

Col. Wolford's Letter to President Lincoln



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INTRODUCTION

The purpose of this publication is to make available to students of history Col. Frank Wolford's letter to President Abraham Lincoln. While it is available in other places it is not easy to come by.

The best source of information leading up to Wolford's arrest and for what happened after the letter was written are in a booklet, "***Incidents in the Life of Frank Wolford***," by Dr. Hambleton Tapp, first published in 1936 by the Filson Club of Louisville, and later republished in a booklet by the Casey County News in 1962. On pages 14-21, Dr. Tapp gives information not found elsewhere, and foot-notes give the original sources. The publishers believe this bit of history is too valuable to be buried and forgotten.

The efforts of Col. Frank Wolford and the Wild Riders of the First Kentucky Cavalry have been largely ignored by historians of the Civil War, while the efforts of Gen. John Hunt Morgan have received more than their share of publicity.

Fred J. Burkhard
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COL. WOLFORD'S LETTER TO PRESIDENT LINCOLN

In Kentucky during the war no name was more familiar to the people than that of Col. Frank Wolford, the gallant leader of the First Kentucky Cavalry. It has been said that no battle was fought, from the Patomac to the Mississippi river that at least some of Wolford's cavalry did not take part in. However that may be, it is known and was a recognized fact that they were a gallant and active body of men, and led the advances on many a hotly contested field. Wolford was distinguished for his bravery and courage.

His war record is a part of history. We will not dwell upon that; but there is an unwritten history of his treatment by the Federal authorities that may not be uninteresting. It will serve to show some of the dangers which threatened free speech and personal liberty at that time.

No man can charge that Wolford had been a negative character. When the call was made by President Lincoln, the Governor of Kentucky refused to respond. Mr. Crittenden and other distinguished gentlemen took ground in favor of neutrality. Wolford favored no middle ground, but before taking action, he wrote to President Lincoln for a pledge as to the purpose of the war and the policy upon which it was to be conducted.

He received a written assurance that it was merely to maintain the rightful authority of the Government and should be waged in no spirit of conquest or subjugation, and that the rights of the States should be protected. With this understanding and inspired by a warm love of country, Wolford appealed to the people, and in a little while had a regiment of cavalry in the field. In battle he led the advance, and in retreat was in the rear.

Soon after Mr. Lincoln issued his emancipation proclamation a meeting of officers was called at Lebanon, Ky., to consider what should be done. Wolford did not arrive until late, and before his arrival a paper had been prepared and signed by those present agreeing to tender their resignations. When it was presented to Wolford he refused to sign it, and opposed it, giving as a reason that it would be unjust to the men who had volunteered under them, and that for his part he would not desert the private soldiers whom he

had induced to enter the service. The paper was reconsidered and burned. A large concourse of people being present in town, Wolford made a speech patriotic in all its utterances, in which he sharply criticized the emancipation and confiscation policy as in violation of the Constitution and the repeated pledges of the authorities.

Soon after this he was ordered to the front, and with his command was engaged in a number of battles, commanding a division, and was in the siege of Knoxville. It was while in Tennessee that he received a circular order from a superior officer directing a detail of two regiments to confiscate rebel property and recruit Negroes for a battery at Knoxville. He indorsed upon the order that he was in the army to fight, not to steal, and that he would have nothing to do with it. In a short time he was ordered back to Kentucky to recruit and refit his command.

In 1864 he was nominated by the Conservative Union party of the State of Kentucky Elector for the State in the Presidential race, and also received a commission from Gov Bramlette, authorizing him to raise a regiment of six months troops.

He immediately commenced a canvass of the State, partly to raise troops under this commission and partly to discuss the questions at issue between the political parties. He succeeded in raising the regiment, and upon arriving at Lebanon for the purpose of mustering them into the service, he was met by an officer of the United States army with an order for his arrest.

This resulted in the disbanding of the men and their return home. Wolford was carried directly to Washington in chains, and being brought into the presence of Secretary Stanton, at the War Department, Stanton inquired who he was, and being told that it was Col. Frank Wolford, of Kentucky, he demanded to know by whose authority he was manacled.

He ordered the immediate removal of the irons and directed that Wolford should be secured a room at the Willard Hotel at Government expense. On the next day a messenger came from President Lincoln, who informed Wolford that the President said he had heard of him and did not

object to seeing him. The bearer of the message, Van Buren, who had served under Wolford as an engineer, and was a friend, was told by Wolford that he was there a prisoner, he had seen the President's picture, and did not care to see him, but if the President wished to see him he could "call around."

Van Buren at first refused to carry such a message, but finally consented, and the next day the President invited Col. Wolford to call and see him with Senators Powell, Davis, and others. The invitation was accepted, and Wolford was invited to several interviews with the President.

As a result of it all, the President ordered Wolford back to Louisville upon his written parole not to leave the city, and promising him a speedy trial, but insisting that he should be tried by a military commission.

Wolford objected to this as an illegal procedure, but agreed to be tried in any way so as to get through with it. It was in one of these interviews that he demanded of the President the charge upon which he was arrested. The President informed him that he was charged with saying in his speeches "that the Government of the United States was being crucified between two thieves—the authorities at Richmond and at Washington City." Wolford immediately responded that if that was all, although he did not remember having used the language as stated, he would plead guilty and was ready for trial.

A short time after Col. Wolford's return to Louisville under the parole he received the following communication, which speaks for itself:

*Executive Mansion
Washington,
July 17, 1864 —*

Col. Frank Wolford—

My Dear Sir:

By this mail I have sent to Hon. James Speed, a blank parole in duplicate, which, if you choose, you can sign and be discharged. He will call upon you. I inclose a printed copy of the letter I had read to you the last day you were with me, and which I shall be pleased for you to look over.

*Very respectfully,
A. Lincoln.*

Col. Wolford declined to accept the terms offered by the President, but prepared and forwarded to Mr. Lincoln the following document.

Louisville, Kentucky
July 30, 1864

To Abraham Lincoln
President of the United States

Sir:

I have the honor to acknowledge the receipt of your letter proposing to me a discharge from an arrest in many ways vexatious and inconvenient upon my signing a parole whereby I am to pledge my honor that I will neither do nor say anything which will either directly or indirectly tend to hinder, delay or embarrass the employment and use of colored persons as

soldiers, seamen or otherwise in the suppression of the rebellion, as long as the United States Government chooses so to employ and use them.

In answer to this proposal I have frankly to say that I can not bargain for my liberty and the exercise of my rights as a freeman on any such terms. I have committed no crime. I have broken no law of my country or of my State. I have not violated any military order or any of the usages of war; no act or word of mine has ever given encouragement to the enemy. I have no sympathy with the rebellion; all my sympathies are with and all my hopes are for my country. The triumph of the national arms, the preservation of the Union, the maintenance of the Constitution, the restoration of the supremacy of the law over all the States, and the perpetuation of civil and religious liberty are the rights most dear to my heart. I may say without presumption that I have done more to enlist white men in the army of the Union than any other man in the State of Kentucky.

I have done nothing to hinder the enlistment even of Negroes, because I do not associate with them and have no influence over them. You, Mr. President, if you will excuse the bluntness of a soldier, by an exercise of arbitrary power, have caused me to be arrested and held in confinement contrary to law, not for the good of our common country; but to increase the chances of your re-election to the Presidency and otherwise to serve the purposes of the political party whose candidate you are, and now you ask me to stultify myself by signing a pledge whereby I shall virtually support you in deterring other men from criticizing the policy of your Administration.

No, sir; much as I love liberty I will fester in prison or die on a gibbet before I will agree to any terms that do not abandon all charges against me and fully acknowledge my innocence. Since you have taken my case into your own hands, Mr. President, let me appeal to your sense of justice and ask that you will give to what I have to say in my defense a candid hearing, and then do what you shall see fit.

And here, I trust I shall be pardoned if I speak of myself somewhat more largely than the canons of good taste might seem to warrant, for as my

acts are the subject of the accusation against me, so they are my sole defense. Whether or not they form a triumphant defense, you sir, shall judge.

On the 10th day of March, 1864, in the city of Lexington, Ky., the Union men of Fayette county were pleased to present me with a very fine sword, a pair of valuable pistols and a pair of spurs. In response to an eloquent presentation speech made by a learned divine, I delivered a Union speech, the leading purpose of which was to promote the recruiting of men for a division of cavalry, which I then had the honor to command, whose ranks had been greatly thinned by heavy losses in battle, the division having just come to Kentucky from the front for the purpose of recruiting, refitting and remounting. I made a long speech, in which I fully discussed the wickedness of the rebellion, and contrasted the misery and despotism of the so-called Southern government with the happiness and freedom of our own.

In the course of the speech I spoke of your abolition policy and condemned it. But I insisted that it was the duty of all good citizens to defend the country by fighting the rebellion whether they approved the course proposed by the Administration or not. For the true character of this speech I refer you to the statements of M. C. Johnson and others which I include. The men whose names are subscribed thereto are men of the highest order of intellect and of the most devoted moral character.

The substance of what they say therein can be proved by five hundred ladies and gentlemen. For this speech I was arrested and sent to Knoxville, in the State of Tennessee, where I remained without any charges being preferred against me until you were induced, by those wicked men in Kentucky, who knew that no court martial could be found who would even censure me for anything said in that speech to issue an order founded on a bare rumor, as you yourself informed me, dishonorably dismissing me from the service of the United States for a violation of the fifth article of war, for disloyalty and for conduct unbecoming an officer and a gentleman.

Now, Mr. President, what I wish to call your attention particularly to is the fact that every word contained in the order of dismissal is false, that there is not the least foundation in truth for anything contained in it. I did not

violate the fifth article of war, nor did I ever violate an article of war in my life. It was my duty to study the articles of war and to teach them to my men, and I think I understand them.

The only thing I said about you personally was that you had told a great political truth when you said that you had no power under the Constitution to interfere with the domestic institutions of the States. I further said that you were the President of the United States, and as such the Commander-in-chief of the army, which made it my duty to respect your position and obey all the legal orders that emanated from you.

Your order charges me with disloyalty. Surely I am not disloyal; I never did a disloyal act, spoke a disloyal word or thought a disloyal thought in all my life. Disloyalty is treason and treason is the highest crime known to the law. The charge of disloyalty should not be lightly made against an officer or citizen.

As proof that I am not disloyal, let me set before you a few facts: At the commencement of the war I opposed the doctrines of neutrality in Kentucky. When Gov. Magoffin refused to respond to your call for volunteers I raised a company on my own responsibility and held it in readiness for my country's service. Afterward, by your permission under the auspices of the lamented Nelson, I raised the first regiment of Kentucky volunteer cavalry, and had it mustered into the service of the United States.

I raised this regiment at my own expense, without ever asking the Government to refund the money. I was almost three years in the service always in the front and always in the discharge of my duty, although all the time suffering from severe wounds received in battle. I was almost all the time fighting, so that the fights and skirmishes that I was in number over three hundred. I was in almost all the fights that were fought in the States of Kentucky and Tennessee.

I was in all the chases after Morgan and was present and second in command when he was captured. In many fights I commanded a regiment;

in many others a brigade, and for a long time and in many fights a division. For proof that I did my duty in the field and in the camp, and that my command always behaved well and always fought well, I refer you to Gens. Burnside, Shackelton, Holman, Sturgis and Carter.

I never made any written reports of the battles I fought, because I seldom had time; besides, I was not seeking fame and did not desire promotion. Loving my men from long association with them, I resolved after I was discharged to join my old regiment as a private, but I was so disabled by the wound I had received in battle that I could not pass the examination of the surgeon.

I then thought of going along with my old comrades at my own expense, but was prevented from doing so by an order. Being thus cut off from doing anything for my country in the army, I accepted the nomination of the Conservative Union convention as a candidate of that party for the office of Elector at the next Presidential election, and announced a canvass of the State. My first appointment was at Lebanon, the 28th day of May, 1864, and from there I had a number of appointments filling up the month of June. On the 26th day of May I received from Gov. Bramlette the following letter.

*Headquarters
Kentucky Volunteers
Frankfort,
May 26, 1864*

Col. Frank Wolford

You are requested to raise a regiment of six months troops. You will rendezvous at Lebanon.

*Thos. E. Bramlette
Governor of Kentucky*

I determined to comply with his request, and accordingly filled my appointments for the double purpose of discharging my duty as an electoral candidate and raising a regiment. Thus you see that one of my objects is making these very speeches, on account of which I was accused of discouraging enlistments, was to enlist troops, and it was not until after I had succeeded in enlisting a full regiment that I was arrested.

Think of it! You charge me with discouraging enlistments with my speeches when these very speeches enabled me to raise a regiment for the service in shorter time than any regiment was ever raised before in the State of Kentucky! Speaking for troops and obtaining them with unprecedented rapidity, and yet discouraging enlistments!

But your friends say I did not ask the negroes to join me. It is true, I did not. I told the people that I wanted white men, brave men and honest men, and that I would not receive, if I knew it, a negro, a coward, or a thief, as I desired to be with my men, and did not wish to associate with negroes, as I desired to whip the rebels, and wanted brave men with whom to do it, and as I desired to cultivate good feelings between the citizens and the soldiers, and therefore wanted honest men who had a high appreciation of private rights, and who would remember that the dwelling of every American citizen was secure, because it is the castle of a freeman's defense and the home of a sovereign.

In relation to enlisting slaves I did say that I was opposed to the policy of the act of Congress authorizing it and doubted the constitutionality, but that it was the duty of the people to make no opposition to it, except legal opposition; that they had a right to bring suits and let the judiciary decide the question.

These speeches were made to white men, and for the purpose of preventing the enlistment of negroes, but one purpose was to allay the excitement of the citizens and keep down the forcible resistance to your measures, and I know that they did much good in that way.

And now, Mr. President, I propose for every negro that any of your agents can find that has been directly or indirectly influenced by any of my speeches not to join the army, to find you one hundred white men who have been kept out of the army by your proclamation. You have the power, but truth and justice are with me.

I thank you for the printed copy of your letter to Mr. Hodges, which you sent to me with the proffered parole. I have read it carefully and find in it this remarkable statement: "By general law life and limb must be protected; yet often a limb must be amputated to save a life, but a life is never wisely given to save a limb." I felt that means, otherwise unconstitutional, might become lawful by becoming indispensable to the preservation of the Constitution through the preservation of the nation. Right or wrong, I assumed this ground and now avow it. Unless I have been strangely misinstructed, Mr. President, the Constitution is not a limb attached to the Government, but is the life of Government.

In destroying it you destroy the bonds by which the Union is held together, and take the life of the Government.

The idea of an unconstitutional policy becoming necessary to the Government and save the Constitution is like killing a man to save his life and keep him from dying of disease. You annul the law to make the rebels obey it; disregard the Constitution to make them respect it; break your own oath to keep them from breaking it. The framers of the Constitution surely never intended that a President should tamper with his solemn oath and that sacred instrument in such a manner.

Again you say: "I was in my best judgment driven to the alternative of either surrendering the Union and with it the Constitution, or of laying a strong hand on the colored element. I chose the latter."

So you really mean to say that the white citizen soldiers could not whip the rebels, and that after exhausting all the wisdom, strength, resources, power and valor of the white man you failed to save the Union; that with two

millions of able-bodied white men still in reserve you had to force the negroes to fight in order to save the country?

If you do, Mr. President, what a compliment you pay the white man in and out of the army! One negro, according to this doctrine, is worth in the army much more than a dozen white men. Do you believe it, Sir? You claim again by this policy to have added one hundred and thirty thousand colored soldiers to the army. Would not two hundred thousand white men have done as well?

You add, "Now let any Union man who complains of this measure test himself by writing down in one line that he is for subduing the rebellion by force of arms, and on the next that he is for taking these 130,000 men from the Union side and placing them where they would be but for the measure he condemned. If he can not face his case so studied it is only because he cannot face the truth."

I am that Union man and thus I face the case. To place your 130,000 colored men where they would be but for the measure in question would be to place the most of them back in the corn-fields to raise supplies for our army and to return the remainder of them to their legal owners, making them a monument of the justice, magnanimity and good faith of our Government, being as they would be, so many living witnesses that you had kept your pledges, while their places in the army would be ten times more than filled by 500,000 white men, who, but for this measure would have volunteered.

Now, Mr. President, will you test yourself by writing down on one side of the paper that at the commencement of this war you took an oath to preserve the Constitution and see that the laws made in pursuance thereof were faithfully executed; that you pledged yourself to the people that you would carry on the war for the defense of the Union alone, and not in any spirit of conquest or subjugation; that you would not interfere with the rights of the States or with their democratic institutions, with the rights of individuals or with their private affairs; that the relation of parent and child, guardian and

ward, husband and wife, maiden and servant, should be respected and remain unchanged by the war.

That these pledges strengthened the weak, confirmed the doubtful, fired the patriot's heart with new zeal, and enabled you to command all the available Union strength in the nation; that upon them Congress voted all the men and money that you desired; that soon as you had collected by volunteering the purest, noblest and grandest army of intelligent Christian soldiers that ever was seen upon the face of the earth; that this grand army, composed of Democrats, Republicans, Old-line Whigs, Abolitionists and men of no party, met around the altar of their common country, and standing on your pledges sunk the partisan in the patriot, and in the name of the God of Liberty and of the Union were marching Forward like a band of brothers to victory and to glory; that your pledges, too, had inspired the Union men inside the rebel lines with new hopes and new life, and made him rejoice to the justice of the Government of his fathers, and finally, that they served to increase division and distraction in the rebel army and among the Southern people, so that great hopes were entertained of a counter revolution in the South in favor of peace and the Union.

Write down these facts on one side, I say, and then write down on the other side that you changed your mind and violated all these pledges; that you broke the Constitution and your oath to preserve it; that you interfered with the rights of the States and of individuals, that you usurped the power to disturb the relation between master and servant and issued proclamations freeing the slaves; that you procured passage by Congress of odious confiscation laws; that you are now trying to change this war into a war of plunder, conquest and subjugation, that you claim the right to reduce sovereign States into the condition of conquered provinces, that to accomplish these things you have placed the military above the civil authority; that you instituted a system of arbitrary arrests which have given rise to numerous instances of cruelty and oppression by dragging innocent men, and in some instances even women and children, away from their peaceful homes to undergo the privations of a prison in which some of them must die, and all to gratify the private malice of some of your partisan leaders, though I do not pretend to say that wicked men are not sometimes arrested; that you have

constituted strange and unconstitutional courts to try citizens, denying them the right of being confronted with their accusers face to face, as well as the right of trial by jury; and denying them the benefit of the law as well as the privilege of having it expounded in their behalf by a learned Judge.

Those strange courts having usurped the power to imprison citizens for life, and even to banish them from their country; that you have declared martial law, and denied the right of the writ of habeas corpus in the loyal State of Kentucky at a time when the civil authority was in full force; that you have permitted military officers in Kentucky to interfere with the freedom of elections by issuing orders stating who shall be allowed to run for office, and who shall be allowed to vote; thus drying up all the fountains of civil liberty and leaving life and property insecure, and finally that the effects of this change of policy have been to drive many original Union men in the South into the rebel army, and to unite the Southern people to such an extent that all hopes of a counter revolution in the South is lost, at least for the present, while so dividing the people of the loyal States that you have fears, which God grant, may never be realized, that a revolution will burst forth in the North which may cause you to lose your head and also cause the Union to be lost in the midst of disorder, blood-shed and ruin.

If, Mr. President, you can not face your case so state, it is only because you can not face the truth.

If you, by persisting in your policy of forcibly abolishing slavery should cause the war to continue two years longer, it will involve this nation in a debt the amount of which will be twice as much as the value of all the taxable property the nation contains.

It will bring over a million freemen to a bloody end. It will cause cripples and widows and orphans to become so numerous, and crime and violence and bloodshed and misery will increase to such an extent, and your tyranny will have to become so great in carrying out the policy you have adopted in order to keep down the discontented and wounded spirits, that your course will come to rise up and defy you, that impartial history in attesting the goodness and severity of God, will write you down the greatest

tyrant that ever lived. But this is an episode, though one in which you have invited me by calling my attention to your letter.

To return to the immediate subject of this answer, if you are not willing to release me without a pledge, then I ask that you will turn me over to the civil authorities in whose hands I can have a fair and impartial trial by a jury, meet my accusers face to face and receive the benefits of the law.

If you will not do this, send the commission that you promised immediately so that I may have the thing over. I desire to commence the canvass.

We, the Union men of Kentucky claim, as constitutional rights, alike in time of war and in time of peace, the freedom of speech, the freedom of the press, and the freedom of elections, and we claim that the freedom of speech and the freedom of the press extend to the unrestricted discussion of the merits and demerits of every candidate for office, yourself among the rest.

To the criticism of your whole course, conduct and policy, the policy of enlisting slaves not excepted, you must undergo the same tests that are applied to other candidates. If not, our system of government is a mockery.

Governor Bramlette has issued the proclamation in relation to elections you desired. Will you now issue the one you promised Mr. Hardin and myself, assuring the people of Kentucky a free election?

Hoping, Mr. President, that peace may speedily be established upon the basis of our glorious Union and that the Constitution of our fathers, surviving this war may live forever in the hearts of the American people, North and South.

I am, Sir, your humble servant,

Frank Wolford