



## THE "OLD LINER" NEWSLETTER

### 151 years after Gettysburg, a Medal of Honor awarded

Gregory Korte, USA TODAY, August 28, 2014

*Lt. Alonzo Cushing - a West Point graduate who died in the battle of Gettysburg - has waited longer for his Medal of Honor than any other recipient in history.*

WASHINGTON — Of the 3,487 men and one woman who have received the Medal of Honor, 644 have been awarded the nation's highest military honor posthumously.

None has waited longer than Lt. Alonzo Cushing.

The White House announced Tuesday that it would award the honor to Cushing, a West Point graduate who died at age 22 in the battle of Gettysburg in 1863.

The announcement caps a four decade-long campaign by Margaret Zerwekh, an amateur historian from Cushing's hometown of Delafield, Wis., who lobbied Wisconsin's congressional delegation to pass a law waiving the time limits for making the award.

Congress finally did so in the National Defense Authorization Act passed last December, clearing the way for President Obama to make the award.

"That's incredible," said Zerwekh, 94 and in failing health. She became interested in Cushing after marrying her second husband, who had purchased the Cushing family property in 1947.

"He saved the union is what he did," Zerwekh said.

In its announcement, the White House said Cushing "distinguished himself during combat operations against an armed enemy in the vicinity of Cemetery Ridge,

Gettysburg, Pennsylvania, on July 3, 1863."

Cushing wasn't just any participant. He commanded a Union artillery battery that bore the brunt of the famous Confederate assault known as Pickett's Charge. The spot where Cushing died would become known as the high-water mark of the Southern cause.

"Refusing to evacuate to the rear despite his severe wounds, he directed the operation of his lone field piece continuing to fire in the face of the enemy," the White House said. "With the rebels within 100 yards of his position, Cushing was shot and killed during this heroic stand. His actions made it possible for the Union Army to successfully repulse the Confederate assault."



(Photo: U.S. Military Academy at West Point)

Federal law requires the Medal of Honor to be awarded within three years of the event unless Congress waives the requirement. Though the Civil War has generated more medals than any other American war, Cushing's case was complicated by the fact that so few of them — 29 out of 1,522 — were awarded posthumously.

In the 150 years since, debates have raged inside the War Department (now the Department of Defense) about the propriety of posthumous medals.

"You're trying to evaluate something that happened so long ago," said Laura Jowdy, an archivist with the Congressional Medal of Honor Society. "The nice thing about Cushing's case is it was written about at the time. It was something people saw and wrote about and remembered later in life."

One unresolved issue is who will receive Cushing's medal. The Army will accept the award on Cushing's behalf, since he had no direct descendants (although his brother, Navy Cmdr. William Cushing — himself commended with a Thanks of Congress Resolution — did).

The city of Delafield — a town of about 6,000 people 30 miles west of Milwaukee — would like to display the medal at City Hall, said David Krueger, who serves as the mayor's representative on the Cushing Medal of Honor Committee.

"It's fantastic news," he said. "We're going to celebrate as a city, regardless."

### National Civil War Museum wins battle over funding

By Dave Marcheskie, WHTM, September 3, 2014

After an appeal to Dauphin County Commissioners, leaders of the National Civil War Museum in Harrisburg not only secured funding from hotel tax revenue, but won future political and financial security.

The commissioners vowed to support the museum and to look for other funding streams to grow the institution. After a long battle, it appears the war was won by a surprising weapon: education.

Harrisburg Mayor Eric Papenfuse had urged the commissioners to freeze money allocated to the Hershey Harrisburg Regional Visitors Bureau



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until the city could revise an agreement with the agency on how to disperse hotel tax revenue.

Papenfuse said under the agreement between the city and the visitors bureau, reached during the administration of former mayor Stephen Reed, a vast majority of funds dedicated for promoting tourism in Harrisburg are diverted to subsidize the museum.

The mayor said the original vision was that the museum would become self-sustaining and pay rent to the city of Harrisburg, but it continues to pay \$1 a year to the city for rent while its fair market rental value is \$633,000 annually.

Papenfuse called the museum a "failed experiment" and last week said a marketing report provided by the museum shows it spends most of its funding from hotel tax revenues on salaries and utilities.

Commissioner Mike Pries asked museum CEO Wayne Motts what would happen if the current level of funding provided by the county were to disappear.

"It would severely cripple the museum," Motts said. "It would severely cripple the museum."

Motts said the majority of non-profit museums in America receive some sort of government funding. He said receiving a portion of hotel tax revenue was appropriate because the museum helps to put "heads in beds" "This money is valued when it comes to getting people to come to the National Civil War Museum and to the city," he said.

Motts and volunteer board members said each of the museum's 38,000 to 40,000 annual visitors spends an average \$111 in the immediate area. They said that figure does not include the 114,000 students who have visited the museum.

Motts added that an annual impact study shows the Civil War Museum produced \$5.7 million to the local economy.

Upon recommendations from the county solicitor, each of the commissioners said the museum funds are safe because that 2009 contract is a legally binding document.

Furthermore, they said the contract is protected by way of a 2007 state law that states a tourism organization approved the county must be given a portion of hotel tax revenue.

But what was unforeseen by anyone may reveal the war is over. The National Civil War Museum used a surprise weapon that resulted in victory: education.

Beyond the legalities, economic impact and suspected motivations, museum leaders won over commissioners by talking about the museum's historic importance as an educational institution.

Motts said graduating seniors only have a 12 percent proficiency in history, and the National Civil War Museum is the only institution showcasing the history of the Capital Region.

"I am totally amazed by the amount of educated people who are totally ignorant of our own history," Commissioner Jeff Haste said.

The Underground Railroad, the Grand Review of 1865 and Camp Curtin - artifacts and lessons dear to the fabric of Harrisburg - proved to be found solely inside the National Civil War Museum.

Haste and the other commissioners felt sorry that more funding to the museum was not provided sooner.

They responded by vowing to make sure the museum remains in Harrisburg and continues to be an

educational beacon for residents and visitors.

"We have a great history," Haste said. "For us not to tell the story is actually short-sided on me as a leader and for this region, and I'm not going to do that."

In the end, Papenfuse only forced commissioners to see value in the museum and in Reed's vision. In Papenfuse's eyes, protecting that dream validates the practices used to purchase the artifacts, which the mayor believed were illegal since 2007.

Commissioners said they are open to an alternative spending plan, but as the county solicitor put it, the mayor is going on a "wild goose chase."

Haste said the museum teaches something bigger than a squabble between city leaders.

"The minute we choose to close the chapter, close the door on our history, I think we're going to make mistakes," he said.

### Library of Congress gets enigmatic Civil War photo

Associated Press, August 25

WASHINGTON — An enigmatic Civil War photo of a white man and a black slave, both in Confederate uniforms, has been donated to the Library of Congress five years after its appearance on "Antiques Roadshow" sparked speculation about its meaning.

Collector Tom Liljenquist of McLean, Virginia, donated the 1861 tintype after buying it from descendants of the white soldier earlier this month. The Washington Post reported in its Monday edition.

"It's an image that historians have debated because of the discussions of whether or not African-Americans voluntarily served in the



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Confederacy," Lonnie G. Bunch III, director of the Smithsonian's National Museum of African American History and Culture said.



This handout photo provided by the Library of Congress shows Sgt. Andrew Martin Chandler of the 44th Mississippi Regiment, left, and Silas Chandler posing in this tintype, circa 1861. An enigmatic Civil War photo of a white man and a black slave, both in Confederate uniforms, has been donated to the Library of Congress. The Washington Post reports that the tintype image made in 1861 was donated by collector Tom Liljenquist of McLean, Va., who bought it from descendants of the white soldier. (Library of Congress) (Associated Press)

The picture shows Sgt. Andrew Martin Chandler of the 44th Mississippi Regiment seated beside Silas Chandler, one of 36 slaves owned by Andrew Chandler's mother. The slave holds a shotgun and a knife, but there's no evidence he fought for the South, said Civil War photo historian Ronald Coddington, who researched the picture for his 2012 book, "African American Faces of the Civil War."

Silas Chandler called himself a soldier's servant on his successful application for a Mississippi state pension in 1916.

Coddington said it is one of the most important photographs to come out of the conflict.

"There's not another image like it, in terms of having an identified soldier

and identified servant, that you can track," he said.

In the picture, Silas Chandler is in his mid-20s, and Andrew Chandler is about 17, according to records.

It raises the question: Why does a slave appear to be in arms against the crusade that would gain him his freedom?

Bunch said there is overwhelming sentiment that African-Americans who participated in the Confederacy were coerced.

"They were owned. They were enslaved," he said.

Helena Zinkham, head of the library's prints and photographs division, called it an extraordinary photograph.

"You look at those faces and you want to know more," she said.

Liljenquist, who has turned over 1,200 Civil War-era photographs to the library, said he bought the photograph from descendants of Andrew Chandler on Aug. 15 and immediately gave it to the library.

"I owned it for about 10 minutes," he said.

He declined to say how much it cost or identify the owner.

Five years ago, on the "Antiques Roadshow" television program, the picture was said to be worth \$30,000 to \$40,000.

### **Howard County, MD community leaders, officials rebuke Confederate flag at unity rally**

By Amanda Yeager, Baltimore Sun, September 16, 2014

Howard County community leaders, school system officials and politicians gathered in front of the county government seat in Ellicott City Monday evening for a unity rally to

protest recent displays of the Confederate flag.

"Every great community has a time it's tested, for without this test there can be no community testimony, no shared vision," County Council Chair Calvin Ball told the three dozen people assembled for the rally.

"While there have been incidences that have sought to potentially divide us, there are great people in every part of our county, and we choose not to be divided but to be united, and use this... as an opportunity where we can come together and make sure that everyone, in every part of our community, feels safe, feels included and feels valued," he said.

Discussion about the Confederate flag began after a Sept. 5 football game between Glenelg and River Hill high schools -- at River Hill -- when the flag was unfurled by a Glenelg student, who was asked to put it away. The school system said the student was disciplined, although it would not provide details.

Then, on Sept. 10, two Glenelg High School students came to school with Confederate flags draped around their necks. The school system said the students were told to put the flags away before school started, according to a spokeswoman, who would not say if the students were disciplined.

The Rev. Robert Turner, a pastor at St. John Baptist Church in Columbia and the second vice president of the African American Community Roundtable, the group that coordinated the rally, addressed an argument shared by some since the initial incident that the Confederate flag is a southern symbol and does not necessarily have racial overtones. "The Confederate flag may mean different things to different people in our country and in our community, but



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to African Americans in Howard County and African Americans in this country, the Confederate flag represents a key part of our history. It represents racism," Turner said. "We've come together to say that we don't share those values here in Howard County."

Howard County schools Superintendent Renee Foose said the school system would focus on creating a safe learning environment for students and teachers alike.

"We're enriched by our diversity, and we are committed to ensuring that everything we do keeps our children safe and on the right track for success," Foose said.

At the rally Ball said both incidents provided an opportunity for a "teachable moment."

"This is the beginning of a community conversation; a conversation that involves all of us, in every aspect of the county, every aspect of our diverse fabric, whether it's race, it's age, it's religion, it's ethnicity, to ensure that we move forward together, united," he said.

### Civil War battle movie 'Field of Lost Shoes' opens

By Peter Bacque, Richmond Times-Dispatch, August 27, 2014

Tom Farrell's movie "Field of Lost Shoes" will be released in 30 cities on Sept. 26.

It will appear at four theaters in the Richmond area, as well as in cinemas in Charlottesville, Harrisonburg, Roanoke, Lexington and Staunton, and in Washington.

"I'm really thrilled that it's finally happening after all the time and effort that all these people have put into this film," said Farrell, the movie's co-writer and co-producer, who also is chairman, president and CEO of

Richmond-based Dominion Resources Inc., parent company of Dominion Virginia Power.

"We're anxious to see how people like it," he said. "We think they will."

Filmed in Virginia last year, the film tells the story of seven young Virginia Military Institute cadets caught up in the Civil War, and the fatal charge of their corps at the Battle of New Market in May 1864.

"Field of Lost Shoes" won the award for best dramatic feature at the Alexandria-based GI Film Festival in May.

Distributed in theaters by Bosch Media Corp. of Beverly Hills, California, the coming-of-age film will appear in 40 movie houses in the 30 metropolitan areas.

The drama will go into the major markets of New York, Los Angeles, Atlanta, Boston, Houston, Dallas, Chicago, Seattle, Philadelphia and San Francisco during its nationwide release.

"Field of Lost Shoes" is booked in theaters for a minimum initial run of two weeks, Farrell said. Depending on how well it's received, the runs could be expanded.

"The theaters have the trailers now," Farrell said. "People are going to be very aware this movie's coming out very shortly if they listen to radio, read the newspaper, watch television."

The television media buy for "Field of Lost Shoes" will include about 7,500 30-second spots and 8,000 15-second spots broadcast in the 30 markets specific to the theater locations.

The film's marketing campaign will tap 100 to 300 Internet publications, as well as appearing on transit shelters, buses, billboards, posters, kiosks, light displays, digital bulletins, bench ads and subway poster ads.



David Arquette (center) plays Capt. Henry A. DuPont in "Field of Lost Shoes" about the Battle of New Market. The movie comes out Sept. 26.

Photo-TONY RIVETTI JR., Richmond Times-Dispatch

"It's going to look and feel like a studio release," Farrell said.

The movie, which runs 95 minutes, was first shown to an invited audience at a gala event in Richmond on April 13.

A lawyer by profession, Farrell comes from a military family and has a deep interest in military history.

Farrell and David Kennedy wrote and produced "Field of Lost Shoes," with Brandon Hogan serving as executive producer. Sean McNamara was the director.

The cast of "Field of Lost Shoes" includes such well-known actors as Virginia-born David Arquette, Tom Skerritt and Jason Isaacs.

Seven young actors — Nolan Gould of "Modern Family" fame, Luke Benward, Zach Roerig, Max Lloyd-Jones, Josh Zuckerman, Parker Croft and Sean Marquette — play the VMI cadets whose stories are at the heart of the film.

### PTSD and the Civil War

By Sarah Handley-Cousins, New York Times, August 13, 2014

Daniel Folsom, a tinsmith from northern New York, enlisted in the Union Army just days after the fall of Fort Sumter. His exemplary service through years of long marches and hard battles led to two promotions,



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but during the Battle of Fredericksburg in late 1862, something changed. Folsom seemed uneasy. He was still troubled months later when the regiment mustered out. He returned home, opened his own tin shop and tried to focus on work.

As time passed, Folsom's motivation to work waned. He neglected the tin shop and wandered, aimless, around the village. In July 1863, when the first men in his neighborhood were called by the draft, Folsom snapped. Terrified that he would be sent back to the Army, he became sleepless and manic, and then fell into a severe depression. When he attempted suicide, his family had him committed to the State Lunatic Asylum in Utica. In the asylum, the young veteran grappled with his paranoia and guilt. At times, he begged the attendants to kill him.

Eventually, Folsom slowly began to improve. "I am not enjoying myself much at present," he wrote to his sister in the spring of 1864. Still, he assured her, he had recovered, and implored her to persuade their father to retrieve him from the asylum. Folsom was especially concerned about finding work. It seemed to him that the longer he was institutionalized, the less likely it would be for him to succeed in business. "I should like to get out of this city [and] go into business iff I stay here any longer the world will be a blank," he wrote. "I really think there is a chance for me yet."

Folsom was not alone: Tens of thousands of veterans damaged by the war had to learn how to live and work with their wounded bodies. In much the same way, Folsom had to adapt to life with a wounded mind. His illness – what today we would likely call post-traumatic stress

disorder – had damaged his reputation, but he might be able to prove himself through clean living and dedication.

Folsom's difficulty was compounded by a stigma that held that mental illness was a personal failing and should be kept secret. That stigma has proved difficult to kill. Even today, the case files of the men and women treated in New York State's asylums during the 19th century are restricted in the name of patient privacy. Thus, the names of the soldiers in this article have been replaced with pseudonyms, and other identifying markers have been removed.

The psychological implications of the Civil War have been long debated by historians. Statistically speaking, insanity was not a major cause of discharge for the Union Army. "The Medical and Surgical History of the War of the Rebellion," an official report by the War Department, lists only 853 discharges by reason of insanity during the war years, accounting for less than 1 percent of total discharges. Terms used to describe mental illness during the 19th century, however, such as neuralgia, nostalgia, headache and sunstroke, were counted separately, which suggests the possibility of a higher number. Of course, officers wanted to maintain as strong a fighting force as possible, so soldiers could be discharged for insanity only if their commanding officers, in addition to medical staff members, agreed that their symptoms were obvious and disruptive. Only the most disturbed soldiers, therefore, received discharges. Moreover, after the autumn of 1863, soldiers could be discharged for insanity only after the physicians at the Government Hospital for the Insane in Washington

examined them and declared them too insane for duty.

There are no statistics that can tell us how many soldiers experienced moments of panic and helplessness, or how many feared they might be losing control. There is also nothing to teach us about the experiences of most of the soldiers after they were discharged. Asylum records, like those of Daniel Folsom, allow us a glimpse into the lives of such veterans and to see the ways the traumas of war affected their ability to navigate the day-to-day obligations of their lives.

Folsom, as it turns out, was fortunate – as he indicated to his sister, he did still have a chance. As a postscript to his letter, he made a promise: "I shall try and be a man." His way of keeping his word was by re-enlisting in the Union Army upon his release, hoping to reaffirm his manhood through battle. He received a commission as a first lieutenant in a New York regiment. When the war ended, Folsom enjoyed success as a tinsmith. He even married and fathered six daughters.

For other soldiers, the distress of war had more sinister consequences. Many soldiers had difficulty letting go of the rage that had been vital in battle. When they returned home, this anger was sometimes channeled into domestic violence. Clinton Moore came home bitter and restless after he was discharged. He drank heavily, beat his wife and terrorized his neighbors. When the local constable came to arrest him, Moore hurled a stove down the stairs and wounded the officer in the head. The disgruntled constable, upon finally delivering Moore to Utica, described the former soldier as "3 parts ugly and 1 part crazy."



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Moore soon escaped. He returned home and spent the next several months menacing his family and neighbors before returning to Utica. After his return, Moore seemed ready for a change. He wrote to Dr. John P. Gray, the superintendent of the asylum, promising he would find honest work if he could only be released, even insisting that he would "let Licker alone entirely." Unwilling to wait for the superintendent's assent, Moore escaped again in late summer, and from that point disappears from historical record. Whether he was able to change or find work is unknown.

Some soldiers were entirely undone by the war. Andrew Hamilton returned home a changed man in June 1864. He had survived the horrors of Chancellorsville and Lookout Mountain and bouts with camp diseases. He had survived prison and hundreds of miles of marching, but when he got home, though his body seemed strong, his mind was altered. He raved about the war. He had insomnia and refused to eat. Hoping for a cure, his family committed Hamilton to the asylum at Utica.

Attendants confined the frantic young man to a "Utica crib," a bedlike wooden cage used to restrain and ostensibly calm patients. But Hamilton could not be soothed. He beat against the bars until his arms and legs were bruised. He shouted orders to phantom soldiers and drove teams of invisible horses. By mid-July, at only 23 years old, Hamilton was dead.

During the dark days of war, soldiers fantasized about their return home, imagining it would be the moment their troubles would end. Daniel Folsom certainly did. "I thought I had got through the hardest of my life when I got through solgerin'," he

wrote his sister. But for Folsom, and the many other soldiers who bore the psychic scars of war, their troubles had only just begun.

*Sarah Handley-Cousins is a graduate student in history at the University at Buffalo.*

### Why New York City Opposed Abe Lincoln

By Bill Morgan. New York Times, September 1, 2014

New York may have been the largest city in the Union during the Civil War, but most of its inhabitants were strongly opposed to the conflict – if not downright hostile to the Union's war aims. During the secession crisis of 1861, the pro-Confederate mayor Fernando Wood even proposed seceding from the Union and establishing itself as an independent city-state, neither for nor against the North or the South.

The antiwar sentiment was mostly commercial in motive: Most people in the city felt that conducting a war against the Southern states would prove to be bad for business. Southerners owed tens of millions of dollars to New York banks, New York shipowners provided Southern cotton producers with the means to get their products to markets and poor New Yorkers believed that the abolition of slavery would flood the city with cheap black labor, putting newly arrived immigrants out of work.

These feelings only grew during the war, and came to a head during the 1864 presidential race. Indeed, few people today realize that Abraham Lincoln was not the popular choice of the people of New York City in either of his presidential runs. He not only failed to carry the city in either election, but in fact lost by landslides. It was only due to his strong Republican support from upstate New York voters that Lincoln managed to

carry the state's 33 electoral votes. In 1860 the city's choice for president was Senator Stephen A. Douglas, and in 1864, during the height of the war, it was Gen. George B. McClellan.

Although McClellan was born and raised in Pennsylvania, his career as a politician began in New York City after his demotion. He had moved there to prepare his final reports from his leadership of the Army of the Potomac, living in the elegant Fifth Avenue Hotel, at the time located on the northwest corner of 23rd Street and Fifth Avenue, overlooking Madison Square. He spent most of his time with wealthy businessmen and Democratic Party supporters like William Aspinwall, John Jacob Astor, August Belmont, William B. Duncan, and Manton Marble. Those well-heeled friends gave the general a beautiful furnished townhouse at 22 West 31st St. in appreciation of his service to the country. (Unfortunately neither the hotel nor the house exists today.)

With the door to new military command closed, he began to look toward a political career. At the encouragement of two old friends, Samuel Barlow and Representative Samuel S. Cox, McClellan decided to take on Lincoln in the upcoming presidential election. (Barlow was making a name for himself as a young lawyer on Wall Street when he became McClellan's chief adviser, and Cox was the speaker of the House of Representatives. McClellan would run as an expert critic of the president's prosecution of the war, both his strategy and his goals; his supporters hoped that McClellan's reputation as a general and strong support of his former troops would ensure his victory. In August 1864, McClellan was nominated by the



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Democratic Party at its Chicago convention.

He immediately set up headquarters for his campaign in the Fifth Avenue Hotel in New York. As it was not the practice at the time for candidates to make their own speeches, Robert Winthrop of Massachusetts, a former speaker of the House himself, addressed an enormous crowd in Union Square on McClellan's behalf. McClellan made only two speeches during the entire campaign, one of which he delivered from the balcony of the Fifth Avenue Hotel.

McClellan seemed a great choice for the campaign, but several factors hampered his bid. Recent victories by the Union armies in the South, including the fall of Atlanta to Gen. William Tecumseh Sherman the day after McClellan's nomination, indicated that the end of the war was finally in sight. There were also disputes between McClellan and the party: He did not agree with the parts of its platform that stated that all hostilities should cease immediately, and that the South should be allowed to remain separate if that was their wish. In fact, during the campaign McClellan repudiated the party's platform and declared that the war should be prosecuted to the very end. That caused a split among his own supporters and made it appear that McClellan wasn't in control of his campaign.

But New York remained McClellan's town. On Election Day, he more than doubled Lincoln's votes in the city, 73,716 to 36,687. But his metropolitan support wasn't enough, and Lincoln carried both the state and the nation. The most disheartening thing about the voter turnout for McClellan was the fact that his former soldiers did not support him at the polls. Lincoln won the military vote by

a margin of 76 percent to the general's 23 percent.

After the ballots were counted, McClellan left New York for a four-year trip to Europe. But he wasn't done with politics, or New York: When he returned in 1868, he was cheered by thousands of war veterans who crowded into Madison Square opposite his quarters in the Fifth Avenue Hotel. From the balcony he addressed the enormous crowd of well-wishers just as he had done during the campaign. Although he had promised not to seek public office again after his failed bid for the presidency, he was elected governor of New Jersey in 1877. McClellan lived the rest of his life in New York City and Maywood, N.J., and passed away in the nearby town of Orange in 1885.

### The death of Taney

By John F. Marszalek, Washington Post, September 11, 2014

If there was a figure whom Abraham Lincoln feared during the Civil War, it was the chief justice of the United States, Roger Brooke Taney. Famous for his decision in the 1857 Dred Scott case, which Lincoln and many other Americans abhorred, Taney battled the administration during the Civil War on matters such as the arrest of dissidents, the blockade and the writ of habeas corpus. The president feared Taney might destroy his constitutional argument for the Emancipation Proclamation. The chief justice represented opposition to the Union, and Lincoln worried.

Taney was not a healthy man during the Civil War, and his psyche was ravaged by thoughts of the recent deaths of his beloved wife and daughter. He considered constitutional rights to be more important than the Union, yet he did not want to see the Union lost. As

one author put it, "Taney hovered around Washington like an unrespected ghost." And Lincoln worried.

Taney died Oct. 12, 1864. The Emancipation Proclamation had been promulgated, and the Thirteenth Amendment was on its way. The Dred Scott decision constituted an even greater mark against the dead chief justice than it had before. One Republican paper spoke of his "perdurable ignominy." When legislation was introduced in Congress to place his bust next to that of earlier chief justices, Sen. Charles Sumner protested, insisting that "the name of Taney is to be hooted down the page of history." Attending Taney's funeral was a matter of debate in Lincoln's Cabinet. Lincoln, Seward and William Dennison finally decided to attend the brief Washington ceremony, while only Edward Bates went to the interment in Maryland. Gideon Welles, William Pitt Fessenden, Edwin Stanton and John Palmer Usher attended neither. In "The Unjust Judge," a 66-page pamphlet, an anonymous writer, perhaps Sumner, held nothing back in criticizing Taney. "Next to Pontius Pilate, perhaps [he was] the worst that ever occupied the seat of judgment among men."

Taney was viewed as a threat to the Union and someone to be despised. His death sealed his negative reputation among Americans. Lincoln lost a menace to his administration, and he eliminated a threat to his reelection by appointing a major political opponent to take Taney's place on the bench. Lincoln still worried about the future of the Union, but he did not worry as much as he had before.