

## Lincoln and Private Lennan

*William Frank Zornow\**

During the early days of the Civil War the Federal government was disposed to adopt a lenient attitude toward deserters; for the first two years of the war the death penalty was rarely inflicted for their crime. The tendency was to regard known deserters as merely A.W.O.L., and on several occasions when courts-martial had provided the maximum sentence a clement administration intervened to reprieve the condemned. As the war increased in intensity during 1863 this practice lessened. Almost immediately there was a noticeable improvement in morale and a healthy sentiment prevailed throughout the army.

One class of deserters was not affected by this new policy. These were volunteers for bounties or substitutes for drafted men who deserted before getting into the field. The policy of the government toward these men was lax. They were never pursued and punished properly and the tendency to label them "bounty jumpers" rather than "deserters" resulted in the practice being looked upon by many as a shrewd trick rather than a crime.

In Indiana there were many professional bounty jumpers at work. The procedure became so extensive that it was necessary for state authorities to co-operate with the Federal army to suppress it. In January, 1864, the Seventeenth Regiment, Veteran Reserve Corps, composed of men who had been wounded and could no longer fight, was organized and stationed at Indianapolis, under the command of Colonel Adoniram J. Warner. Warner's principal task was to keep close check on the activities of the Sons of Liberty and to ferret out deserters and bounty jumpers. A special prison was constructed at the Old Soldiers' Home to receive these men. When a sufficient number had been collected, they were manacled together, paraded through the streets of Indianapolis with placards on their backs proclaiming their crime, and then returned to the front under armed guard. Many of them, however, often deserted again almost as soon as they were

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released to reappear in another part of the state, re-enlisting under another alias.

When it became apparent that this activity must be checked, it was decided to try some of the worst offenders on the charge of desertion and to make an example of them. The authorities were determined to try all the obdurate cases by court-martial in the future to prevent the repetition of the fraud.

In Indianapolis on November 22, 1864, four bounty jumpers were placed on trial before a court-martial commanded by Colonel Warner. They were Charles Billingsley, Thomas Ryan, James Murray, and John Doyle Lennan. Billingsley had enlisted in the 7th Indiana Battery and deserted. When arrested he gave his name as George Roberts, and a search of his possessions revealed papers which indicated he had enlisted on an earlier occasion under the name of Cooper. Subsequent investigation revealed that he had once been a deserter from the 1st Georgia Regiment, and had been in three Indiana regiments. He also confessed he had murdered a woman and child, and had been practicing bounty jumping since 1861. During the trial he insisted he had three hundred dollars hidden in his cell, which he claimed Warner had discovered and confiscated for his own use. Warner denied such charges.

Thomas Ryan alias John Reagan had been a member of the 51st Indiana Regiment from which he had deserted. When taken into custody he boasted to his captors that he had been engaged in bounty jumping for many years and had enlisted at least thirty times. James Murray, sometimes called Thomas Murray, was born in Ireland. He had been a sailor on the Great Lakes and resided in London, Ontario. He came to Indiana, enlisted in the 11th Cavalry at Lafayette, was sent to Camp Carrington, and then deserted. He was speedily apprehended, however, aboard the train between Indianapolis and Lafayette. No definite evidence was introduced to prove the charge, but he was suspected of being a professional deserter.

The fourth prisoner was another young man who had been born in Ireland, worked on the Lakes, and had enlisted in the 11th Cavalry. He appears variously in the records as John Doyle, Thomas Doyle, and John Lennan, but his correct

name seems to have been John Doyle Lennan. He and Murray were about the same age (twenty-six) and were friends. Wearing civilian clothes, they were taken into custody aboard the same train.

The four men were found guilty and sentenced to be executed by firing squad on December 23, at Camp Burnside which was contingent to Camp Morton. At 2:00 P.M. on the appointed day, Billingsley, Murray, and Ryan were marched out of the prison, paraded before nearly two thousand soldiers, military prisoners from Camp Nelson and bounty jumpers from the Soldiers' Home Prison, who were mustered to watch the execution. A detachment of sixty-four men was assembled to carry out the execution; some of the soldiers' muskets were loaded with blanks so that no man would know whose gun fired the fatal shot. Apparently there was some uneasiness among the troops detailed for this duty since the execution of bounty jumpers was entirely unprecedented. A major stepped forward to remind the troops briefly that although the task was unpleasant it was necessary that a lesson be taught to all bounty jumpers. After receiving the consolation of the church from Father John F. Bessonies of St. John's Catholic Church, the three men were blindfolded, seated on their coffins, and made ready. A moment later a volley of musketry ended their lives.

Private Lennan did not meet with his fellow-deserters. At the last moment his execution had been delayed by order of President Abraham Lincoln.

Lincoln had approved the execution of the four men, for the government was determined to make an example of them in order to discourage the continued practice of bounty jumping. The North was engaged in its last all-out drive against the Confederacy, and every man was needed; no longer could Washington afford to handle lightly the cases of men who were making a profession of robbing the states and shirking their duties.

In view of Lincoln's warm-heartedness it is easy to surmise that he must have had grave misgivings about ordering the deaths of four boys the oldest of whom was not over twenty-seven.<sup>1</sup> The President had intervened before on sev-

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<sup>1</sup> Adoniram Judson Warner Papers, Western Reserve Historical Society, Cleveland, Ohio. (The Warner Papers contain many documents and newspaper clippings concerning this case).

eral occasions to reprieve men under sentence of death for desertion, but this was a unique case. It was the first time that a court-martial had been assembled to try men guilty of bounty jumping, and the first time the death penalty had been invoked for such a crime.

There is no evidence to indicate that Lincoln was under pressure from any source close to him in Washington to order a stay of execution for these four deserters. The first inkling of organized opposition to carrying out the sentence was a telegram Lincoln received from Indianapolis informing him that the Society of Friends in that city was preparing a petition imploring him to commute the sentences of these men.<sup>2</sup> If such a petition was prepared, it apparently did not reach the hands of the chief executive.

The factor which eventually induced Lincoln to relent in Lennan's case was a telegram which arrived from Indianapolis just one day before the sentence was to have been carried out. It came from Lennan's brother, Felix Lennan, and it read: "My brother John Doyle Lennan alias Thomas Doyle is under sentence of death for desertion and ordered to be shot tomorrow at Indianapolis, Ind. I humbly petition you for the postponement of the execution for ten days. Please give me an answer."<sup>3</sup>

Apparently acting on this single appeal, Lincoln ordered a ten-day respite for Lennan, while on the following day the other three convicts went to their deaths.

It was strange that Lincoln should have been swayed by such a singular appeal. There does not seem to be any evidence to indicate that Felix Lennan made any effort to get in touch with Lincoln prior to his last-minute telegram. It is almost unbelievable that Lennan would have delayed his request so long, and that he would appeal to the president in such an impersonal way as to send a telegram without a word of explanation or an impassioned plea for his brother's life. Yet, apparently, this single appeal was sufficient to induce Lincoln to delay the execution. Colonel Warner later wrote that Lincoln reprieved Lennan on the strength of his brother's

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<sup>2</sup> Jonathan Wilson to Abraham Lincoln, December 19, 1864, Robert T. Lincoln Papers, Library of Congress, Washington, D.C.

<sup>3</sup> Felix Lennan to Abraham Lincoln, December 22, 1864, Robert T. Lincoln Papers.

request.<sup>4</sup> The Lincoln papers contain no further letters or telegrams from Felix Lennan to Lincoln, nor is there any indication that Lennan ever thanked the president for saving his brother.

Actually, Lincoln only reprieved Lennan for ten days so that he could re-examine the facts of the case. A series of telegrams was exchanged between Lincoln and the presiding officer of the court-martial concerning the matter. On December 30, as the ten-day respite was drawing to a close, Lincoln telegraphed Warner: "It is understood that you were on the Court Martial that tried John Lennan, and that you are disposed to advise his being pardoned and sent to his regiment. If this be true, telegraph to that effect at once."<sup>5</sup> Warner replied immediately: "I cannot advise that John Lennan be pardoned and sent to his regiment. He enlisted under a false name, and, I believe with the intention of deserting after drawing his bounty. In consideration, however, of his age, and his conduct since his trial, I could recommend that his sentence be commuted to imprisonment for life."<sup>6</sup> On the following day Lincoln replied: "Suspend the execution of John Lennan until further orders from me and in the meantime send me the record of his trial."<sup>7</sup>

The records apparently were sent to Lincoln, but he took no further action. The more pressing problems of war and peace drove the thought of Private Lennan from Lincoln's mind, and the young man continued to languish in prison in Indianapolis, waiting for the chief executive to recommend further action in his case. At the time of his trip to Ford's Theatre Lincoln had still not acted, and then it was too late. Lennan lived to learn of his benefactor's death.

When the war ended, there was no further reason for enforcing capital punishment. Lennan was released after being

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<sup>4</sup> *Report of the Adjutant General of the State of Indiana* (8 vols., Indianapolis, 1866-1869), I (appendix), 286-287.

<sup>5</sup> Abraham Lincoln to Adoniram Judson Warner, December 30, 1864, Warner Papers.

<sup>6</sup> Adoniram Judson Warner to Abraham Lincoln, December 30, 1864, Robert T. Lincoln Papers.

<sup>7</sup> Abraham Lincoln to Adoniram Judson Warner, December 31, 1864, Warner Papers. Special order 210 issued by General Alvin P. Hovey contains a reference to the suspension of Lennan's execution until further orders.

in jail for several months under sentence of death, and he slipped from the pages of history.

Thus closed a unique case in the annals of American military justice. It served to show another example of Abraham Lincoln's tender regard for his Boys in Blue and his willingness to overlook the shortcomings of his fellow men.