

SOME INCIDENTS IN THE TRIAL OF PRESIDENT LINCOLN'S ASSASSINS.

GENERAL HANCOCK'S RELATION TO THE TRIAL AND EXECUTION OF MRS. SURRETT.

A paper read by GEN HENRY L. BURNETT, late U. S. V., at a Meeting of the Commandery, State of New York, Military Order, Loyal Legion, Dec. 5, 1888.

MY transfer from the line to the staff of the army was an accident, and one which I regarded at the time as a personal misfortune.

I was serving with my regiment on the Cumberland, in the latter part of the year 1863, or the beginning of 1864, when the Judge Advocate on the staff of General Burnside, Major J. Madison Cutts (brother-in-law of the late Senator Douglas) committed an offense for which charges were preferred against him. General Burnside sent inquiries to the front for some officer who was a lawyer and capable of trying his Judge Advocate. I was recommended, and ordered back to Cincinnati, where General Burnside's headquarters then were, he being in command of the Department of the Ohio.

After finishing this case I was kept on court-martial duty at Cincinnati, Lexington, and Louisville for some time; and finally, at request of Governor Morton, in September, 1864, I was ordered to Indiana to act as Judge Advocate of the court detailed to try the members of the "Knights of the Golden Circle" or "Sons of Liberty." These trials were finished some time in December of that year, and I entered almost immediately upon the trial of the Chicago conspirators—St. Leger, Grenfel, and others, you will remember—who had come over from Canada to engage in the enterprise of releasing the rebel prisoners

from Camp Douglas. While making the closing argument in this case on the 17th of April, I received from the Secretary of War the following dispatch :

“ WASHINGTON, April 17, 1865.

“ COLONEL H. L. BURNETT, *Judge Advocate* :

“ Please report in person immediately to this department to aid in the examinations respecting the murder of the President. Acknowledge this telegram.

“ EDWIN M. STANTON, *Secretary of War*.”

I started for Washington the same evening, reaching there on the morning of the 19th, and was “specially assigned (by the Secretary of War) for duty on the investigation of the murder of President Lincoln and the attempted assassination of Mr. Seward,” and a room was assigned to me in the War Department.

The gloom of that journey to Washington, and the feeling of vague terror and sorrow with which I traversed its streets, I can not adequately describe, and shall never forget. To this day I never visit that city without some shadow of that dark time settling down over my spirit. All the public buildings and a large portion of the private houses were heavily draped in black. The people moved about the streets with bowed heads and sorrow-stricken faces, as though some Herod had robbed each home of its first-born. When men spoke to each other in the streets there were tremulous tones in their voices, and a quivering of the lips, as though tears and violent expressions of grief were held back only by great effort. In the faces of those in authority—Cabinet ministers, officers of the army—there was an alert expression of the eye, as though a dagger's gleam in a strange hand was to be expected ; and a pale, determined expression, a set of the jaw that said : “ The truth about this conspiracy shall be ascertained, and the assassins found and punished ; we will stand guard, and the Government shall not die.”

For no ruler who ever lived, I venture to say, not excepting Washington himself, was the love of the people so

strong, so peculiarly personal and tender, as for Abraham Lincoln. You know what that love was among the soldiers, with what devotion and patriotic affection the boys used to shout and sing, "We are coming, Father Abraham!" and what a personal and confiding sort of relation seemed to exist between the boys and "Uncle Abe," and how those brave soldiers—veterans of four years of terrible war, inured to hardship, to sickness and wounds, familiar with the face of death—wept like little children when told that "Uncle Abe" was dead. The scene at the bedside of the dying President had been described in the press, and, as the news swept round the earth, all the children of men in all the civilized world wept with those about his couch. That death-bed scene will never be forgotten. "It was surrounded by his Cabinet ministers, all of whom were bathed in tears, not excepting Mr. Stanton, the War Secretary, with iron will and nerve, who, when informed by Surgeon-General Barnes that the President could not live until morning, exclaimed: 'Oh, no, General! no, no,' and immediately sat down in a chair at his bedside and wept like a little child."

"Senator Sumner was seated on the right of the President's couch, near the head, holding the right hand of the President in his own. He was sobbing like a woman, with his head bowed down almost to the pillow of the bed on which the President was lying."

At twenty-two minutes past seven the President passed away, and Mr. Stanton exclaimed, "Now he belongs to the ages." Besides the persons named, there were about the death-bed his wife and son, Vice-President Johnson, all the other members of the Cabinet with the exception of Mr. Seward, Generals Halleck, Meigs, Farnsworth, Augur, and Ladd, Rev. Dr. Gurley, Schuyler Colfax, Governor Farwell, Judges Cartter and Otto, Surgeon-General Barnes, Drs. Stone, Crane, and Leale, Major John Hay, and Maunsell B. Field.

When I entered upon the duty of assisting in the investigation of the murder of the President, on the 19th of

Ladd, was born at Alexandria, New Hampshire, December 23, 1843. Before mobilization he was employed in the Lowell Machine Shop. Both these young mechanics were of exemplary character. In Headley's words: "At Lowell, on the fifteenth day of April, they dropped the garb of the artisan and assumed that of the citizen-soldier. Four days afterward, at Baltimore, their mortal bodies, bruised and lifeless, lay on the bloody stones of Pratt street, the victims of a brutal mob."

The assertion that the Sixth Massachusetts, with its large proportion of Lowell men, was "the first armed and equipped troop to respond to President Lincoln's call" has been disputed of late years, when there has seemed to be a conspiracy on the part of some writers to depreciate the Bay State and all its military achievements. The case for the leadership of the Sixth has had good support, amongst others, from a careful writer, "J. K. C.," in the notes and queries department of the "Boston Transcript," who states that although Pennsylvania troops did reach Washington a few hours before the Massachusetts men, these former were not armed and equipped troops. Benson J. Lossing, historian, is quoted as saying that the Pennsylvania companies, "were almost entirely without arms." They could hence have been of almost no use in defending the capital. Of the reception of the Sixth in Washington, Colonel Jones later wrote: "Such was the anxiety at Washington that on our arrival we were met by the President and Cabinet. President Lincoln grasped my hand and with tears in his eyes said: 'Thank God you are here. If you had not come we should be in the hands of the rebels before morning. Your brave boys have saved the capital, God bless them!'"

The dispute, which is of long standing, may be followed by the curious in a file of the "Independent" for April and May, 1886, in which the Massachusetts side of the controversy is summed up in articles entitled "The Claims of Certain Pennsylvanians to have been the 'First Defenders' of Washington." As historian of the Sixth Regiment, Colonel B. F. Watson, in his "Addresses, Reviews and Episodes, chiefly concerning the Old Sixth Massachusetts Regiment," brought together many data believed to be conclusive evidence that it deserved its accepted motto: "First to volunteer; first in the field; first to shed its blood; first to triumph."

Enlistments were wonderfully furthered in Lowell from the hour of receiving the first news of the riot in which the Sixth had protected itself from the Maryland mob. The armories were crowded with young men and old. The Light Guard made a record of enlisting sixty-four men in half an hour, and after they had signed up Hon. George F. Richardson came forward to write a check for one hundred dollars towards the needs of the company. Irish-American citizens were simultaneously forward with the formation of their company, to

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