

## Documents

### DIARIES OF JUDGE DAVID McDONALD

#### *Foreword*

David McDonald of whom a biographical sketch appeared in our September issue, made trips from Indianapolis to Washington, D.C., in the winter of 1858-1859 and in the summer of 1862. During 1864, he twice journeyed to the national capital, first in September and again in December. In each instance, he kept a diary covering the trips to and from Washington and his brief sojourns in the city. He was a lawyer with a strong interest in the courts and the devotees of the law. He was a Republican who had been a Whig. Though never active in politics, he had adopted as his own the views which prevailed among Whigs relative to Jacksonian Democrats and Jacksonian policies. He was affiliated with the Methodist church, but his beliefs were strongly Unitarian. He held vigorous and independent beliefs which he freely expressed in his diaries.

Judge McDonald was born in Kentucky. The family migrated to Washington, Indiana, in 1817 when David was fourteen years of age. He spent very little time in school in Indiana, though he read much. He taught school for a time, and studied law in the office of a local attorney. In 1838, eight years after he was admitted to the bar, he was elected judge of one of the judicial circuits of Indiana. After his election, he lived in Bloomington where in addition to serving as judge of a large circuit, he taught in the Law School of Indiana University for several years. In 1854 Judge McDonald moved to Indianapolis where he formed a law partnership with Albert G. Porter. It was while engaged in the practice of his profession in the Hoosier capital that he made the four visits to Washington of which he kept a record in his journals.

#### [DIARY OF VISIT TO WASHINGTON IN WINTER OF 1858-59]

Dec. 23, 1858. At 8:40 P.M. left home for Washington City. Took the Belfontaine road. Passed the night pleasantly in a "Sleeping Car".

At 7 A.M. of Friday, Dec. 24, 1858, I found myself at Crestline, Ohio where I breakfasted.

Thence took the Fort Wayne & Pittsburg road. At about 10 o'clock the tender broke an axle; and we were detained about three hours. When this accident occurred, we were running about forty miles an hour. Yet,

as it was a hind axle, the tender was dragged forward and nobody was hurt. I did not even feel the jar.

We arrived at Pittsburgh at 9 o'clock P.M. and stopped at the Alleghaney House.

It was dark and I could see little of Pittsburgh.

My journey through Ohio this day showed a poor, marshy country. I saw no improvements and no farms equal to the best in Indiana.

Dec. 25, 1858. At 1:30 A.M. I left Pittsburgh for Harrisburgh, a distance of about 250 miles. We ascended the Alleghaney Mountains in the night. But, when on the very top of them, the day dawned. It was clear and frosty, and it was a glorious daybreak. Far below, toward the Atlantic, the golden light glowed along the horizon—a magnificent [scene].

On the top of the mountain is a village where there are extensive manufactories. Here we breakfasted—a very good breakfast it was. Then we dashed along at the rate of 30 miles an hour through the mountains, following the way of the Juniata, at first a mere rivulet, but at Harrisburgh uniting with the Susquehanna, as wide as the Ohio at Louisville—a far more beautiful stream than the Ohio.

I thought we would soon be out of the mountains; they continued to Harrisburgh. To me these mountains were most interesting objects. Clothed everywhere with pines and cedars, I loved them. Lifting their heads in grandeur to the clouds, I venerated them. In places, their sides were composed of vast quantities of stone broken up as if for McAdamizing. In other places they presented solid walls of stone rising high above us in huge layers. I noticed that these layers were in no place horizontal. In many places, they had a dip of 30 degrees, and in some places, they were nearly perpendicular. I noticed, too, that the dip was in some places toward the east, and in some towards the west. An observant person cannot but conclude that these mighty mountains have been heaved up by some vast commotion below.

It is a wretched country all the way from Pittsburgh to Harrisburgh—not a good farm to be seen—miserable patches enclosed with wretched crooked rail fences.

We arrived at Harrisburgh at 12 M., just as the Baltimore train was leaving, and we were left behind. So we must spend the evening in the Capital of Pennsylvania.

Harrisburgh is a poor place. Not half equal to Indianapolis. The public buildings do not compare with ours. A brick state-house, some offices, and a poor looking Insane Asylum are all I saw.

It was Christmas and all the people were out buying toys etc. Many were drunk—many cursing, swearing, quarrelling, using most obscene language. White men and negroes seemed on an equality. It looked like a general riot. I never saw anything like it in a Western City. The landlord said they had only three policemen.

Sunday, Dec. 26, 1858.

At 2:30 A.M. we took the cars for Baltimore and arrived there at 8 A.M.

As the passage was mostly in the night I could see little. What glimpses I had showed a wretched country—poor land, poor fences—poor houses.

Baltimore is a great city—here are magnificent churches—splendid residences—ships and small craft innumerable. The city surrounds the head of the bay (Chesapeake) which seems to run into the city's very heart.

I looked at the Washington monument, which seemed to me to be fine; and at the monument commemorative of the battle of Northpoint, which seemed to me very poor—as good however as the battle.

At 11 A.M., I went to the Unitarian Church. It was all very fashionable—here was the organ—and here two singers—a man and a woman. The Rev. a Dr. Somebody read a poor sermon, and read it badly. The congregation was small. It was, upon the whole, a poor affair.

Monday, Dec. 27, 1858. At 4½ A.M., took the train for Washington. Got there at 7 A.M.

Here I am in the Federal City at Brown's Hotel, midway on Pennsylvania Avenue, the widest street I ever saw. The Capitol is at the east end of the avenue, the President's house at the west, the P.O. department and the Patent office on the N.W. and the Treasury Department immediately east of the Presidential mansion.

This day I went to the Capitol and looked around it a little. I examined little of the interior except the rotunda.

Tuesday, Dec. 28, 1858. After breakfast I went to the navy yard about 1 mile S.E. of the Capitol. I had not time to examine it. I saw, however, that it was on a grand scale, and was enclosed like a penitentiary with a high wall. Near the entrance were four large cannon taken in 1804 from the Algerines near Tripoli by Com. [———]<sup>1</sup>

At 11 o'clock A.M., I went with R. W. Thompson<sup>2</sup> to the Supreme Court room. After sitting there a while, the Judges marched in headed by the Chf. Justice. They wore long black gowns. The impression the first sight of them gave me was that of weary, worn out, feeble old men, whose places would be rather in their chimney corners, than here. Nor could I see in them any great marks of great intellect. They seemed just the men who might get up the shabby decisions in Howard's Reports.

The Court room is small, and much in the shape of our Representatives Chamber. On the columns are fixed the faces of all the former Chief Justices sculptured in marble, Marshall, Rutledge, Jay, Ellsworth. Facing the Judges on the opposite wall are the blind goddess with her sword and scales, some angel on her left with the constitution, and an eagle on her right.

Now let us look at the Judges a little more closely:

1. In the middle sets Taney, the Chief Justice. He looks 80 years old. He is feeble, decrepit, bowed together. Complexion dark, face

<sup>1</sup> The diarist meant to fill in the name but did not. He was probably thinking of Preble or Decatur.

<sup>2</sup> Richard W. Thompson of Terre Haute, Indiana. Earlier a Whig member of the House and later Secretary of the Navy under Hayes.

wrinkled—small head—low forehead. Voice feeble and scarcely articulate. His hair is heavy, and long, and uncombed, and black, with a little gray. His face is expressionless. He seems to have his second sight and reads without glasses.

This is the Chief Justice of the U.S. who got his office by being the tool of Jackson in removing the deposits from the U.S. Bank!<sup>3</sup> There he is! I can see nothing noble, nothing manly in him. Jesuitical indeed he looks, but not judicial.

2. On the right of the Chief Justice is the chair of Judge McLean.<sup>4</sup> He is not in it, but I will describe him:

A man more than 70 years old, tall, fine formed, majestic,—his hair very thin but not gray—pretty good shaped head and large—an imperious look, as much as to say “I am sir Oracle”. He has been a long time in office, and in high life. He loves good eating, and goes to sleep on the Bench in the midst of an argument. He has a miscellaneous, not a logical mind. His powers of intellection are not strong. His style is wishy washy. He has no taste. He never was a thorough lawyer though he thinks he is. He affects to be a magnificent man. But he lacks a simple heart, and an earnest mind. “I do not like you, Dr. Fell”.

3. Catron<sup>5</sup> is on the right of McLean's chair.

He is a large, heavy old man somewhere about 65 years of age. He has a good wholesome face and a large head. And yet I don't see any marks of great intellect. He reads without spectacles and reads very badly. In fact, I heard none of them read an opinion well. Our Perkins is equal to the best of them in that respect.

On the whole, however, I think Catron has as much talent as any of them.

4. Nelson<sup>6</sup> sits on Catron's right. He looks to be some 70 years old. He is very gray—heavy set—a little corpulent—large head. He looks more like a southern than a northern man. There is much similarity between him and Catron; and I do not know which is superior.

5. Campbell<sup>7</sup> sits on the right of Nelson. He is younger than those above named, say 55 years old. He has a bald head. Nothing remarkable in his appearance. No talent patent in his face. He is one of those in-different kind of men, of whom little can be said in any way, except that his face is strongly marked with benevolence. Certainly he is a man of an amiable, sweet, kind heart, unless physiognomy is a liar.

<sup>3</sup> Roger B. Taney of Maryland was transferred from the office of Attorney General to that of Secretary of the Treasury in September, 1833. He was not a tool of Jackson, but was placed at the head of the Treasury Department because he was in thorough agreement with the President in regard to the removal of deposits from the Bank of the United States. When John Marshall died in 1835, Jackson made Taney Chief Justice, an office which he held until his death in 1864. Marshall filled this great office very nearly thirty-five years, and Taney almost thirty years. Taney was born in 1777, and was, therefore, 81 years of age in 1858.

<sup>4</sup> John McLean of Ohio. Appointed associate justice by Jackson in 1829. Born in 1785, he was 73 in 1858.

<sup>5</sup> John Catron of Tennessee. Appointed associate justice by Jackson in 1837. Born in 1786, he was 72 in 1858.

<sup>6</sup> Samuel Nelson of New York. Appointed associate justice by Tyler in 1845. Born in 1792, he was 66 in 1858.

<sup>7</sup> John A. Campbell of Alabama (lived a considerable part of his mature life in Georgia before going to Alabama). Appointed associate justice by Pierce in 1853. Born in 1811, he was 47 in 1858.

6. Wayne<sup>8</sup> sits next Taney on the left. He is 70 years old. Large, fat, heavy-set. He has a large head and a tolerable face. Loves good eating, I think.

Wayne, Grier, Nelson & Catron are in appearance so much alike that it is difficult, sitting before them as I do, with the light in my face, and on their backs, to say how they differ as to talents, beef, age, or intellect.

7. Daniel<sup>9</sup> is at the left of Wayne. He is between 65 and 70 years old. Wears a wig—is long-faced, lantern-jawed. Looks good natured & jovial. It is certain he is not in any way above mediocrity. Nothing but office could distinguish him beyond his own neighborhood.

I heard an opinion delivered concerning a California land claim. Daniel dissented. He expressed his dissent ore tenus. It was scolding, it was bad rhetoric, bad English, bad taste, and bad sense. The thing seemed to me to combine want of learning and want of manner.

8. Grier<sup>10</sup> sits at the left of Daniel. He is about 70 years old. Is a heavy fat man. Looks like he had eaten a world of pork, has a good natured face—a very gray head. His head is large and seems well formed. And I should think he had talents; but he don't look like a thoroughly cultivated man.

9. Clifford<sup>11</sup> is on the left of Grier. He seems about 50 years old—the youngest looking man among them, by far. Indeed he and Campbell are all of them who seem to have enough bodily vigor, enough to support vigor of mind. But I doubt his mental vigor. And yet he has a large, fine head & face. But he looks too good natured, too easy—his face shows nothing of the severity which commonly marks a closely thinking judge.

These judges all sit crouched on their chairs. They do not hold up their heads like men even when reading opinions. And while counsel address them they often read, and converse with each other.

Upon the whole I pronounce them an unpromising set—a disgrace to the nation—a burning disgrace to the partisan presidents who placed them there.<sup>12</sup>

And this judgment which I form from seeing them accords with what I have thought from reading their decisions in the latter volumes of Howard.

They are just such men as might give the decisions rendered in the

<sup>8</sup> James M. Wayne of Georgia. Appointed associate justice by Jackson in 1835. Born in 1790, he was 68 in 1858.

<sup>9</sup> Peter V. Daniel of Virginia. Appointed associate justice by Van Buren in 1840. Born in 1784, he was 74 in 1858.

<sup>10</sup> Robert C. Grier of Pennsylvania. Appointed associate justice by Polk in 1846. Born in 1794 he was 64 in 1858.

<sup>11</sup> Nathan Clifford of Maine (lived a considerable portion of his mature life in New Hampshire). Appointed associate justice by Buchanan in 1856. Born in 1803 he was 55 in 1858.

<sup>12</sup> This statement was written a year after the Dred Scott decision was rendered when most men were either strongly against or strongly for the majority of the judges of the Supreme Court.

Dred Scott Case, or, in the Ind. University Case,<sup>13</sup> its brother—both monstrous, incredible.

Here is an argument before the Sup. Court. Two questions are made. 1. Is a Railroad which is incorporated in several states a citizen of any of them so as to be sued in the U. S. Courts? 2. Can a corporation be sued for libel?

In the affirmative were Davis<sup>14</sup> & Reverdy Johnson<sup>15</sup> of Md. On the negative, Donaldson<sup>16</sup> & Sly.<sup>17</sup>

I have heard Johnson's argument. He is a rather small, well made man—a good formed head, but not very large. His voice is not good. He is very earnest, very impassioned, very clear and logical. He acts rather too much—walks about—feels at home here—never pronounces ing right.

He began without parade, his hands in his breeches pockets. But he soon fired up, and moved off like a steamboat.

The argument was opened by Donaldson in a neat statement of the facts and a fair speech. He was followed by H. Winter Davis who made a very good speech. Then came Johnson; and Sly closed it. It lasted two days. Upon the whole, it was pretty well done. But I have certainly heard things as well done in Indiana. Johnson looks very much like old Ed. Browning.

Mr. Thompson<sup>18</sup> moved my admission to the bar. The Chief Justice assented. I walked forward—looked as big as I could. The clerk swore me—charged me only \$6.50—I paid it—took my seal and my license—and went to dinner.<sup>19</sup>

Wednesday Dec. 29, 1858. With Mr. Thompson, I looked into the patent office this morning. Saw so many strange things that it is not worth while to attempt their description. The whole affair, so complicated, so various, so vast, confounds one.

I forgot to say that yesterday I took a stroll around all the public offices and the president's house. Everything is white, grand, vast.

<sup>13</sup> The "Indiana University Case" referred to grew out of an action brought by Vincennes University v. the State of Indiana (the Indiana Legislature passed a measure authorizing a suit against the State) to recover for lands in Gibson County given to the state by Congress for the use of a State University. For thirty years the income from the sale of these lands had been given to Indiana University. The Marion County Circuit Court found for Vincennes University. The Indiana Supreme Court reversed the decision of the lower court. The case went to the Supreme Court of the United States which, in January, 1853, reversed the judgment of the Indiana Supreme Court. The federal judges based their decision on the principle of the "Dartmouth College Case", holding that the state of Indiana could not divest Vincennes University of its title to the land once vested in that institution. In 1854 Congress granted unsold lands in Indiana to the state to the amount of 19,040 acres, to be disposed of by the state in order that Indiana University might be reimbursed for the losses imposed by the decision of the federal Supreme Court.

<sup>14</sup> Henry Winter Davis of Maryland. A Whig and later a Know-nothing. During the Civil War he became a Radical, attaining his greatest prominence as an ally of Thaddeus Stevens in the House. He was joint-author with Senator Benjamin Wade of Ohio of the "Wade-Davis Manifesto", an attack on Lincoln published in July, 1864.

<sup>15</sup> Reverdy Johnson a Whig party leader of Maryland. United States Senator, 1845-1849. Attorney General under Taylor 1849-1850. Prominent lawyer. Democratic Senator, 1863-1868.

<sup>16</sup> The Donaldson mentioned cannot be identified.

<sup>17</sup> No data in regard to Sly has been found.

<sup>18</sup> See footnote 2, above.

<sup>19</sup> The object of this visit to Washington on the part of McDonald was to obtain a license to practice before the federal courts.

On the north of the president's house and in full view of it is the equestrian statue of Jackson, in a park. It is a bronze statue—gigantic in size. There is a marble platform some 6 feet high. On this is a mighty bronze studhorse reared on his hind feet—his forefeet high in air as if ready to jump off the platform. Saddle, bridge, girths and all look very natural. On the back of this stallion, old Hickory sits like a god—his sword on thigh and his cap in hand. And he seems to swear his wonted oath that something shall be done.

I suppose this affair is well got up. But I do not venerate either the memory of Jackson or the statue. With him, the moral tone of our country began to go down—the impetus he gave it has ever since been downward. He is responsible for it all. And I worship no such hero.<sup>20</sup>

The grounds about the President's house did not strike me as very remarkable. The trees are fine; but they [there] are not many of the kind of our noble forest trees—no poplars—no oaks—no sugartrees. I walked all round it, without much desire to see the old man within, by name, James Buchanan—and I did not see him.

Off to the southeast from the President's house some 600 yards is the Smithsonian Institute. I did not go to it. It is built of red stone—the appearance is just as if painted with Spanish brown as the dutch paint their houses. I believe the material is red granite. Its sight [site] is too low to show the building well.

I called on Andrew Wylie<sup>21</sup> this evening at his office. He looks a good deal like his father. But I fear his father's great talents have not descended to him. His office has a shabby appearance; and I am told he does not rank among the first rate lawyers here.

Hacks, hacks, hacks—these are crowded before every hotel—ready to take a man any place—to public buildings or private dens—to churches or bawdy houses—to Courts or billiard salons, or anywhere else—a dollar an hour is the charge.

Thursday, Dec. 30, 1858. This is a dark sleety morning.

I went early to the Capitol. It were endless to describe its interior. On its front, is a raised platform of stone surrounded by various figures—Goddesses, eagles &c, &c. These stood Cockburn's fire in 1814 not however without a scorching but here they stand yet. Whether it was in good taste to let them remain all scorched and mutilated as they are by the fire which burned down the Capitol, is I think doubtful. The sight of them may well make every Briton who enters the Capitol blush for the Vandal act of his nation. But it may also make an American blush to think that a handful of British soldiers marched to the Capitol and burnt it without any serious opposition.

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<sup>20</sup> The diarist here voices the general view held by Whigs of Jackson's time.

<sup>21</sup> Andrew Wylie, Washington attorney, was a son of President Andrew Wylie of Indiana University (died 1851) with whom Judge McDonald was associated when teaching in the Law School of that institution.

On the rear of the Capitol (the East), on the elevated platform at the principal entrance on each side are colossal<sup>22</sup> figures. On the left side as we go out is a marble statue of a white man holding a naked Indian. The Indian's back is to the white man. They are in a struggle. The Indian's right arm is erected grasping a tomahawk, and it is grasped at the wrist by the right hand of the white man which holds it in a vise. A colossal figure of a white woman and her child sits at their right. On their left stands a colossal dog looking into the white man's face. What the group represents I do not know.

On the right side of the passage as we go out is a colossal figure of Columbus (I suppose) looking eastward towards the statue of Washington and holding a globe in his hand which he reaches out as if beaoning [beckoning] Washington to come and take it. On the right of Columbus is a woman quite naked looking earnestly towards Washington's statue—what she represents I know not. But the figure is obscene.

In a park 300 or 400 yards east of the Capitol is a colossal figure of Washington erected on black granite 6 feet from the ground. He looks with benign face toward the Capitol. The figure is gigantic and I suppose very fine. It is marble. On the granite under the figure is inscribed thus:

On the north—"First in war."

On the south—"First in peace."

On the west—"First in the hearts of his countrymen."

On the east—"Simulacrum istud ad magnum libertatis eximpleum nec sine apsa duranturum Horatio Greenough faciebat."<sup>23</sup>

At 11 o'clock I went into the Supreme Court room. An admiralty case is on hand. Cushing<sup>24</sup> commenced the argument of it; and after hearing him awhile, I went to the law library.

Cushing speaks well. He has a great command of language and seems to possess a clear, though not a gigantic mind.

The law library is a grand affair. Here are all sorts of law books, and an attentive librarian with a polite negro to hand down any book called for.

Friday Dec. 31, 1858. A rainy morning. After breakfast I bought an umbrella for 75 cts and went to the U. S. Law Library.

Thence, at 11 o'clock A. M. I went to the Sup. Court room. The hour of meeting is 11, but the judges never come in promptly at that hour.

<sup>22</sup> The diarist doubled the "l" in "colossal" in each instance.

<sup>23</sup> The statue described was that by Horatio Greenough, as the Latin inscription indicates. Congress authorized this sculptor to execute the work in 1832. He spent eight years on the task, carving the statue from cararra marble in Italy. Sometime after completion, the work arrived in Washington in 1843. It was at first placed in the Rotunda of the Capitol, but was found to be too heavy for the floor. It was removed to the plaza in front of the Capitol. Here it stood until 1908, when it was removed to the National Museum. The statue is 12 ft. high and cost \$44,000. Washington is garbed in a Roman toga. While on the plaza the statue faced the Capitol. The upraised right hand with the thumb seemingly pointing southward and the index finger northwestward caused an observer to remark that Washington was trying to say—"My body is at Mount Vernon, my clothes are in the Patent Office". (See H. P. Caemmerer, *Washington the National Capitol*, pp. 615-616, for a picture of the statue and matter pertaining to it).

<sup>24</sup> Caleb Cushing of Massachusetts. A Whig until the break between Clay and Tyler in 1841. Adhering to Tyler, he soon found himself a Democrat. He became well known as a Democratic leader. Was Chairman of the Charleston Convention in 1860.



When the judges do come the manner is as follows: The clerk, Mr. Carrol, comes first, then the Chief Justice, then the rest. On their appearance everyone rises up—the Judges being seated the marshal says, "O Yea! O Yea! All persons having business in the Sup. Court will now draw near, and they will be heard! for the Court is now in Session! God save the U. S. and this Court!"

The admiralty case begun yesterday is still under argument.

It is a contest between Mass. and S. C. lawyers. The Yankees are Cushing and Gillet.<sup>25</sup> The Southerners are Brown<sup>26</sup> and Mitchell.<sup>27</sup>

As I said yesterday, Cushing is an accomplished man.

Gillet is very tall, large—he looks consequential and magnificent.

Mitchell is a squat, heavy-set man of good sense. But his style, taste, and manner are bad. He is about 50 years old.

Mr. Brown is a bluff, hairy, swearing fellow—has warts on his face—looks a little like Bob Walpole—has no talents, learning, or taste. He raves—he rants—claps his hands—flies around—and all about nothing. His back is often turned to the Judges. Such conduct in a jury trial in our Courts would be laughed at.

I visited the Congress library. All I can say is that the multitude of books is bewildering.

Next I went to the Representative Chamber. It is very large. All carved work, tinselled and red. I do not like the taste. I call it gingerbread, though the polite call it Italian. Here I found Wilson<sup>28</sup> of Crawfordsville. He took me to the Botanic department. Here are trees of all tropical growth—the bread tree—the palm—the banana, and everything else. Here are flowers, and shrubs and grass—and every rare vegetable thing—the tea plant among the rest. To describe and particularize is impossible. The sight bewilders and overwhelms me.

At night, Thompson and I called on Reverdy Johnson. We spent an hour or two with him. He is a plain, unpretending man. At home, he evidently is in all law questions. He told us that Wirt<sup>29</sup> always wrote and committed his law arguments when he had a great case. He said Pinckney<sup>30</sup> was in the habit of doing so too. He thinks Pinckney the greatest lawyer this country has produced.

He says when Taney practised law, he was the most troublesome opponent he ever met. And he thinks Taney's mind is not at all impaired by age, wherein I differ with Mr. Johnson.

On leaving him, he set out a bottle of brandy, and one of whiskey but tasted none himself.

Saturday, Jan. 1, 1859. I staid at Brown's Hotel till 12 M. Then

<sup>25</sup> Ransom H. Gillett of New York. A prominent attorney and Democratic politician of that state.

<sup>26</sup> No certainty as to the Brown meant here.

<sup>27</sup> Not possible to identify the Mitchell mentioned.

<sup>28</sup> James Wilson of Crawfordsville, Indiana. Republican member of national House from his district, 1857-1861.

<sup>29</sup> William Wirt of Maryland. Member of the Cabinet under Monroe and John Quincy Adams. Noted constitutional lawyer.

<sup>30</sup> Johnson no doubt referred to William Pinkney (McDonald spells the name as did the South Carolina Pinckneys), the famous Baltimore lawyer and statesman, who died in 1822 at the age of 68.

with J. Hughes,<sup>31</sup> went to the President's—Everybody was there. With the crowd, hat in hand, we pressed along from room to room, till we were in the Presence. Here he was—James Buchanan—a large, tall, gray-haired, majestic looking old man. He shook my hand cordially, was “very glad to see Judge McDonald of Indiana”—indicated for me to pass on—and all was over. Then his niece, Miss Lane, took me by the hand, and said pretty, cordial things—we then pressed on and soon found ourselves outside again.

Thence we went to see Gen'l Cass<sup>32</sup>—an old man with a wig. He and his women did not much attract me. Surely this Secretary of State is a great man; but he don't look much like it.

Next we called on Mr. Floyd,<sup>33</sup> secretary of War. A noble looking old man is he, and he has a noble looking wife. Whether he is a good man—? query?

Then we went to see Mr. Cobb,<sup>34</sup> Secretary of the Treasury—a man 45 to 50 years old—a big, black, curly head—looks smart, bright, talented, desperate, devilish.

Next we called on Judge Black,<sup>35</sup> the Att'y General. I don't like his looks. He is tall, gaunt, hollow-cheeked. He can't be a great man.

Then we went to Thompson's,<sup>36</sup> the Secretary of the Interior. Nothing remarkable in his appearance—and already I forget how he looked.

Next we call on Gov. Brown<sup>37</sup> of Tenn. Post-Master General. He is evidently a soft, silly old man. His wife and daughter were infinitely polite.

Then we called at Senator Bright's.<sup>38</sup> Nobody at home.

Sunday, Jan. 2, 1859. This morning, I set out to find Dr. Nadell's church. I got there at 9 A.M. and went in to class meeting. The room was poorly furnished—one old chair and some benches. About six old men were there, from middle aged to old. The Leader, a bachelor [sic] of 45 or 50, a retired shoemaker now living on his money, is a good looking man. The singing was poor. All things were done in a low tone. There was little passion, little animation. The speaking hardly as instructive as we usually have in Indianapolis. None present were men of refinement or learning.

I went to hear Nadell preach: but I was taken with such a bowel com-

<sup>31</sup> James Hughes of Indiana. Democratic member of national House, 1857-1859. Appointed a judge on the United States Court of Claims, 1860, by Buchanan, serving until 1864. Republican member of Indiana Legislature, 1865-1866. United States Cotton Agent, 1866-1868.

<sup>32</sup> Lewis Cass of Michigan. Territorial Governor of Michigan, Secretary of War in Jackson's Cabinet, United States Senator. Democratic candidate for the presidency in 1848. Secretary of State under Buchanan.

<sup>33</sup> John B. Floyd of Virginia. Secretary of War under Buchanan. Resigned in December, 1860. After Virginia seceded, he became a Confederate General.

<sup>34</sup> Howell Cobb, noted Democratic leader of Georgia. Secretary of the Treasury under Buchanan. Earlier Speaker of the House of Representatives, 1849-51.

<sup>35</sup> Jeremiah S. Black of Pennsylvania. Noted lawyer of his day. Attorney General under Buchanan. Transferred to the State Department when Cass resigned in 1860.

<sup>36</sup> Jacob Thompson of Mississippi. Democratic member of national House, 1839-1851. Secretary of the Interior, 1857-1861. Inspector-general in the Confederate army.

<sup>37</sup> Aaron V. Brown of Tennessee. Democratic member of national House, 1839-1845. Governor of Tennessee, 1845-1847. Postmaster General under Buchanan, 1857-1859.

<sup>38</sup> Jesse D. Bright, powerful Democratic politician of Indiana. United States Senator, 1845-1862.

plaint that I could not stay. So I went to my hotel.

At night, I went to the Unitarian Church close to Brown's Hotel. I was much surprised to find them going over the episcopal liturgy with very slight variations. The congregation was small, but select. After the prayers etc., a drawling sermon was read. If the Unitarians all preach as they do here and in Baltimore, I do not wonder they make so few proselytes. Neither the matter nor the manner of this sermon was worth hearing or seeing. Here too, was the organ and two singers! The rest read the hymn book. What a pity that what is perhaps the true faith should have so lifeless, so formal a worship. A man with talents and learning, and a soul in him could change these things for good. I would infinitely prefer Theo. Parker with all his heresies. He has a soul, and he may be right, too. I will not now decide; but there is to me something soul stirring in his notion of the "Absolute Religion," rising into the Universal and Eternal, and regarding Judaism and Catholicism, and Protestantism as mere ephemeral forms, temporary, fading, vanishing away.

Monday, Jan. 3, 1859. This morning I went to the Smithsonian Institute. The entire buildings are of red stone—just the color of Spanish brown painting. It is situated in an enclosure of about 50 acres. Here is the lecture room—very fine. Here are some 150 Indians painted, and a marble figure of the dying gladiator. There are there, rooms full of all birds, quadrupeds, reptiles, corals, and the Lord knows what. Of all these I can give not any description. I bought a pamphlet of my cicerone which describes some of them.

I went at night to the Smithsonian Institute to hear Prof. Dana<sup>39</sup> lecture on Corals. He is a wretched speaker: but his lecture was extremely interesting. He told many things as to corals which were new to me.

Upon my return about 10 o'clock P.M., Hughes asked me to go with him to look at some of the magnificent gaming houses. We were ushered into one with ceremony. Invited to a sumptuous table of all good things to eat—oysters, terrapin etc., etc., all gratis—then we looked at their faro bank. I did not understand it; and of course I did no more than look. We staid a few minutes, then went to another of the same sort; looked on a little and then went out. Curiosity led me to see these hells. I am sorry I went. I think I did wrong even looking at them. At least my conscience smote me; and I pray God to forgive me; O the wickedness of this city. Surely Washington is Sodom and Georgetown, Gomorrah. Gaming, whoring, and political knavery are the prevailing vices.

Tuesday, Jan. 4, 1859. This morning, I went to the Sup. Court.

At 12 M. I went to the Senate Chamber to witness the removal of the Senators to their new chamber. The ceremonies were imposing.

<sup>39</sup> James Dwight Dana, noted geologist and zoologist. Born 1813, died 1895. He was in Washington much of the time from 1842 to 1855. He was professor of "natural history" at Yale when McDonald heard him lecture in Washington.

Crittenden<sup>40</sup> made a speech, and then Breckinridge<sup>41</sup> the V. President. The speech of the latter was exceedingly fine.

Here I saw Seward,<sup>42</sup> a man of 48 years, a roman nose—half white sandy hair, tall—and indifferent face. And there was old Houston,<sup>43</sup> large, heavy, baldheaded—a kind face, no marks of cultivation.

And now I start home at 3:40 P.M. It is snowing and thawing. I have a dread of going over the mountains; I should call it a foreboding—but I care little of it. I am in God's hands—May he take me safely home; and whether I live or die may I be his, prepared for all events.

And now we are on the cars. Yonder is a large frame building with the sign, "Mt. Vernon Cane factory. All canes manufactured here warranted of Mt. Vernon wood!" Humbug.

We took the Balt. road about 30 miles, through a poor country of low hills and flat ground—oak and pine the principal trees. Shrubs and briars abound. At what they call the relay house about 9 miles from Baltimore, we took supper and the Baltimore and Ohio just at dark. What a road, winding, dashing, jolting—we went all night through the mountains—at daylight we came to Grafton. There we took the Parkersburg road to Clarksburgh in search of Bill Alexander. What a night I have spent on this dangerous road! But all is safe, thank God!

Wednesday, Jan. 5, 1859.

Here we are in Clarksburg about sunrise. Alexander is not here. We (i.e. I & Goss) stop at a Virginia tavern in a Virginia town among Virginia Hills. What an awful place! I do not find a decent man, woman, nigger or house. This is slavery & slave territory. O Virginia, mother of states! How art thou fallen! Happy if thou didst but know thy degradation—but it is hid from thy eyes.

We started back for Grafton at 3:50 P.M. where we arrived about 5 and took lodging for the night awaiting the Wheeling cars tomorrow morning 6 o'clock.

As our journey back to Grafton was by daylight, I had a good opportunity to notice the country. It is 22 miles through hills and narrow glens. Wretched hovels and little fields on hillsides appear everywhere. Whiteoak is the chief growth—a few stunted sugartrees along the branches—no large trees of any size. The soil can't produce them.

We got to Grafton about sundown. This is a village in the mountains. Here is a good brick tavern. And here we tarried for the night and slept well.<sup>44</sup>

<sup>40</sup> John J. Crittenden, Senator from Kentucky, 1855-1861. Earlier United States Senator, Attorney General under Harrison and Tyler, 1841, Governor of Kentucky, and Attorney General under Fillmore.

<sup>41</sup> John C. Breckinridge of Kentucky. Southern Democratic Candidate for the presidency in 1860. Vice President, 1857-1861. Became a General in the Confederate army.

<sup>42</sup> William H. Seward of New York. In the Senate from 1849 to 1861, when he became Secretary of State under Lincoln.

<sup>43</sup> Samuel Houston, in the public eye since the days of John Quincy Adams. Famous in Tennessee and Texas history.

<sup>44</sup> Grafton and Clarksburg, present day cities of West Virginia on the Baltimore and Ohio. Slavery had little to do with the condition of these towns in the fifties, when they were struggling settlements of the Virginia hills.

Thursday, Jan. 6, 1859.

Took breakfast at 6 A.M. at Grafton. Then took the cars on the Balt. & Ohio for Wheeling distant about 100 miles. The road [wound] among hills and along creeks & rivulets. Still we have the same eternal prospect of high hills, narrow dells, great rocks, wretched farms, houses, fences, poor ragged and rough looking people—now we dash along a hill-side—now through a tunnel. We have a 100 short winding curves but we go safe, and at length burst through the hills to the Banks of the Ohio about 10 miles below Wheeling—we ran up the bank to near Wheeling and crossed in a steamboat for which I paid 50 cents,—the last direct tax I shall ever pay to Virginia.

Here I took the cars for Columbus, Ohio—a distance of 137 miles via Zanesville, 78 miles from Wheeling.

And now the country begins to change—first high hills and rocks—then it gets level, and opens into pretty farm lands. Thank God I am out of mountains, hills and slave territory, and am on free soil. Above Zanesville we come to the Muskingum—a pretty river, and follow it down to that city, which is no great thing. Thence to Columbus we passed a delightful country. We arrived at Columbus at dark and in the midst of a heavy rain. Therefore I could not see the city.

We went on through darkness and rain to Dayton, at which we arrived at 9 o'clock. There were no cars going west till morning; so we stopped at the Phillips House for the night. And it being dark, I could not see Dayton.

Friday, Jan. 7, 1859.

At six o'clock A.M. we took the cars for home, 108 miles. It was raining; but as the day dawned it began to snow, and turned suddenly very cold.

I got home about noon, and found all well—thankful to Providence for my safe return.

#### [DIARY OF TRIP TO WASHINGTON IN SUMMER OF 1862.]

Monday, June 9, 1862.

At 12:10 P.M. this day, I started for Washington; I took the route by Richmond, Harrisburgh and Baltimore. I had the company of Mr. Fellows of Hartford, Ct., to Harrisburgh. As usual, I crossed the mountains in the night and could see nothing. I arrived at Washington about 9 A.M. of Wednesday June 11.

The object of my trip is to keep Ohio and Indiana together in the same U.S. Judicial Circuit, so as to secure in our Federal Courts the services of Judge Swayne.

To my surprise I find the Circuit bill on its passage in the House today. But the House action does not utterly destroy our hope. It is strange that of all our delegation in Congress, Wright<sup>45</sup> and Porter<sup>46</sup> alone are for the purpose of my mission hither. But White on my talking

<sup>45</sup> Joseph A. Wright of Indiana. Ex-Governor of the state and member of the Senate by appointment, February, 1862-January, 1863.

<sup>46</sup> Albert G. Porter, McDonald's law-partner of Indianapolis. Republican member of the national House, 1859-1863.

to him come over to my side today. I am at No. 109 Brown's Hotel. Tis a cold day. And here I am near Richmond, near McClelland's army. And yet I find the people here know as little of McClelland's doings and views as we know at Indianapolis.

I was on the floor of the House today and was introduced to several members. It is, as ever, a mob. How anybody can be eloquent here I know not.

I called on J. Wright today. Also on Senator Lane<sup>47</sup> et ux. He falls into my views as to the circuit. So far, so good.

June 12. 1862. I slept till nearly nine o'clock this morning. After breakfast, hunted up Porter and Colfax.<sup>48</sup> The latter now thinks he can't get a circuit made for C. B. Smith.<sup>49</sup> And he consents, therefore, on failure of that, to go for my project.

I went to the Senate Chamber in the afternoon. Davis<sup>50</sup> of Ky. moved that a resolution pass ordering the Military to deliver up Gen'l S. B. Buckner<sup>51</sup> to the civil authority to be tried for treason. Davis spoke for and Trumbull<sup>52</sup> & Browning<sup>53</sup> of Ill. against the resolution. It lies over.

Here, as in every city, the extremes of society are found. Here are the proud whom I regard not; but here is a poor girl sweeping the sidewalk, and begging a copper from the passers by. Poor child of want! Where is thy security for bread or virtue? Poor child, may heaven defend thee! Sad is thy fate, poor girl! Sadder far than thou imaginest. Pure now, though poor and unfriended, thy purity repays thee for all thy poverty. But at some future day thy purity will be lost. That will be thy direst calamity. Poverty thou thinkest is thy greatest affliction—Silly child! want of chastity will be greater. When that is gone—and gone it will be—then thy real calamity will come. O God! pity the beggar girl, and save her from that worst of woes! Dost thou take notice of the sparrow, and wilt thou not protect this friendless girl?

June 13, 1862.

It is very warm today and threatens rain. "The rain it raineth every day". And it is said McClelland can't move on Richmond till dry weather comes. O, may dry weather soon come!<sup>54</sup>

<sup>47</sup> Henry S. Lane of Crawfordsville, Indiana. Whig leader and later Republican. Elected Governor in 1860, but resigned to go to the United States Senate.

<sup>48</sup> Schuyler Colfax of South Bend, Indiana. Whig leader and later Republican. Member of national House from Indiana, 1855-1869. Vice President, 1869-1873.

<sup>49</sup> Caleb B. Smith of Indiana. Whig leader and later Republican. Secretary of the Interior under Lincoln until appointed judge for the federal district of Indiana in January, 1863. Died in January, 1864.

<sup>50</sup> Garrett Davis of Kentucky. United States Senator, 1861-1872.

<sup>51</sup> General Simon Boliver Buckner, Confederate soldier of Kentucky. Long after the War, on the ticket of the Gold Democrats with General John M. Palmer of Illinois. This Palmer and Buckner ticket was called the "Blue and Gray" ticket.

<sup>52</sup> Lyman Trumbull of Illinois. Democratic leader and later Republican Senator. Became a Radical during the Civil War.

<sup>53</sup> Orville H. Browning of Illinois. Republican member of United States Senate, 1861-1862, by appointment. A little later he became a law partner of Thomas Ewing and others in Washington.

<sup>54</sup> General George B. McClellan was at this time in the midst of the famous Peninsular Campaign.

About 9 A.M. I strolled to the Capitol, and spent three hours inspecting its magnificences. How unfortunate that this spot was fixed as the seat of government. These immense buildings—the Capitol, the post office, the patent office, the Treasury house, the Smithsonian Institute, the White House, would worth something, and would remain, situate at Columbus, Indianapolis or Chicago. But what are they worth here on the Algerine [Confederate] border? How long will they last here?

It is strange how little is known of the war news here. All the means of information here are not half equal to what I daily read in the Cincinnati Gazette at home. It is known indeed the McClelland's army is near Richmond; but when will he get there—how many men he has—what is the number of the enemy—when, if ever, the fight will be—what are the grounds of hope for success—these nobody knows.

I spent some time in the Senate lobby today. The point in debate was whether a bill should pass requiring all U.S. officers to swear themselves clear of treason, past, present and future. Salisbury<sup>55</sup> of N.J. and Davis of Ky. opposed the bill on constitutional grounds. I suppose Salisbury (or Saulsbury) is a traitor and Davis a vain weak man, neither of them learned in the constitution. Salisbury quoted an Alabama decision to support his view! Trumbull of Illinois answered, and instead of cursing Alabama and her decisions, he cited a case from N.Y. in his favor. Trumbull does not strike me as either a great orator or a great statesman. His colleague, Browning, talked of for Supreme Judge of the U.S. may be good and great:—he don't look so.

I got a peep at Sumner<sup>56</sup> this afternoon. He seems unfashionable, dressed in loose gray clothes—seems at ease, at home—looks solid—complexion rather dark—features prominent—irregular. He is the great man of the Senate. He is not old yet, not over 50, few gray hairs. His voice seems deep and guttural. But I am too far off to scan him well.

Saturday, June 14, 1862.

This morning I fell in with Henry S. Lane and Bob Cravens.<sup>57</sup> We went to the Whitehouse. Old Abe was abroad. We sauntered a while in the flower garden, and, on returning to the house, found that "Abe" had just returned from a ride on horseback. He was standing at the door holding his horse. We spoke to him. He received us with no ostentation, and, so far as I could see, with no cordiality. He had seen me on the bench in Indiana. True—but what of that? He asked us into the house where we sat with him about two minutes, and withdrew.

I think no one can doubt that the President has an honest and benevolent face and heart. There is too, a fair degree of manliness in his personal [bearing]. His exterior, however, is rough and ungainly. And one can not but feel that he lacks polish, and is destitute of a refined taste and all sorts of book learning. Has he sound judgment? Does he combine honesty of purpose with wisdom of discrimination? How does it

<sup>55</sup> Willard Saulsbury of Delaware (not of New Jersey). Senator from that State, 1859-1871.

<sup>56</sup> Charles Sumner, Senator from Massachusetts. Noted anti-slavery leader. Radical during period of the Civil War and Reconstruction.

<sup>57</sup> John Robert Cravens of Madison, Indiana. Railroad man, editor and anti-slavery leader.

happen that in every instance of important appointments in Indiana, he has made a very bad choice? C. B. Smith in his Cabinet—a political mountebank, a moral bankrupt. John P. Usher,<sup>58</sup> a heartless knave, an arrant coward—District Atty John Hanna,<sup>59</sup> alike destitute of legal learning and intellectual strength. A. L. Robinson,<sup>60</sup> a reformed drunkard and a mere brute. Marshall Rose,<sup>61</sup> a bankrupt, a drunkard. How is this, O Abe? if thou art as wise as thou art unquestionably good?

We called, also, on Wells [Welles], Secretary of the Navy.<sup>62</sup> In him, we found an old man sitting at a table surrounded with documents—his hair and beard very long and very white—a couple of little bright eyes peeping out through a whole forest of hair. I could form no idea of his features, for I saw them not; they lay concealed in darkness behind a capillary screen. He did not rise up. He reached out his hand to us and said, "how d'ye do" and it was all over, and we evacuated the fort. What sort of man he is, I know not. He did not say enough to enable me to form an idea of his intellect, and through his hairy covering, he was so "dimly seen" that I could not scan him either phrenologically or physiognomically. But it was plain enough there was no manliness—nothing whole souled there.

We also called on Blair<sup>63</sup> the Post Master General. He is a young, spare-built, fair complexioned man. A glance at him would convince any divining man that there is nothing in him. He is a mere upstart, and of a bad breed, too. It was his father<sup>64</sup> that turned ingrate and enemy to Henry Clay. How "Old Abe" took a fancy for this man, I know not. I would as soon chose Vonnegut of Indianapolis for P.M.G. (whom he resembles) as this little thing.

This evening I called on Senator Harlan<sup>65</sup> of Iowa. How foolish is this fashionable life here. Though an old acquaintance, I had first to send up my card. Then I got for answer that he would see me in the parlor in 15 minutes—then I waited for him and there met him, and after all I found him no great thing—A dull, heavy fellow I think him to be. Damn such Senators—He has no vivacity, no soul in him.

The House does not sit today. I spent a little while in the Senate. Then the heat became oppressive, I went to my room and staid there. At night, it rained again. So "the rain it raineth every day." And should

<sup>58</sup> John P. Usher of Terre Haute, Indiana. Appointed Assistant Secretary of the Interior in 1862. Succeeded Caleb B. Smith to the headship of the Department in January, 1868.

<sup>59</sup> John Hanna of Indiana. Lived in Kansas Territory for a time. Member of the territorial Legislature, 1857-1858. Returned to Indiana. Appointed United States Attorney for the judicial district of Indiana by Lincoln in 1861. Served until 1869. Republican member of national House, 1877-1879.

<sup>60</sup> Andrew L. Robinson of Evansville, Indiana. A soldier in the Mexican War. Candidate for Governor on the Free Soil ticket in 1852.

<sup>61</sup> David S. Rose of LaPorte, Indiana, was appointed Marshal for the United States district court for Indiana by President Lincoln.

<sup>62</sup> Gideon Welles of Connecticut. Secretary of the Navy under Lincoln and Johnson.

<sup>63</sup> Montgomery Blair of Maryland. Son of Francis P. Blair and brother of Francis (Frank) P. Blair of Missouri.

<sup>64</sup> The elder Francis P. Blair was a Kentucky editor. He and Clay were friends, but became estranged after 1825. In December, 1830, Blair went to Washington to become editor of *The Globe*, a new Jackson organ founded to uphold the President and his policies.

<sup>65</sup> James Harlan, United States Senator from Iowa, 1857-1865. Secretary of the Interior under Johnson 1865-1866. Again United States Senator, 1867-1873.



it so continue, when will McClelland move on Richmond? All he lacks is dry weather. May it come! I see that today's Tribune (N.Y.) says that McClelland's army is the finest army ever collected in America, and that he has the best artillery force that any army in the world ever had. I suppose he has from 150,000 to 200,000 men. If so, surely he will soon take Richmond.

Sunday, June 15, 1862.

Tis very warm this morning. I staid in my room till 10:30 A.M. when Mr. Porter called on me to go with him to the House of representatives to hear Doctor Stockton of the Radical Methodists preach. I would much rather go to the Unitarian Church. But I consent to go with Porter.

And here we are. The hall of the House is pretty well filled. At the clerk's desk sits the preacher—A frail, slender, old man with a white beard and hair. He don't look very intellectual. His text is "Charity suffereth long and is kind". He sat in his chair and preached—It was good and great. The man himself was the very picture of the charity his text extolled. He was graceful, logical, classical, eloquent. Considering his elegant and impressive manner of treating his subject, and the excellent spirit so conspicuous in the man, I think I never heard a finer sermon. No feeling person can hear him and not love and revere him. He reminded me of the ideal I had formed of John Wesley, and of the pictures of him which I have seen. What a treat is this! Such a sermon has life in it. It makes me better. How different from the blather I hear at home, which really makes me worse.

Learning that 200 or more of our wounded soldiers had just arrived here from Virginia, Messrs. Colfax, Porter, Lockhart<sup>66</sup> & myself took a hack this evening and went to see some of them. Some of them we learned were Indianians. They were at the hospital some 2 miles N.W. from the city. The country through which we passed, seemed to have been one great camp. I suppose part of McClelland's army camped here last winter. Indeed many soldiers were here yet. Many sick—some union, some traitors, were here also. We found that the wounded were mostly Ohio men—a few were Pennsylvanians and a few from Indiana. One man had an arm off—one was shot through the face, or rather the head, under or behind the top of the nose. Some had be shot through the breast, some in the arms and hands, but the greater portion were wounded in the thighs, legs and feet. No one appeared to be dangerously wounded. Some were suffering a great deal; but most of them seemed very cheerful. The sight was not near so bad as I expected. I found no one whom I knew. I spoke to most of them.

On our return we saw a large number of soldiers collected under some oaks; and found that a lady, who sang well, was singing the "Star Spangled Banner." The crowd joined in the chorus. It was very fine, and even grand.

I should state that we found the "Sisters of Charity" attending the wounded, who were disposed in long cabins—on couches arranged on

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<sup>66</sup> No data discovered in regard to any Lockhart who could have been in Washington in 1862.

either side so as to leave a pass way in the middle.

The "Sisters" seemed very attentive and affectionate to the sufferers. God bless these "Sisters."

At night I went to the Unitarian Church. Mr. Channing, nephew of Dr. Channing preached.<sup>67</sup> The mode of worship I did not like. He read a prayer partly from the Episcopal prayer book. Most of the time was taken up with alternate readings from the Bible and singing by the choir and playing on the organ. They call it vespers. One song if song it was, was sung by one man alone. All I could hear of the words was "Must I leave my native soil" repeated ten times or more. The whole matter of the music was to me execrable.

Mr. Channing gave a sensible sermon from "Fervent in spirit, serving the Lord." His delivery however, is poor "and his speech contemptible." He lives at 505, 12th St. next to E in Washington.

Monday, June 15, 1862. This is a cool day. I spent it mostly looking around the city.

I have done now all I can do for our Judicial Circuit. I think the scheme will succeed, but time and the Senate must tell.

From all that I can hear, I fear for the result at Richmond. McClelland's great army is now within four miles of that city; but it is said the enemy is much stronger in numbers than he. I hope McClelland will beat him; but, considering how much depends on the result of the battle now imminent, the least doubt about the matter is very painful. May God prosper the better cause!

Tuesday June 17, 1862. This forenoon I was at the Capitol looking on at the doings of Congress. Tonight at 5 o'clock I start for home.

I arrived at Balt. about 7 and waited there till 9 P.M. for the Harrisburgh train. I got my supper near the depot at a poor Dutch tavern. So much disorder I never saw at a depot in Indiana as I witnessed at this depot in Balt. I was glad at 9 o'clock to get into a sleeping car far Harrisburgh.

At Harrisburgh, I arrived about day break on Wednesday, June 18th. I passed the mountains in the forenoon, and arriving at Pittsburgh about one o'clock I took the cars for Crestline, where I arrived about 9 o'clock P.M. Here I took the Indianapolis and Bellefontaine train—lay in a sleeping car all night and reached home about 5 o'clock A.M. of Thursday, June 19, 1862.

#### [DIARY OF THE FIRST TRIP OF 1864]

Monday, Sept. 5, 1864. Learning as I have this morning that Honorable A. S. White,<sup>68</sup> the Judge of the District of Indiana is dead, I determined at once to go to Washington and seek to be successor to him. Accordingly, on 3 hours preparation, after gathering up such recommendations as I could procure in so short a time, I started about 1 o'clock P.M.

<sup>67</sup> William Henry Channing, nephew of the elder William Ellery Channing. Pastor of the Unitarian Society in Washington when McDonald heard him preach.

<sup>68</sup> Albert S. White of Indiana. Whig member of national House, 1837-1839. United States Senator, 1839-1845. Federal district judge, January 18 to September 4, 1864.

My ticket to Washington cost me \$20.25. I unwisely took the Central Indiana route. I got to Columbus Ohio at midnight. Went to bed supperless, and slept little, paying half a dollar for a hard bed three hours.

At 4 A.M. of Tuesday, I resumed my journey, paid 75 cts for breakfast and dinner each, and passing through Steubenville and Pittsburgh to Harrisburgh where I arrived about 3 o'clock A.M. of the 7th—too late for the cars to Baltimore. I could find no bed in the capital of Pennsylvania; so I lounged and snoozed about the Depot till 7 in the morning. Then [Wed.] I took the cars for Baltimore, where I arrived about 11 A.M. Waited at Baltimore for Washington, and got there about 5 o'clock, weary and worn—too late to see any one I knew.

Thursday, Sept. 8, 1864. The first thing this morning was to hunt up C. M. Walker. I found him at the Treasury at 9 o'clock. We planned that he should collect certain old recommendations of me for U.S. Dist. Judge already on file in the office of the Atty. General—make an abstract of them and all the others I had on hand—and then at 12 M. find the President, and lay siege to his sacred person. After all the red tape round, of first sending an order in writing to Att. Gen'l Bates,<sup>69</sup> and then going in *propria persona*, and receipting for all these documents by name and number, I got them into my possession. But—the President—the President—was too busy to be seen today. We must wait for that until tomorrow at 9 o'clock A.M.

The rest of the day I spent wandering about the city and making observations—[for] which there is much material.

The first thing that strikes one is the multitude of men in military uniform—Officers of all grades—Soldiers of all sorts—men maimed in all sorts of ways—Here is a man with only one leg; there a man with an arm off. Yonder is a man limping on crutches; and yonder another with a nose off or slit lip, or a countenance otherwise marred.

Another remarkable thing is that Washington situate on the very seat of war, should at the end of three years fighting seem so pecuniarily prosperous, yet so it is—money abundant—trade prosperous—everybody getting rich.

Friday, 9 Sept. 1864.

At 9 o'clock this morning I and C. M. Walker went to see the President. We waited in the ante room till about eleven; and were at last invited by the private Sec'y Mr. Nicholi [John G. Nicolay], into the "presence chamber." Lincoln was not in; but entered shortly, and seemed to receive me very cordially. We had met before. He recognized me and began to talk of old times in Indiana when he was a boy living in Perry county &c, &c. He said he came to that county in 1816, seven years old.

Finally I mentioned my business, made him a poor stump speech, and told him all I could. He heard me patiently, and I think encouraged me to expect success. But he told me that, as several had telegraphed him not to make a sudden appointment, he would have to delay until he heard

<sup>69</sup> Edward Bates of Missouri. Member of the national House, 1827-1829. Attorney-General under Lincoln, 1861-1864. Charles M. Walker, a journalist of Indiana. Fifth Auditor of U. S. Treasury, 1862-1869.

from all applicants. I told him that was right—and so it ended. On leaving he thanked me for the call, seemed to feel cordial towards me.

In this interview, my notion of the President's abilities was somewhat raised. Certainly he is very far from being a fool. On political topics, he talked very shrewdly. And after all, he seems not so much of a granny as some of his friends esteem him.

Having now done all I could for the object on which I came here, I now prepare to make my journey home.

At 3 P.M. [Friday, Sept. 9] was on the cars for Baltimore, 36 miles, where I arrived at 5. Staid there till 9, and then started for Harrisburgh, about 90 miles, where I arrived about 3 o'clock A.M. of the 10th. Thence took the road to Pittsburgh 249 miles. Got to that city between 12 & 1 o'clock P.M. [Saturday]. I started for Crestline 189 miles. Got to Crestline at 10 P.M. Thence took the Bellefontaine cars for home and arrived safe at home about 10 o'clock A.M. of Sunday, Sept. 11, 1864.

[DIARY OF THE SECOND JOURNEY OF 1864]

Dec. 1, 1864.

At 8:20 P.M. I left home for the city of Washington. I took a sleeping car on the Bellefontaine road, and rested well enough all night. My ticket to Baltimore was \$20.40. I was accompanied by T. A. Hendricks.<sup>70</sup> I found also Alfred Harrison<sup>71</sup> and J. D. Howland<sup>72</sup> on the train their object being to get the latter appointed to the office of Judge for the Indiana District. I go to seek it for myself. I see no certainty however, as to what happy man will get it.

At breakfast time, Friday, Dec. 2, I found myself at Crestline and breakfasted there. Thence we rolled for Pittsburgh which we reached about 4 P.M.

Now for the mountains. Up them and over them we roll. It is as dark as Egypt, and we run more than 20 miles an hour; but the wheels seem instinctively to hold the right course, not varying an inch, now rushing through gorges of the mountains—now dashing through tunnels—now hanging on and winding around the edges of precipices—now dashing down the mountain side like an avalanche. But all goes safe; and at last at 4 A.M. we find ourselves safe at Harrisburgh—too late for the Baltimore cars.

At 7 A.M. [Saturday, Dec. 3] we left Harrisburgh for Baltimore, and reached the latter place at 12:30 P.M.

At Baltimore I dined and at 3:30 started for Washington where I arrived at dark, and stopped at the "National".

<sup>70</sup> Thomas A. Hendricks of Indiana. Democratic member of national House, 1851-1855. United States Senator, 1863-1869. Governor of Indiana 1873-1877. Vice President, March 4, 1885, to his death in November, 1885.

<sup>71</sup> Alfred Harrison, an attorney and politician of Indianapolis. Went to Washington in the interest of his friend Howland.

<sup>72</sup> John D. Howland served for many years as clerk of the federal district court of Indiana. Practised law for some years before accepting that position. In 1864 desired to become judge of the district court.

On this trip to Washington, I fell in with Mr. Washburn<sup>73</sup> a M.C. from Galena Ills. A fine looking jolly fellow he is and a good Union man; but I should think, not a very learned or great man.

On the trip to Washington, I spent	
R.R. to Balt. ....	\$20.40
Breakfast at Crestline .....	.75
For a pie .....	.10
Supper at Altoona .....	.75
Dinner at Baltimore .....	1.50
Coffee at Harrisburgh .....	.37
R.R. from Balt. To Washington .....	1.50
	\$25.37

Sun. Dec. 4, 1864.

Here I am at Washington. And here at the "National" I find Henry S. Lane. He says he has recommended several of us to the President for this judgeship and now having done his whole duty, he says he leaves it with the President to do his!!!

I called on G. S. Orth<sup>74</sup> today. He says he has to go for his Judge Huff; but I am his second choice.

I went to the Unitarian Church today. Mr. Channing preached a very good sermon. He was severe on slavery, strong for the Union, spiritual, holy. O that I could often hear such preaching. I love the man and his doctrine.

Mon. Dec. 5.

I find that Jas. Speed<sup>75</sup> of Louisville is the new atty. general. Glad of it. I called on him. He is decidedly for me for the judgeship. He is a host.

No quorum in the Sup. Court today. The Court of Claims sits; but Judge Hughes<sup>76</sup> is not here. I am sorry for it.

Congress meets today. I was in the Senate Chamber a little while. Nothing of interest there.

The vastness of the Capitol and other public buildings gives me an idea of the vastness of our country and its prosperity, till of late, now when war is raging, I had no idea this was so great a nation. No nation in Europe could have sustained what we have sustained in the last four years with equal success. It is incredible that in such a war, all the free states should have had such prosperity—yet we have it—greater than was every known before. But what will the end of all this be?

Tues. Dec. 6, 1864.

I went to the Sup. Court room today. The Judges met, announced

<sup>73</sup> Elihu Benjamin Washburn of Illinois. Member of national House from 1863-1869, first as a Whig and later as a Republican. Minister to France, 1869-1877.

<sup>74</sup> Godlove S. Orth of Lafayette, Indiana. Republican member of national House 1863-1871, 1873-1875, and 1879-1882. Minister to Austria-Hungary, 1875-1876.

<sup>75</sup> James Speed of Kentucky. Prominent lawyer and jurist. Strong Union man during the Civil War. Appointed Attorney General by his long-time friend Lincoln. Served from 1864 to 1866.

<sup>76</sup> See footnote 81, above.

the death of Chief Justice Taney and adjourned.

Then there was a Bar Meeting. Mr. Meredith<sup>77</sup> of Baltimore was called to the chair. A committee on resolutions on the death of Taney was appointed. And then I left the room. I looked in at the Court of Claims, and then went to the Senate Chamber, where the President's Message was read.

At 2:30 Hendricks and I went to see the President, waited there till sun down but did not see him.

Things look better today. I think I shall get the Judgeship. Howland is the only opponent I fear, and he seems much discouraged. Alfred Harrison has gone home, I suspect, in despair. Howland, himself can do nothing. And I hope success. Still I must not be over-confident.

Today Mr. Chase<sup>78</sup> was nominated and confirmed as Chief Justice of the United States.

At about 8 o'clock P.M. Senator Hendricks and I went to the President's House. After waiting a long time, Hendricks was called in. He had a long talk with the President about me. Then I was called in. The President said he had thought of making me judge in McLean's place. This he said was at the request of Bishop Simpson.<sup>79</sup> Afterwards he said he thought seriously of me when he appointed Smith, and so also when he appointed White. He said he cared nothing about recommendations. He said, in fine, everything from which I might infer that he would appoint me without promising it directly. I feel sure he will do it. Yet the doubt and the uncertainty are painful.

Wedn. Dec. 7, 1864. Slept till nearly 9 this morning.

At 12M. I went to the Sup. Court room. It was full of lawyers. Presently somebody announced "The Supreme Judges." Then all rose and stood till the Judges took their seats: Whereupon old Tom Ewing<sup>80</sup> rose and addressed the Court. I could not hear a word he said. Some paper was then read about the death of Chief Justice Taney. To this, Mr. Justice Wayne, the senior Judge, read a long response—not one word of which I could hear. Then the Court arose.

This veneration of the name of Taney I do not approve. That he was a man of talents and a learned lawyer is true. But he got his office by being the tool of Gen'l Jackson and removing the deposits from the U.S. Bank. And by pronouncing the Dred Scott Decision he caused the present rebellion. Praise him who will. I say the Dred Scott decision ought to stain him indelibly, and cause infamy to roll its burning fires over his memory forever and ever.<sup>81</sup>

<sup>77</sup> ——— Meredith, an attorney of Baltimore who practised before the Supreme Court.

<sup>78</sup> Salmon P. Chase of Ohio. United States Senator, 1849-1855. Governor of Ohio, 1855-1859. Secretary of the Treasury under Lincoln, 1861-1864.

<sup>79</sup> Bishop Matthew Simpson of the Methodist Church. President of DePauw University, 1839-1848. Born 1811, died, 1884.

<sup>80</sup> Thomas Ewing of Ohio, Whig United States Senator, 1831-1837, and by appointment 1850-1851. Secretary of the Treasury under Harrison and Tyler, 1841, and Secretary of the Interior under Taylor, 1849-1850.

<sup>81</sup> Such severe indictments of Taney were common in that period. See note 3, above.

At night, in company with Dan Mace,<sup>82</sup> I went to see Colchester, a spiritualist. There was a company of about 20. We sat in a circle with hands joined. A table in the centre piled with drum, fiddle, bell &c. Colchester sat with us. All hands were joined—one of his to Mace, the other to a lady. Then the light out. The drum beat—the fiddle played—the bells rang. All these flew around the room—phosphorus had been put on them so that we could see them flying. Colchester's coat was pulled off, thrown across the room, then put on him—all the while he was held by the hand so as to seem to render such a feat impossible. These things were oft repeated. Then each of us paid him a dollar and went home.

Thurs. Dec. 8, 1864.

I spent this day loitering about the Capitol and in the Supreme Court. Only 6 of the 10 Judges are present. Swayne<sup>83</sup> looks more like a live man than any of the rest. And I think he is the best lawyer of the crowd.

I am glad to find that Judge Jas. Hughes has arrived. I saw him this evening. He goes for me. He is to see the President as soon as possible. He says that both Usher and Defrees<sup>84</sup> admit that my appointment is inevitable.

How strange that Hughes, who in former years was a long time my bitterest enemy, should be my warmest friend! "The world changes and we change with it."

Friday, Dec. 9, 1864.

I have stayed in my room nearly all day. I have nothing more that I can do here that I see. And yet I incline not to go home till I see the end.

Hughes failed to get to see the President yesterday. He says that he will see him this day. Yet at this hour, 8 P.M., I hear nothing from him. "Uncle Abe" is hard to see.

Sat. Dec. 10.

I have spent about the whole day in my room. It is a gloomy day. A snow fell last night. It is bad going out.

I have not heard whether Hughes has seen the President.

Sun. Dec. 11, 1864.

This morning I hunted for a Methodist class meeting, but found none.

At 11 o'clock, I went to the Unitarian Church, and heard Mr. Channing preach a great discourse. I have been deceived as to him. When I heard him a few years ago, I did not admire him. Now I see he is one of the great men of this country. His sermons make me better.

<sup>82</sup> Daniel Mace of Lafayette, Indiana. Democratic member of national House, 1851-1855. Republican (People's Party) member, 1855-1857.

<sup>83</sup> Noah Haynes Swayne of Ohio. Appointed associate justice in 1862 by Lincoln. Born in 1804.

<sup>84</sup> John D. Defrees of Indiana. Republican of much influence. For a number of years the editor of the leading Republican newspaper of the state, the *Indiana Journal*. Later editor of *The Atlas*. In 1864, Superintendent of Government printing in Washington.

Mon. Dec. 12, 1864.

I went to the Capitol this morning. There I met Judge Wright<sup>88</sup> and Dan Mace. They hinted to me that I would be appointed Judge that day. Then Henry S. Lane came to me looking wise. He spoke thus. "The President sent for me this morning. I went. He asked me if there was any good reason why McDonald should not be appointed Judge? I answered, none in the world. Then, said the President, I will appoint him."

After the Senate met, I found the President had, sure enough, sent in my name. Then with my heart full of joy and thankfulness to God I hastened to my room at the Hotel and, on my knees, adored the Good God, who had thus consummated my highest worldly desire.

The next thing was to go home, whither I started at 4 P.M. I ate supper at Baltimore, and took the Harrisburgh train at 9:45 P.M. in company with Mr. Howland and Mr. Mace. A little after midnight, we were in Harrisburgh.

Tues. Dec. 13, 1864. I pursued my journey towards Pittsburgh. I breakfasted at Altoona about 7 o'clock A.M. and arrived at Pittsburgh about 1 o'clock P.M.

Left Pittsburgh for Crestline at 2 P.M. on the Pittsburgh, Fort Wayne and Chicago cars.

When about forty miles east of Crestline, at about 10 o'clock P.M. and while we were running very fast, I being in the lady's car and the sleeping car only being behind our, I felt our car go hop, thump, jump. I knew it was off the track and I instinctively cried, "God have mercy on me". In a moment the car tumbled down an embankment, rolling on its side so as nearly to turn bottom uppermost. The people came tumbling to the lower part, and seats and carpet sacks came tumbling on us. What I most dreaded was that the sleeping car would come next and crush us. Then arose the shrieks of women and children and the cries of men. It was the awfulest moment I ever experienced. But a moment only. For when I found that the sleeping car was not on us, and that I was not hurt, I could not but cry out, "Thank God, we are safe!" But the uproar was immense. Men broke the windows on the upper side and many of them escaped through them. I got out at one of the doors, and at the first step I was knee deep in water. I found that we were on the edge of a creek which was said to be ten feet deep. I clambered up the bank on the Railroad track, and was safe;—not the slightest injury could I see or feel, except that my new \$13 hat was "mashed into a cocked hat". But there we were standing on the road track in the snow, the night cold, I wet up to my knees—some 50 people of us old and young—our train gone out of sight—even the speed we had been running had carried the sleeping car out of sight. But I was joyful, nearly as thankful as yesterday when I learned that "Uncle Abraham" had made me a U.S. Judge.

<sup>88</sup> The "Judge" Wright mentioned was probably Joseph A. Wright of Indiana. It is hard to say why he was called "Judge" by McDonald as he seems never to have served as judge of any court. He could have been in Washington in December, 1864, as this was in the interval between his service as Commissioner to the Hamburg Exhibition of 1863 and his appointment as Minister to Prussia in 1865.



By and by, the train, having missed us, came back, took us aboard the other cars, and we rolled on arriving at Crestline about 2 o'clock A.M.

Wed. Dec. 14.

Went into a sleeping car at Crestline on the Bellefontaine and Indianapolis road about 2 o'clock A.M. Slept soundly, and in the morning found myself at Union, where I got breakfast. Then we rolled on for Indianapolis, where we arrived at 12 M. Found all well. For my success at Washington, and my escape on the railroad, I felt most thankful to God.

On my arrival, everyone congratulated me on my appointment. It was, I reckon, the happiest day in my life. I was free from the toil and vexations of the Bar,—I had a good honorable office for life, with a salary sufficient to insure me a competency—little labor to perform—much elegant leisure in the future—and in the Autumn of my life many sunny days in anticipation.

Glory to God in the highest.