Ben had some other issues about being from the political left that left him tainted. Not only was he a Democrat, but a mill owner who was very liberal. He gave his workers the 10-hour day which was very unpopular.

Secondly, Ben did not go to West Point. As if to rub it in, he was the youngest major general in the army at the time he was promoted to that rank. The “ring knockers” could not stand that. Governor of Massachusetts, John Albion Andrews, hated his political opponent. Not only was the gov first a Whig and then a Republican, he was an ardent abolitionist. As commander in chief of the Massachusetts Militia, Andrews did everything in his power to thwart Butler. With the war already underway in late 1861, Andrews engaged in a highly public dispute with General Butler, who sought to appoint officers to the regiments he recruited. Andrews ended up winning in the disagreement, and refused to appoint any of Butler's choices to those positions. We have already discussed the difficult relations with LTG Scott, Ben did not fare too well with Grant or Sherman either.

The third knock on old Ben was he was a terrible general who did not win any battles. This is not only false, but it closely related to the last point. It was a charge that the regular military regularly tossed at the political generals. You all might remember my defense of Lew Wallace. Let's look at the record. He kept the trains running in Baltimore when no one else did. Big Bethel was a bomb, but the loss of 18 killed and 53 wounded does not sound like a

large defeat in Civil War terms of losses. After the battle his forces were back to Fort Monroe from which the Union was never extracted. Hatteras Inlet was a victory. New Orleans was a big win and Butler was in charge of the Army. When he relocated on the James, he never really had an effective force. A more creative officer might have grabbed Petersburg, but there were but of few of those in this war. Fort Fisher, in Wilmington, NC, was the last of his engagements. The idea was to destroy the fort and shut down the port of Wilmington. There was terrible coordination between the Navy transporting the troops from the James to the Cape Fear River. After changing plans many times 2,200 troops were landed, but they did not attack the fort. Seeing failure Butler ordered the land forces back into the boats. In the end 700 men were left behind due to storms which made evacuation impossible. For this Butler, not Admiral Porter took the blame.



Ben Butler was a pioneer in causes that are much in favor today. We will now discuss these four points. There is a common theme to them. They all revolve around the common man. Butler was a very rich man. He first made money as a lawyer. This hard-working young man had just passed the bar in 1840. His success at the bar, laboring long hours, and choosing his cases with care led to financial wellbeing and fame. Many of his cases involved the mills of Lowell, MA. He represented both sides, one time for the mill owners, another time for the mill workers. When a famous mill was on the market, Ben bought controlling interest in the Middlesex Corporation.

Butler was an “enlighten” factory owner. He paid his workers good wages. This did not endear him to the other owners. And besides, Ben was a Democrat and they were Whigs or Republicans. Not only had Ben defended the 10-hour day in court, he practiced what he preached at the bar. Rather than being driven out of business by the competition, his mill made good money.

Now that he was an owner, do you think he gave up taking worker’s case? He did not. The workforce was changing about this time. The “mill girls” were being replaced by the Irish immigrants. When others would not take their cases, Butler did. Not only did he have good clients, but he gained good workers and good voters.

As was noted earlier, he was in the lead with what we would call integration today. Not only did he utilize the freedmen during his military service, he supported the rights of the black man. In 1866 he successfully ran for the House. Although it was not popular in the conservative press back home, Butler fought for equal political rights for Negroes. In Congress he was the head of the Committee on Reconstruction. That involvement led to the impeachment of President Andrew Johnson. He was on the Board of Managers for the impeachment. Because of his past activities and skills, he was selected to lead the prosecution. It is beyond the scope of tonight’s presentation, but his work at the trial in the Senate was masterful. He lost by only one vote.



Beyond talking about generally agreed upon modern characteristics, we should spend a bit of time looking at Ben's personality. You can see from this list, that these are all traits we can measure in either positive or negative terms. How I do so, will leads to my conclusion about Ben Butler. Others, maybe you in the audience, can come to other conclusions. In fact, this list are items that opponents of him disliked in him.

There is no disagreement that Butler was smart. Supporters pointed to this as a plus, detractors would say he was diabolical. He was called crafty, clever, crude, and unscrupulous. Ben had a near photographic memory which was on display from the time he learned how to talk. Five months after his birth, his father died of yellow fever. His mother relied on her own toil and the kindness of relatives. At age nine, a neighbor wrote to the trustees of Phillips Exeter suggesting that the school would be wise to offer Benjamin a full scholarship. Master Butler matriculated that fall. However, in spite of good grades, feisty Ben could not help getting into fights and left both intellectual and physical marks on the institution and the other students. As a result, by January he left the school and set out with his mother for Lowell. He attended public school in Lowell. He was almost expelled for fighting. Next, he attended Waterville (now Colby) College in pursuit of his mother's wish that he prepares for the ministry, but eventually rebelled against the idea. After graduation he read the law which sharpened his already strong rhetorical skills.

Ben was a workaholic; no one will deny that. A positive example of this comes in his first year of practicing law. Congress just passed the bankruptcy act. It was clear to him that there would be many cases to try. So, in addition to his normal workload, he devoted all his free time, and some of his sleep time, to boning up on the new law. It paid off handsomely. In a negative light, Butler quickly gained a reputation as a dogged criminal defense lawyer who seized on every misstep of his opposition to gain victories for his clients. Often these errors were because the lawyer on the other side was lazy.

Often in his law practice, and later on during his military career, he spent his own money to his benefit. As noted above, Ben pounced on the financial distress of the Middlesex Mill Company. He also made sure his brother, and therefore his own family, made a profit from the seizure of cotton from the warehouses of New Orleans.

Keeping a paper trail was most important. He kept meticulous records. Later in life he wanted to set the record straight, so he wrote his autobiography, *Butler's Book*. This was written from notes he kept all his adult life. Even more important, this biographical record is his defense in cases where his enemies wanted to sink his ship legally. He kept copies of receipts, orders, and news clippings. When attacked, either physically or legally, Butler could be counted on to fight back.

While in New Orleans, Butler was believed by many of personally profiting from his position. These folks would have relished the sight of old Ben being brought up on charges. This never happened because he crossed all his

“Ts” and dotted all his “Is.” For example, even before he got to New Orleans, he and his force was positioned on Ship Island at the mouth of the Mississippi ready to attack the forts. In order to get men and material off the ocean-going ships the command needed small boats or lighters. The Navy had captured a blockade runner loaded with \$5,000.00 worth of cotton. On the island the quartermaster’s civilian laborers were almost in a state of mutiny for lack of pay. He needed those men and their boats to offload his stuff. The rules stated that the captured cotton should be sent to Boston to await adjudication as prize money. This would have taken months and the money would have gone to the Navy anyway.

What Ben did was brilliant, expedient, and probably extra-legal. Because he documented every step, he was never in legal hot water; no one even tried. First, he put the cotton on a ship which was to return to Boston empty. He consigned the cargo to his own broker, Richard S. Fay, Jr. Next, he borrowed \$4,000.00 from a sutler on the island. Those funds paid the laborers their wages. They then offloaded Butler’s ships. When Fay made the private sale of the cotton, he sent the funds south and Ben repaid the loan to the sutler. Except for normal expenses of this transaction nobody made any great profits from the deal. Every record and document were accounted for and stored for any possible legal battles. This was how Butler ran his life.

As much as Benjamin Butler’s opponents would have wished otherwise, he was honest and could not be bribed. While this seems to be true, like so many aspects of his life, it depends on how historians, you, or Ben look at the facts.

There is no doubt he was, for lack of a better word, wily. In a positive light wily is a synonym for smart. But, in a darker view wily could mean dishonest. As you will learn in the conclusion, I believe he was honest, only because I could not find any credible evidence of the opposite. However, keep in mind that absence of evidence is not evidence of absence.

An excellent example of this was Butler's removal from New Orleans. With numerous commercial transactions during his command of the "Big Easy," one could easily conclude that he would face courts-martial. That he did not suggests that he knew how to keep his record clean. Every time he was removed from command, it was a political, not a legal, event. The first time General Butler learned he was sacked was when MG Nathaniel Banks came to his office and presented Ben with a directive from the President that he had been recalled.

To say that Ben was outspoken is the height of understatement. His opponents said he was rude, crude, and a bore to boot. Those who defended Butler argued that he spoke plainly, forcefully, and most importantly correctly. Remember that his father was a sailor who left the family in poverty when he died from yellow fever. One would say he was street wise and never backed down from an argument with a laborer, a governor, or a judge.

As a lawyer, being disrespectful of a judge in his own courtroom is not a recipe for success at the bar. One of Butler's cases in the Lowell Police Court, our boy was fighting for reform of that court. He had a dislike for Justice Nathan Crosby, the presiding officer of that court.

Crosby jailed Butler for contempt of court in “threatening violence to the person of said Justice by using menacing gestures and insulting attitudes toward said Justice in his presence and view.” After cooling his heels in jail for a week, Ben appeared before Chief Justice Lemuel Shaw under a writ of habeas corpus. Where upon he pleaded “if, in the heat of defending his client, he had used any improper expression, he regretted it.”

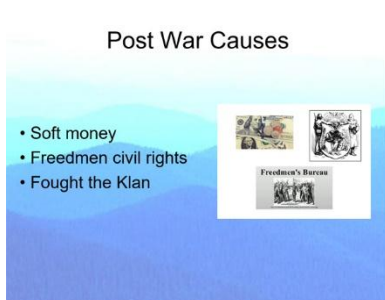
I have already explained that after Butler had taken Baltimore, he was the darling of everyone in Washington except General Scott. When he appeared before Scott, Butler was forced to stand at attention. The Lieutenant General broke into angry vituperation over the great and needless risk Butler had run. Butler waited, standing before him, until his patience had been exhausted. Having already decided to leave the Army if necessary, he turned on the old general and gave him as good as he got. History, sadly, has not recorded this “colorful” exchange.

The pugnacious Benjamin Butler was a fighter, both literally and figurately, all his life. As mentioned early in this talk, he picked fights with his classmates at school and got tossed out of school because of same. As a young lawyer he fought professionally at the bar and jousting with fellow barristers and judges alike. He fought for causes all his life, some popular and some not so much.

In the army, where he was being paid to fight, he waged war on the front, in the rear area, and with anyone with whom he saw as the enemy. It did not matter whether they wore blue, gray, or civilian clothes.

Why Butler, who was extremely intelligent and hardworking, chose to pick fights is an open question. We will investigate this in greater detail in a few minutes. It suffices to say that it is hard to do a psychoanalysis from the 21<sup>st</sup> century looking backwards to a person from the 19<sup>th</sup>. Even if I were schooled in psychology, which I am not, this is an impossible task. I have seen nothing in my study of him that really tries to explain this.

Often his friends urged him to tone it back in public. In private Butler acknowledged the justice of this criticism, but in the heat of debate he usually forgot moderation. If he was truly an outstanding politician, in the professional sense of the word, he would have moderated his behavior. After all, both he and supporters, wanted him to run for President.



Due to his energies, Butler championed many causes after the war. This talk could go on for hours if I were to describe them. In fact, the impeachment of President Johnson, which he led as a House Manager, is worth a

whole evening. However, I would like to focus on just three for now.

As a pre-war Democrat, it is not surprising that he was in favor of soft money. However, when he became a Republican during the war, he still favored easy credit and fought the gold standard. As a newly elected congressman, he threw in his lot with the advocates of greenback paper money. This was cheap money for the masses, easy credit for the farmers, and an abomination to the bankers. For

this stand, and for other things, Benjamin Butler was never popular with establishment Republicans.

His support for the recently liberated slaves grew out of Butler's long history of support for the working poor and his more recent war experience with "contraband." He, himself, selected civil rights as the cornerstone of his congressional career. In fact, the term civil rights gained its modern meaning in the *Civil Rights Act of 1871*. Butler wrote the first draft of this bill which did not pass. A second version of it, only slightly less sweeping, did pass Congress and was signed by President Grant.

Unlike other issues, like soft money, on civil rights he was with the Radical Republicans in the van. In a speech given at the Tremont Temple in Boston he said: "We spurn the dogma that this is a white-faced man's Government. We are now to look to the heart for color, not the face. We insist that it is the loyal man's Government whether he be white or black." His advocacy for equal political rights was derided by the conservative press and mocked by cartoonists of his day.

Before proposing civil rights legislation, Butler had led the fight against the Ku Klux Klan. In 1870 he instigated an investigation into the organization. In the next year, a Grand Jury reported that: "There has existed since 1868, in many counties of the state, an organization known as the Ku Klux Klan, or Invisible Empire of the South, which embraces in its membership a large proportion of the white population of every profession and class. The Klan has a constitution and bylaws, which provides, among other things, that each member shall furnish himself with a pistol,

a Ku Klux gown, and a signal instrument. The operations of the Klan are executed in the night and are invariably directed against members of the Republican Party. The Klan is inflicting summary vengeance on the colored citizens **of these citizens** by breaking into their houses at the dead of night, dragging them from their beds, torturing them in the most inhuman manner, and in many instances murdering."

Butler came into possession of a blood-stained shirt from a victim, who was a white veteran of the war, of a Klan lashing. Before the House, Congressman Butler brandished this item as if it had been evidence in a trial. He shook the bloody shirt before his fellow congressmen. And thus, the expression "waving the bloody shirt" entered into the political language.



You can probably guess what my conclusion will be. As you have undoubtedly noted, I have not regurgitated the false claims of the lost cause bunch. I do think that Benjamin F. Butler got a raw deal in his day, in the intervening years, and even today. He was no saint, but who during the 19<sup>th</sup> century was? With our advantage of hindsight, I can see, and have presented tonight, many of the things we see as modern thought that can trace their roots back to Ben. If you can look past his style, I think we should give him more credit than most historians do.

Here was a Democrat who fought for the Republicans and actually got many of them won over to his brand of liberal social issues. Limited worker hours is just the most obvious gift of his battles with the establishment. Ben worked

hard for his beliefs and accomplished more in a day than most people do in a week. In addition, while being clever he was honest. In his first encounter in Baltimore he succeeded by taking action when preparation met opportunity.

From early in the Civil War to the end of his life he defended, utilized, and promoted the wellbeing of the black citizens of the United States. Except for Lincoln's pen, this man's action did more for civil rights than any leader of his day.

He is the classic case of a leader who "put his money where his mouth was." Evidence for this goes back to his mill ownership days, extends forward to his actions in New Orleans, and continued on for the rest of his life. He fought for the things that we think are worth fighting for, such as fighting the Klan.

In summing up Butler, it is useful to reflect on what Grant, no help to Ben during the war, said about him on his world tour after war. "I had always found General Butler a likeable, able, and patriotic man of courage, honor, and sincere conviction. He was, never the less, a man it is the fashion to abuse."