

CHAPTER XXII

THE JESUITS AND THE CIVIL WAR

§ I VIEWPOINTS AND REACTIONS

The Civil War came and went without affecting in any material way the fortunes of the Jesuits of the Middle West if one excepts perhaps the single incident of the closing of Bardstown. Yet the great conflict could not be regarded by them with indifference and there is frequent comment upon it, rarely, however, of a political tenor, in Jesuit correspondence of the day. It is of interest to note how these men of retired habits, seldom touched by the lively political passions of the day, viewed the surging current of contemporary events, which interested them chiefly in their bearings on religion and the Church. Both Father De Smet and Father Murphy, from whose correspondence some extracts will presently be made, wrote more or less under the influence of the atmosphere of St. Louis, which in the early stages of the war was charged with the excitement born of the bitter struggle between North and South to gain possession of the border state of Missouri. De Smet's sympathies, while decidedly for the Union, were tempered by his wide and intimate acquaintance with persons of avowed southern sentiment who were to be found in numbers in St. Louis, especially among the friends and supporters of the University. Murphy, on the other hand, appears to have indorsed in a doctrinaire and speculative sort of way the position taken by the South, but he took withal an impartial and consistent stand as to the attitude which the men of his jurisdiction were to adopt in practice towards the governments of their respective states.

The struggle at the outset of the war to save Missouri for the Union ranks among the most dramatic chapters in the history of the conflict.¹ The popular election of 1862 for delegates to a state convention to determine Missouri's relations to the federal government revealed a preponderating sentiment in favor of the Union. In the convention itself not a single vote was cast for secession. Even in St. Louis, as the *Missouri Republican*, the chief Democratic organ of the state declared at the time, the great majority of the citizens were friends of

¹ Lucien Carr, *Missouri a Bone of Contention* (Boston, 1888), Chaps. XIII, XIV.

the Union² This fact added all the more to the resentment occasioned by the sudden and, as it appeared to many, high-handed seizure by Major Nathaniel Lyon, commandant of the United States arsenal in St. Louis, of a training camp of state militia named for the governor of the state, Camp Jackson. The camp was situated on the western edge of the city, directly across from the ground now occupied by the arts building of St. Louis University on Grand Avenue. This seizure, followed by the temporary imprisonment of the troops and their commander, General Daniel Morgan Frost, took place on May 10, 1861.³ General Frost and his family were close personal friends of Father De Smet, who later on intervened with the federal authorities to secure permission for Frost to return to St. Louis from Canada where he had taken refuge.⁴ Three days after the capture of Camp Jackson Arch-

² "In St. Louis it is well-known and no candid man will deny that there has always been a great majority of Union men." *Missouri Republican* (St. Louis), May 15, 1861. Cf. De Smet's account of the parade in St. Louis on February 22, 1862: "It was estimated that more than 40,000 citizens took part in the procession. It was three full hours in its passage. It was the greatest manifestation ever made in St. Louis, and all in favor of the Union as it was." CR, *De Smet*, 4:1505.

³ Carr, *op cit*, p. 306. According to General Sherman (*Memoirs*, 1:169) Frost was "in open sympathy with the Southern leaders. This camp [Jackson] was nominally a State camp of instruction, but beyond doubt was in the interest of the Southern cause, designed to be used against the national authority in the event of the General Government's attempting to coerce the Southern Confederacy." For an opposite interpretation of the episode, cf. Carr, *op cit*, also, Eugene Violette, *A History of Missouri* (Boston, 1918), p. 348. "Viewed in the light of subsequent events in Missouri, its [capture of Camp Jackson] must be considered a stupendous blunder."

⁴ General Frost married a daughter of Major Richard Graham (son-in-law of John Mullanphy) of Hazelwood in the environs of Florissant and was thus connected with the pioneer Mullanphy family of St. Louis. Extracts from the correspondence bearing on De Smet's intervention in the Frost case follow: "Genl Grant with whom I came up on the boat from Quebec last night has today written to the President recommending that I be permitted to return home at once on parole. Whoever presents the papers on my behalf would do well to call the President's attention to that letter. All agree that it will also be important that some one should take charge of the matter with sufficient interest to prevent its falling into the regular beaten track usually pursued by official documents, which track is supposed to lead directly into John Bunyan's Slough of Despond. I am sorry my dear Father, to give you so much trouble and yet I would rather be under obligations to you than to any other human being. You will observe that in my letter I speak in behalf of others as well as of myself. This will perhaps be said to be injudicious—but I feel as though I ought to say a word in behalf of those whose difficulties are due to their sympathies for my poor Camp Jackson. Should you deem it advisable however I will change it and sign papers as you may send me. In a word I put the whole matter in your hands to do in all things as you think proper." Frost to De Smet, Montreal, August 6, 1865 (A). "Some days ago I received letters from General Frost, now in Canada, to obtain permission to

bishop Kenrick of St. Louis, who was generally and, it would appear, correctly regarded as a southern sympathizer, issued a pastoral counselling peace and charity to his flock amid the prevailing excitement.⁵

Reflections on the events of the war, especially as they affected St. Louis, occur in contemporary letters of De Smet. When he stepped ashore at New York on April 15, 1861, on his return from a recruiting journey to Europe, he found the city agog with excitement over the fall of Fort Sumter.

A few hours before our arrival the great American metropolis had been thrown into the wildest excitement and consternation by the tidings that Fort Sumter in South Carolina had been taken by the Rebels and that the Stars and Stripes, the far-and-wide honored flag of the great Republic had been battered down by the enemies of the Union—once Union men themselves—reduced to mere shreds, a rag! Unpardonable outrage! One which I fear will be avenged in a deluge of blood. On hearing the sad news of the insulting and arrogant deed, tears flowed freely from many an eye among the passengers of the *Fulton* and were followed by loud imprecations and threats against the Secessionists. I am not a man for war and am averse to its horrors and bloodshed, but I was deeply moved by the scenes I witnessed on the day of my landing on the shores of my once happy and beloved adopted country. I prayed and prayed most earnestly that the Lord in His mercy might allay and soften the rising passions, and that peace might again be restored to this now distracted land.⁶

Shortly after his arrival in St. Louis De Smet wrote to a Jesuit friend: "I arrived here from Europe on the 19th instant [April]. I found the country in a great turmoil. St. Louis is paralyzed in her commerce—little or nothing is doing—the excitement is great for

return to his family in Missouri. He has taken the prescribed oath of allegiance and he writes to President Johnson: "I have been around to obtain signatures of some of our most influential citizens, who signed a petition to the President for the return of General Frost. I have forwarded all the papers to Major General James Hardie with the request that he will take an interest in the matter." De Smet to Major Gen. Pleasanton, August 22, 1865 (A). "I know and esteem highly Father De Smet, that apostolic missionary, and would do anything for him, to whom I am under special obligation indeed. The case, however, of Frost has so little merit that I do not think there will be any haste in its favorable disposition." Hardie to Pleasanton, October 21, 1865 (A).

⁵ "Remember that any aggression by individuals or bodies not recognized by the laws, from which loss of life may follow, is an act of murder, of which every one engaged in such aggression is guilty no matter how great and galling the provocation may have been and bear in mind that under the influence of such unholy feelings as lead to such acts, the innocent are confounded with the guilty or those who are presumed to be such." Kenrick's pastoral in the *Missouri Republican*, May 14, 1861.

⁶ CR, *De Smet*, I, 76.

the people are divided and we may daily expect an outbreak We sent 60 of our Southern boarders to their homes as a matter of prudence" ⁷ Later happenings in St. Louis during 1861 were also commented on

June 13 The news here is astounding You may have heard of the conference between the Governor of Missouri and General Price on one side and General Lyon and F. P. Blair on the other side—it ended in bad feeling ⁸ The Governor, on his return (so it is said) to Jefferson City, caused the bridge at the Gasconade to be burned This morning we learn that he calls for the arriving immediately of 50,000 troops, for the defense of the state—he thinks he can have them ready in three days Would it not be well to look out for a house in Illinois where we could deposit whatever we wish to save? I mentioned the idea to F[ather] Rector [Coosemans], who approved of the idea Missouri might be overrun in all directions and that very soon

June 17 The news of this morning is somewhat more reassuring—more troops are leaving for the upper country In the case of danger, we will look to papers, etc

June 17 I mentioned in my letter this morning that the news and quiet in the city was somewhat more favorable—two hours after the soldiers fired upon the citizens and killed some say six, others say ten citizens—two soldiers were killed How it will end no man can foresee ⁹

There was no doubt at any time as to where De Smet's sympathies lay "I have not been threatened with burning alive by the Rebels," he wrote jocosely to a correspondent in February, 1862 "I do not think they will ever hate me as bad as that" ¹⁰ At the same time he was careful not to embroil himself in political discussion or indulge in unnecessary expression of opinion on public affairs "I am keeping my mouth shut about politics," he confided to a friend, "and I wish some of our other brethren would do the same." ¹¹ Meantime his known loyalty to the North was making him the obvious intermediary between Washington and his Jesuit confrères in questions affecting their interests which arose during the war, such as the draft and the arrears of government money due to the Osage and Potawatomi missions He was equally the friend and that on terms of intimacy, of Generals Harney and Frost and Colonel Francis Preston Blair, outstanding figures in the dramatic scenes that marked Missouri's participation in

⁷ De Smet to Congiato, April 30, 1861 Letter-book, II 94 (A)

⁸ The conference, which lasted four or five hours, took place at the Planters' House in St. Louis At the end of it, Lyon, turning to the governor, said "This means war In an hour one of my officers will call for you and conduct you out of my lines" Sneed, *The Fight for Missouri*, cited in Hyde and Conard, *Encyclopedia of the History of St. Louis*, 4 2423

⁹ De Smet to Murphy, June 13, 17, 1861 Letter-book, II 61 (A)

¹⁰ CR, *De Smet*, 4 1506

¹¹ *Idem*, I 135

the Civil War He had the entrée into the military prisons of St Louis and his services as chaplain for the Union troops were directly solicited by the federal government, an employment which his superiors on advice from Archbishop Kenrick did not authorize him to accept¹² To Colonel Blair, to whom perhaps more than anybody else belongs the credit of having saved Missouri for the Union, he made known in the spring of 1862 a contemplated visit to the Indians of the upper Missouri, petitioning at the same time the favor of being allowed to go with some or other commission from the government "Feeling, as ever, much attached to the Union of my adopted country, the United States, I shall do all I can to promote it among the Indians, to the best of my power The thought came to my mind that if I could go in some official capacity from the Government (I ask for no emoluments) my object might be strengthened by it and be more efficacious"¹³ De Smet's general attitude towards the issues of the Civil War has been interpreted thus

Father De Smet was a loyal citizen, a Union man, but he was not what he later calls a radical His views were doubtless modified by the atmosphere of St Louis, which was his home and he saw more clearly the other side of the question than people of the North generally did His prayers were for

¹² "There are a large number of Catholics belonging to the various Regiments stationed at the Arsenal, and it is impossible, without a departure from Military Discipline, to permit them all to go out of the Arsenal on Sunday to attend to their religious duties at the churches in the City, as they would doubtless desire to do Under the circumstances I take the liberty, having for many years enjoyed the pleasure of your acquaintance to say that if you deem it proper and consider it desirable, that I will give orders to receive any Catholic clergymen who may wish to enter the Arsenal on Sunday, or any other day to perform religious services for the Catholics now here and that I will cause accommodations to be prepared for the purpose" F P Blair to De Smet, June 7, 1861 (A) According to Rothensteiner, *History of the Archdiocese of St Louis*, 2 213, it was Blair, recently named colonel of the First Regiment of Missouri Volunteers, who solicited De Smet's appointment as chaplain, "As this move seemed to be an inducement to Irish Catholics to join the ranks, Father De Smet being among the most beloved and honored priests in the entire country, the Archbishop refused his consent It is said that Colonel Blair, whose influence in Washington had already removed both General Harney and General Fremont from the command of the Department of the Missouri, was on the point of taking severe measures against the Archbishop, but soon saw the futility of so doing and desisted" "By those who were more or less in his confidence it was pretty well known that his [Kenrick's] sympathies were with the South We do not know that he went the entire length of the Calhoun doctrine of the Right of Secession, but we do know that he condemned the war, not only as inexpedient but as unjustifiable" William Walsh, *Life of Most Rev Peter Richard Kenrick, Archbishop of St Louis* (St Louis, 1891), p 25 Cf also Rothensteiner, *op cit*, 2 210-219

¹³ CR, *De Smet*, 4 1509

peace, but as between the North and South his sympathies were with the North. At one time he frankly doubted that the North would succeed, for he felt that so great a section of people of the Anglo-Saxon race could not be subdued. As the war progressed and the power of the North became more autocratic, he dissented from some of its extreme measures, but there never was a shadow of doubt of his unswerving loyalty to the Government.¹⁴

Though De Smet kept a judicious silence at home on the burning question of the war, he did not hesitate in letters to his relatives and friends in Europe to discuss what he conceived to be the causes of the great struggle that was desolating the country. These ventures into political theory and history are marked by accuracy and insight and reveal the missionary in the new rôle of a shrewd and discerning observer of public affairs. In his opinion the most decisive and indeed almost the sole factor in precipitating the Civil War was slavery.

But the difficulty was about the Territories belonging to the United States. There is an immense territory sufficient to form several large States yet unsettled. The anti-slavery party, or Free-soil party, as it is called, concluded that slavery should not be extended to the Territories, though protected in the already formed States. The pro-slavery party demanded the right of carrying slavery to every foot of the Territory. The anti-slavery party, for the first time since the organization of the Government, triumphed in the election of Mr. Lincoln to the presidency, and the pro-slavery party seceded from the Union, or rather I should say, ten or eleven of the fifteen slave States seceded and set up what they call a Confederate Government for themselves. What are called the border slave States, as Missouri, Kentucky, Western Virginia, Maryland and Delaware, have declared for the old Union, but they are made the battle-ground of the contending parties. It is evident that, according to the Constitution of the United States, no State has the right to secede from the Union. The Union was intended to be perpetual. But the Secessionists contend that the States, as separate peoples, have, at any rate, the right of revolution when sufficient cause exists, and they further contend that a sufficient cause does exist in the hostility of the free States to the institution of slavery. But I have already remarked that the General Government was bound by the Constitution to protect slavery in the States where it existed. This is true, but the slave States regarded the hostile feelings of the Northern people as a sufficient cause for the act of secession. They regarded the fact that they were excluded from the Territories as a sufficient cause.

The truth is that the present state of the country is due to an angry controversy, long ago begun, on the subject of African slavery. Several compromises between the parties had been entered into, looking to the settlement

¹⁴ *Idem*, I 77 "If he had taken any part in politics he would doubtless have been what was called a 'War Democrat,'—a Unionist, when it was a question of the unity of the country, but opposed to the extreme measures adopted by the Republicans at the close of the war." *Idem*, I 133

of the difficulty, but the feeling remained with the one party that slavery is right, and with the other that slavery is wrong. These two hostile feelings have culminated in a revolution, or rebellion, the most formidable that the world has ever seen. What will be the end of it? No one can say. One thing seems evident, namely, that slavery will be extinguished, for though the General Government does not claim any constitutional power to interfere with the Constitutions in the States, yet, as a war power, as a means of putting down the rebellion, the General Government does claim the power of liberating the slave, and hence the emancipation proclamation of the President more than six months ago. Thousands of slaves are making their escape from bondage and are now scattered over the free States.¹⁵

This view of the origin of the war is elsewhere and more than once brought out by Father De Smet in letters to European correspondents as in this one of February, 1863, addressed to Joseph Van Jersel of Utenhout in Holland. "The northern Territories, Washington on the Pacific slope, Colorado, Dakota, Nevada, were and are unsuitable for slave labor and no one has ever thought of introducing slavery into them. But the South insisted absolutely upon that privilege, that is, upon the *right* to introduce slavery, even though it were useless and unreasonable. The South was striving for a point of honor, ridiculous and unreasonable,—a point which they had no idea of carrying into effect."¹⁶

The loyalty to the Union of another midwestern Jesuit, Father Francis Xavier Weninger, is also worthy of note. His indefatigable and nation-wide missionary labors on behalf of the German-speaking Catholics of the United States made him a figure of prominence in the religious life of the country. It is to be noted that in the following passage from his *Relation* of 1862-1863 he evidently has in mind the Catholics of the North, as in the South the Catholics in concert with their fellow-citizens generally espoused the cause of secession. "The Catholic body in the United States in respect to its politics and ethico-religious attitude is everything one would desire. It favors the Union of the States and detests the trade in African slaves. . . numbers of Catholics have joined the army, they offer their life-blood to defend the Union and root out slavery." As a result of this stand taken by the Catholics, "many Americans think better of the Catholic Church than ever before." In Europe, so Weninger intimates, the curious impression was current in some quarters that the southern states were peopled chiefly by Catholics and that the war between North and

¹⁵ *Idem*, 4 1440-1442

¹⁶ *Idem*, 4 1439

South was a war between the Catholic Church and her enemies. This erroneous impression he was at pains to correct when writing to Rome.¹⁷

The more or less chronic illness of Father Druyts having in the end incapacitated him for the discharge of the duties of his office, he was replaced in February, 1861, as superior of the middlewestern Jesuits by Father William Stack Murphy. For five years, 1851-1856, this eminent Jesuit had already filled this post to the obvious and continued advantage of the division of the Society of Jesus administered by him and he now returned from Fordham to the West to assume its duties a second time. His arrival in St. Louis coincided with the extreme nervous tension and excitement in public feeling that preluded the actual outbreak of hostilities in the Civil War. He was an intelligent observer of men and things and for years had been watching with interest the gathering clouds on the political horizon. Writing as early as 1851 from Florissant to Father Roothaan, he had in a manner forecast the coming of the storm though what he prognosticated was rather a separation, peaceful in character, between East and West. "The difference between the old and new States in the way they view things and carry on is considerable. One would call them in many respects two distinct peoples, very probably their political and national union will one day cease. On both sides enough is being done to bring about such an outcome."¹⁸ In March, 1861, three weeks before the firing on Fort Sumter, Father Murphy felt that the moment of disruption had come.

Day by day our political affairs become more strangely embroiled. For twenty years back one could have foreseen the present-day crisis, regarding which, if I mistake not, no one is going to say very soon, "I have seen the end of it." According to principles of international law and the example set by the Fathers in formerly driving out the English, the Southern states have seceded with the best of right. This Missouri of ours with Maryland and other states hesitates, owing to the proximity of states which do not allow of negro [slaves], for the latter would either invade the former or take in their fugitive slaves. But it is likely that the states so hesitating will eventually secede while the remaining states will break up into several republics.¹⁹

A month later, April 24, Murphy wrote

There is trepidation in this city. The English-speaking elements of every kind are said to meditate secession. On the other hand the non-Catholic Germans stand with the general government. A regiment of them has already

¹⁷ (A) Father Weninger was accustomed to draw up annually under the caption "*Relatio*," a Latin narrative of his missionary activities often with incidental comment on current events of importance.

¹⁸ Murphy à Roothaan, September 6, 1851 (AA)

¹⁹ Murphy ad Beckx, March 24, 1861 (AA)

been admitted into the citadel [arsenal] by the commandant [Maj Nathaniel Lyon], who is reported to have said that a Sicilian vespers will be enacted here should the city perchance secede. The people of Illinois threaten from the other bank [of the Mississippi] and have already blockaded the lower river by setting up camps along it. Our boarders here and at Bardstown are Southerners or secessionists, whom we shall be forced soon to send back some way or other to their families²⁰

A week later than the capture of Camp Jackson Murphy commented apropos of the event

We have just passed through fire and water. Fighting outside, dread and apprehension behind doors. By force of arms and at the cost of the slaying of some thirty citizens of both sexes, the troops of the general Government, made up almost entirely of a rabble of non-Catholic Germans, have effected a military occupation of the city. This is, as a matter of fact, the chief inland town [of the West], from which the way strikes out to the Pacific Ocean through the vast region of the West that will swarm in the near future with settlers²¹

In August St. Louis was still astir with excitement

All is trepidation and expectancy in this city for the Confederates are approaching from every side and nearly the entire State is in their favor. This very hour news has come of the rout of the Federals with the killing of their commander [General Lyon] on August 10 [at Wilson Creek] a hundred miles from the city. The Governor is calling out the Illinois troops. Among the Federals it is common report that neither money nor blood is to be spared to prevent the State, which is the gateway and key to an exceedingly vast region and to the route towards the Pacific Ocean, from being wrested from the general Government. From here also by way of the Mississippi river all kinds of food and merchandise are carried to New Orleans, whence they are distributed among divers countries. Fathers Gache, Hubert, Prachenski of New Orleans are chaplains with the Confederates. Among the Federals Fathers Tissot and Nash of the Mission of New York and Father Bernard O'Reilly are praised in the papers for their zeal and disregard of all risks even death itself in the thick of the battle in which the Federals were recently defeated. Father James Converse at the petition of the Archbishop rendered very great service to the Federal troops at Cincinnati. And so it is that our men show themselves interested in souls, not parties²²

²⁰ Murphy ad Beckx, April 24, 1861 (AA)

²¹ Murphy ad Beckx, May 17, 1861 (AA)

²² Murphy ad Beckx, August 14, 1861 (AA). Father Murphy was misinformed when he wrote that nearly all of Missouri favored the Confederates. As to Jesuit chaplains in the war the experiences of Father Truyens, one-time missionary among the Miami of Kansas, are worthy of note. His death (December 14, 1867)

To a Bardstown Jesuit Father Murphy addressed these pleasant lines

St Louis and St Joseph will, I hope, watch over their Houses and shield them in these stormy times At St Xavier's, one would think there was no danger at hand, and yet I learn that the Cincinnatians fear an attack from your state [Kentucky] Really this apprehension appears to me diverting Porcopolis may kill and salt its hogs in peace so far as Kentucky is concerned Let us pray for the country and for a cessation of the bloody strife You will be surprised to learn that five Novices on the banks of the Missouri were fired upon twice by an ascending boat full of soldiers, who, no doubt, supposed that *they* were about to fire upon them—nobody hurt! thank God May it be so throughout²³

In September, 1861, Father Murphy issued a circular letter to the members of the vice-province of Missouri informing them that he had just received a communication from Father Beckx, the General, urging upon all the scrupulous observance of that point of the Jesuit rule which "enjoins on Ours neither to manifest nor entertain any leaning or partiality towards either party in national difficulties" Two of the items embodied in Father Murphy's instructions are of special significance as indicating the stand which members of the vice-province were to take towards the civil authorities of their respective localities "Granting that every citizen is free to adopt the view entertained by the State in which he resides and to which he belongs for the time

was generally attributed to the hardships incurred by him during his brief chaplaincy with Union troops in Kentucky "I heard repeatedly Father Truyens say that he lost his health during the six weeks of his stay with the soldiers The weather was horribly bad and he had to follow the soldiers on foot and sleep on wet ground After his return he was for several months unable to discharge the duties of pastorage" Schultz to ———, December 19, 1867 (A) There is a letter on the subject from Father Truyens himself to some unknown correspondent "I believe this is the last letter which I will be able to write for sometime We have left Columbia and are pursuing our route towards Summerset [Somerset] We are now 38 miles from that place It will take us at least four days to reach it as the roads are very bad and place us under the necessity of walking very slowly The 10th Indiana is camped by the side of us Thus far I have been obliged to do my journeys on foot in the rear of the regiment but tomorrow I will have a horse as the Colonel just told me now You can easily suppose that this life is very hard on me I have suffered already very much from hunger and can hardly recollect myself for a few minutes I try to make my meditations and exams but I hope Al[mighty] God will be satisfied with my endeavors I feel also grieved not to approach the sacraments, there are no Catholic Chaplains here When I will be able to say Mass I do not know" Truyens to ———, January 11, 1862 (A) The letter has a postscript of later date penned by Father Murphy "The Irish and Germans and all city recruits have extremely few sick, country-boys, measles, smallpox, pneumonia, etc"

²³ Murphy to Verdin, De Smet Letter-book, 11 198 (A)

being, it follows that so far as Missouri and Kentucky are concerned, the sovereignty of the General Government yet exists—and consequently residents of these two States are bound to consider it as the only lawful Government. According to the same doctrine, Ours residing in Free States are obliged to recognize [*sic*] its authority”²⁴

Early in the war the functions of the governor and legislature of Missouri were taken over by a state convention which had been originally convoked by the legislature itself. The convention had declared unanimously against disunion, whereas Governor Jackson, an avowed secessionist, announced in August, 1861, that Missouri was already out of the Union. The chief executive offices of the state, including that of governor, were accordingly declared vacant by the convention and a provisional government under its authority was set up. An oath of fidelity to the provisional government was promptly required of all citizens. On the ethical propriety of taking this oath a difference of opinion at once revealed itself among the Jesuits of St. Louis. The majority of them saw no moral difficulty in subscribing to it, a view concurred in by the Visitor, Father Sopranis, and the vice-provincial, Father Murphy, but some few who held the *de facto* government to be revolutionary and illegal could not see their way to pledging allegiance to it on oath. Archbishop Kenrick himself did not take the oath nor would he authorize his diocesan clergy to do so, but he left the Jesuits free to declare their allegiance to the existing régime if they thought it necessary to do so. This liberal attitude on the part of the Archbishop was agreeable to Sopranis, who, however, wrote to the Father General: “We shall not take advantage of [it] unless the public authorities press us and evils of grave moment are imminent”²⁵. At St. Charles Father Verhaegen and his colleagues in the residence promptly presented themselves before the civil authorities to take the oath, but no mention occurs of any other Jesuits in Missouri doing likewise. Either the oath was taken by the Jesuits generally or else no pressure was brought to bear upon them by the authorities to make them do so. The stand they were to take in the matter was outlined by Father Sopranis in February, 1862, after long and serious consultation with Father Murphy and other members of the vice-province.

1 ° They shall refuse [the oath] if this can be done without risk [of prosecution] and they shall do so even with such risk in case the Archbishop and his clergy refuse it.

2 ° In case they really incur the risk of suffering grave evil and the Archbishop does not object, they shall take the oath.

²⁴ De Smet Letter-book, 11 190 (A)

²⁵ Sopranis ad Beckx, March 2, 1862 (AA)

3 ° If there be any who sincerely think they cannot take the oath in conscience, let them be sent elsewhere as a concession to human infirmity. The chief difficulty lies in the fact that the present government of the state [Missouri] is regarded as illegal and that the reputable element of the city [of St. Louis] with the Archbishop and his clergy does not give allegiance to this government, which is for the Union. Whatever course our people there pursue, they will not avoid some sort of persecution as the open imprudence of some of them has brought it about that Ours in that city are regarded in public opinion as Secessionists²⁶

There is nothing to indicate that the Jesuits of St. Louis University as a body were partisans of the South, but the indiscretions of a few of their number gave them, it would appear, something of this reputation. The *Annual Letters* for 1861-1862 record regretfully that in St. Louis certain members of the vice-province, heedless of the Jesuit rule, had given indiscreet expression to political views and had thus brought the University under suspicion of disloyalty. De Smet wrote October 20, 1861, to the General: "I must add in my letter that the city of St. Louis is in great danger of being sacked and burned in case the secessionists get the upper hand in Missouri. Several of Ours without regard to the instructions of your Paternity as published by the Provincial continue to manifest secessionist sentiments, at least in the house. No good and much harm can result from manifestations of this sort. Indiscretions are filling the prisons more and more every day."²⁷

On June 10, 1862, a formula of the oath of loyalty more stringent than any of its predecessors was decreed by the Missouri Convention. "A new formula of the oath, a new ordinance," wrote Father Murphy June 20, 1862, "has become almost a monthly occurrence. Recently all 'ministers of the Gospel' have been called upon to declare under oath their past, present and future loyalty nor are they permitted to perform the marriage ceremony under any other condition."²⁸ The oath of June 10, 1862, was the first of a retroactive character to be imposed, in many of its features it anticipated the notorious Drake oath of 1865. There is nothing in contemporary records to indicate the practical stand taken by the Jesuits of St. Louis in the face of it. Apparently no seri-

²⁶ Sopranis ad Beckx, February, 1862. (AA)

²⁷ De Smet à Beckx, October 20, 1861. Father Ferdinand Garesché, whose brother Julius was a prominent Union officer, was an open sympathizer with the southern cause. At his own request he was removed by his superiors from St. Louis, where his freely expressed sentiments were an occasion of embarrassment to the University. Capt. Allen, provost marshal of St. Louis, ordered the stars and stripes to be displayed at the University after the battle of Gettysburg. The order was a general one issued on the occasion, and not specific for the University.

²⁸ Murphy ad Beckx, June 20, 1862. (AA)

Belli civilis exitus non facile conjici potest
Apparatus ac numerus copiarum et praesentium
-classis littora portusque obsidens subterfugis
atque adjuvamento maximo foederatilibus sunt
Duces militumque et virtus bellica et amor
patriae apud confederatos videntur praestare.
Quicumque denique eventus fuerit, respublicae
conditio, ut vulgo dicitur, miserima futura
est. Paxit Deus ut intellectum det vexatorem
et fides tandem animos decoloris ranciscatur

Bardipoli P. Trujens, Episcopo rogante,
ad castra missus est; P. Halpin apud eundem
Andriocopoli militibus aegrotantibus praesto est
Adm. Rev. P. V. infimus in Xto Nervos
Guilhelmus Murphy

Closing lines of a letter of William S. Murphy, S. J., to the Father General, Peter Beckx, S. J., January 15, 1862
Issue of the Civil War doubtful General Archives of the Society of Jesus, Rome

ous attempt was made by the authorities to enforce it in their regard or in regard to the clergy generally

Early in 1862, less than a year after the outbreak of the war, Father De Smet was successful in obtaining from government the payment to the Jesuit Indian missions in Kansas of a considerable sum of school-money which was long overdue

Towards the end of last February, as in July, I had to go to Washington to arrange the accounts of our Indian missions among the Potawatomies and Osages. Since the outbreak of the war and the great expenditures which it occasions, the Government is necessarily delayed in the payment of its contracts with the Indian tribes, the motto for today being "the expenses of the war before everything else." A sum of over eighteen [thousand] dollars was due the missions. I presented my request to the Superintendent of Indian Affairs [Dole] with the remark that a refusal or delay on the part of the Government of its debt and promise, would singularly disarrange the ideas of our Indians, who have thus far been loyal and attached to the Union side, that if we were obliged by lack of means to send some 400 children back to their poor parents, they would "conclude that their Great Father, President Lincoln, had taken the money that ought to have gone to the support of their children, and used it for other purposes" and that they might be led in consequence to lend a favorable ear to the Secessionists. This all-but *casus belli* made the Superintendent smile and pleased him greatly, and he promised to do his utmost to satisfy our good savages. He gave me also some good advice and indicated several influential persons who might aid me in my just demand upon the Government.

During my short stay in the capital I had the honor of being presented to President Lincoln and of talking with him about the present state of our Indians and our missions. He showed himself very affable and very well disposed towards us and promised me that he would favor and aid us in our efforts to ameliorate the unhappy lot of the Indians. The Secretaries of the Interior and Treasury and the Attorney and Postmaster-General were likewise very favorable to me. I succeeded in obtaining a sum of over \$11,000 00, with the promise that the balance due the missions should be forwarded at an early date.²⁹

§ 2. THE DRAFT

The enforcement of various laws of military conscription, state and federal, led to unpleasant experiences, of which the middlewestern Jesuits had their share though in the end none of them had actually to perform military service. In Cincinnati in September, 1862, Father Garesché, vice-rector of St. Xavier College in the absence of Father Schultz in Europe, obtained exemption for some twenty of his students who had been summoned to arms to defend the city against an ex-

²⁹ CR, *De Smet*, 4 1507

pected attack. In St. Louis Father Thomas O'Neil, rector of the University, obtained a similar exemption in favor of students of the institution. The Missouri state draft-law was applicable to all citizens, even clergymen, between eighteen and forty-five. Owing, it would seem, to representations made by De Smet that the bearing of arms was incompatible with their ecclesiastical status, all Jesuits resident in Missouri were granted exemption from the operation of the law. "Great trepidation here," wrote Father Murphy, "over compulsory military service, which threatened at least the Brothers and novices. A single visit and petition on the part of this excellent Father [De Smet] was enough to secure in writing and by name the exemption of all."³⁰ But the federal draft law of 1863 was a more difficult problem for clergymen to cope with. In a letter of April 11 of that year De Smet sought the advice of his friend Thurlow Weed of New York as to what relief might be expected from this drastic measure.

There is an important matter on which I must beg leave to ask your counsel. You are aware that the Jesuits are a body of priests and brothers, devoted, by solemn vows, exclusively to the service of God and the spiritual good of their fellow-men. In the West here we number about 200 members, some of whom would fall within the limits of the conscription law lately passed by Congress. Our members are stationed in various cities—Cincinnati, Chicago, St. Louis, Milwaukee, Bardstown, Ky., and in other places—all laboring in one way or in another for the good of souls. We have been here for nearly forty years, devoting ourselves entirely to the education of youth, thousands of whom have been trained in our schools and colleges, or attending the numerous churches intrusted to our care, or laboring for the civilization of Indian tribes in the Far West. And we have thus labored purely for the good of our fellow-men, without ever having received any aid from State or General Government, satisfied with that support which the liberality of our patrons has prompted them to afford us.

As I have stated, we are bound to God by solemn vows, which our conscience forbids us to violate. These vows, recognized and accepted by the Catholic Church, separate us from the world, consecrate us to a life different from that of other members of our Church, and subject us to the canon law of the Church which strictly forbids priests and religious men, who have taken these vows, from taking up arms in any cause whatsoever. We are ministers of peace, and in all ages this sacred character has been regarded as opposed to war and bloodshed. Such is the law of the Church, and this law binds our consciences. We cannot violate it without doing violence to our duty to God, and therefore we cannot obey any law which would require us to violate that duty. You perceive the predicament in which this places us at the present moment, and from which I desire your advice to enable us to extricate ourselves.

³⁰ *Litterae Annuae*, 1862-63. Murphy ad Beckx, August 26, 1862 (AA).

As to the remedy of paying \$300 for each member that may be subject to the draft, I must say that it is scarcely fair to require this of us, who are really not subject to military service, by reason of the life we have embraced and of the conscientious obligations it imposes upon us. And besides this, such a sum paid for all those who might be called upon among us, would prostrate all our establishments and leave us destitute of the means for carrying on the works we have undertaken for the good of our countrymen. We are struggling hard to keep these up, the war has inflicted severe losses upon us, as upon many others, and if we cannot escape the conscription without paying what the act prescribes, I do not see how we shall be able to continue our exertions.

Please give this matter your serious consideration, and if you can suggest any means of extricating ourselves from this perplexity, you will confer an infinite obligation upon me, by informing me of it. We have here a conflict of duties, we desire as far as possible to comply with both, but we cannot sacrifice our conscience, and our resources are too limited to allow us to comply with that condition on which alone the act of Congress will recognize our exemption.³¹

There is no record of what answer if any Weed returned to De Smet's inquiry. At all events the following year saw the Jesuits under the unseemly pressure of the draft. At Cincinnati in January, 1864, seventeen of the faculty of St. Xavier College were registered as citizens liable to the operation of the law, of this number, five, Fathers De Blicq, Kuhlman and Halpin, and the scholastics Ward and Venne-man were drafted. The last named obtained exemption on the ground of weak health, for the others substitutes appear to have been obtained by paying into the government treasury for each of the individuals drafted the legal compensation of three hundred dollars stipulated in the law. At Cincinnati Bishop Rosecrans, coadjutor to Archbishop Purcell, was also among the conscripts, but the authorities had the delicacy not to press the case.³² In Missouri in the course of 1864 the sweeping measure gathered into its net five fathers, two brothers and a scholastic, eight Jesuits in all. At Bardstown, Father Verdin, the superior, and Brother Flanagan were conscripted. On receiving this news from Bardstown the provincial, Father Coosemans, immediately telegraphed to De Smet, who was in Washington at the moment, to do what he could to save his confrères. De Smet took the matter up with Secretary of War Stanton, September 22 and 29, with this result:

³¹ CR, *De Smet*, 4 1515. De Smet in speaking of "solemn vows" does not employ the term "solemn" in a strictly canonical sense. Jesuit coadjutor-brothers do not take "solemn" vows nor do all Jesuit priests.

³² Coosemans ad Beckx January 15, May 18, 1864. (AA)

There was another affair that was disquieting us greatly—the universal conscription from which neither priests nor members of religious orders are exempt. Father Verdin and Brother Flanagan, in Kentucky, had already fallen under the lot and been drafted. I addressed myself to the Secretary of War, and by the Lord's favor, through the intercession of the Holy Virgin and the prayers of my brothers, I was able to obtain their liberty, with the formal promise of the Secretary "that hereafter he would exempt all our people who might be called on for military service." In order to evade the law the Secretary orders our conscripts "to stay at their homes until he calls for them", and this call, according to his promise, shall not be issued so long as the war lasts."³³

Shortly after Father De Smet's return to St. Louis from Washington, the names of three fathers, Keller, Tehan and O'Neil and a scholastic, Mr. Lesperance, were announced in the draft. He at once conferred with Colonel Alexander, provost marshal of the St. Louis District, and two days later communicated with him in writing:

In my conversation on the 5th instant in reference to the drafting of Revd. John L'Esperance, I had the honor of acquainting you that whilst in Washington (Sept. 22) I received a Telegraphic Dispatch stating that two of our Revd. Brethren in Bardstown College, Kentucky, had been drafted, in consequence of which I applied to the Secretary of War who gave immediate directions "that the Revd. Gentlemen, drafted in Ky. be not called on to report for service until especially ordered by the Secretary of War. The Provost Marshall of their district will so inform them."

On the 29th ult. I applied again at the office of the Secretary of War, to obtain the like favor for any of our Revd. Gentlemen in the different Western States. Colonel James A. Hardie, Inspector General of the U. S. A., assured me that all measures had been taken to obviate every difficulty on the subject.

According to our religious principles, as a religious order in the Catholic Church, we cannot bear arms and go to war—our various houses have hardly the necessary number of persons to keep them up and cannot be spared—the establishments are all in debt, by the construction of necessary buildings for schools, colleges, etc., for the public good.

Besides Revd. John L'Esperance, the Revd. Fathers Keller and Tehan are also on the list of those who have been drafted.³⁴

On the same day, October 7, Father De Smet also sent a communication to Colonel Hardie, with whom he was personally acquainted:

Excuse me if again I have recourse to you for a particular favor. Four of the members of this institution [St. Louis University] have lately been

³³ CR, *De Smet*, 4, 1520.

³⁴ De Smet to Alexander, October 7, 1864, Letter-book (1864-1866), 135 (A).

drafted in St Louis, viz the Revd John Lesperance, Joseph E Keller, John F X Tehan and John F O'Neill Could you obtain the same favor for these Revd Gentlemen as for Father Verdin and Brother Flanagan of Bardstown, Ky, your kindness would ever be most gratefully remembered

I shall in all probability leave for Europe on the 19th instant and if I have the happiness of reaching Rome, I will not forget to comply with your requests

Please remember me to your kind Lady and good children ³⁵

The above named were the last Jesuits in the West to be caught in the draft They were never actually pressed into service and their good fortune in this respect must seemingly be attributed to De Smet's intervention in Washington It may be noted in this connection that the *Annual Letters* for 1864-1865 record that the satisfactory arrangement devised by Secretary Stanton in favor of Jesuit conscripts was later rescinded by the United States Senate The annalist would seem to have been misinformed in this regard It is unlikely that any such action by the Senate to the prejudice of the Jesuits or any other clergymen ever took place though there may have been some tightening up in the general application of the draft laws The *Letters* further state that certain conscripted Jesuits had obtained exemption on various grounds, especially that of poor health, and that the chief agent in bringing this final stage of the draft question to an ultimate favorable issue was the assistant-provincial, Father Joseph Keller, a man of tact and wide personal influence in St Louis, who took the matter in hand after Father De Smet's departure for Europe He was a Bavarian by birth and, unlike De Smet, was by no means an ardent Unionist, if indeed his sympathies did not rather go with the Confederacy He had earlier in the war expressed the opinion that the number of people who recognized the futility of the conflict and longed for its speedy termination was daily increasing The only obstacle to peace was the obstinacy of the North "As a matter of fact whoever looks at the matter without prejudice or passion will easily see that the other side [the South] cannot be overcome in the war nor disheartened by its hardships" On the occasion of his being drafted he wrote "What we long feared has finally come to pass . . . What is going to happen to us does not appear, but we shall certainly be freed, either through the same intervention [De Smet's] or on account of weak health or by payment of 300 dollars Whether others have been drafted elsewhere, we haven't heard But this must be expected Peace seems far off to one who conjectures merely on human grounds, perhaps in the decrees of God it is nearer at hand Meantime this stain will long remain deeply im-

³⁵ De Smet to Hardie, Letter-book (1864-1866), 136 (A)

printed on the name of the Republic, the fact, namely, that alone among the nations it has dared to drag with violence the ministers of peace from the altars of God and order them to shed blood in battle”³⁶ As a matter of fact, no evidence appears to be at hand that any Catholic priests served in the Union armies as drafted soldiers. On the other hand, in the World War hundreds of ordained clerics in pursuance of iniquitous conscription laws bore arms and shed their blood on the battlefields of Europe.

§ 3 INCIDENTS AND MISADVENTURES

Fortunately most of the Jesuit houses of the Middle West lay by a very safe margin outside the zone of actual hostilities. Yet here and there the fathers found themselves on ground overrun by the contending parties. This was particularly the case in Osage and Cole Counties, Missouri, where there were numerous parishes of German Catholics in charge of Jesuit pastors. New Westphalia in Osage County, the headquarters of the fathers engaged in parochial work in central Missouri, enjoyed immunity from hostile disturbances of any kind up to the fall of 1864, when Confederate troops under General Sterling Price ravaged the state as far as the Missouri River and beyond. In June, 1864, Father Weninger preached a mission to the congregation of New Westphalia in which he reproached them for their failure to contribute in due measure to the support of their pastors, hazarding the prediction that the worldly goods which they were so industriously bent on amassing would soon become the prey of an invading enemy. The following October brought with it the fulfillment of his words. During four days secessionist troops to the number of twenty thousand held Osage County in their grip, spoiling it of cattle, horses, clothing and such other material goods as served their needs. The farmers of New Westphalia and its vicinity suffered losses aggregating twenty thousand dollars. Houses were entered and the men's best clothing and the women's shawls carried off as booty before the eyes of the helpless inmates. On the Sundays immediately following the invasion many of the male members of St. Joseph's congregation were to be seen attending divine service in incomplete attire or in the shabby, discarded garments which alone of all their wardrobe had escaped the pillage. The residence in New Westphalia was entered and preparations were being made to remove the furniture when General Shelby, who had given assurance of his protection to the superior, Father John Goeldin, intervened and put a stop to the proceedings. Father William Niederkorn was returning home from a missionary excursion when he heard of what had hap-

³⁶ Keller ad Beckx, April 21, 1865, October 12, 1864 (AA)

pened in New Westphalia. He at once turned in from the road to a farmer's place, where he contrived to put his horse in safe hiding. But shortly after he was met by a party of soldiers, who forced him to deliver up his coat, watch and a part of his money. After remaining concealed for three days, he returned to Westphalia on foot, not venturing to ride his horse for fear the latter might also become a prize of war. At Richfountain Father Henry Van Mierlo was despoiled of his horse, watch and some of his clothes. At Loose Creek Father James Busschots saw the church and parish residence robbed and his horse appropriated. Such were some of the incidents that marked the invasion of Osage County by Confederate forces in the fall of 1864. With their withdrawal quiet was soon restored in the county, and, as the annalist observes, each one took up again the round of his accustomed duties as though nothing extraordinary had taken place.

At Taos in Cole County, on the west side of the Osage River and only a few miles distant from New Westphalia, Father Ferdinand Helias, then in his sixty-fifth year, had to taste the bitterness of petty persecution. Here the founder of the Catholic parishes of central Missouri was engaged in quiet pursuit of his parochial duties when the fierce storm of the Civil War broke over his head. He at once avowed his loyalty to the Union though numerous sympathizers with the southern cause were to be found in his locality. For years back a faction made up of German liberals and free-thinkers, popularly known as the "Latin Farmers," had been in open opposition to Helias and his work. The outbreak of the Civil War was the signal for fresh attacks on the venerable priest. He was accused of being a secessionist and of harboring secessionist spies in his house and in the parish cemetery. A careful search of the presbytery and cemetery made by a detachment of state militia resulted in the priest's vindication. But the opposition to him still continued. Things finally came to such a pass that he stole out of Taos in disguise one morning before dawn and made his way quietly to New Westphalia, where he remained in hiding in the presbytery, taking advantage of this forced retirement to begin at once the exercises of his annual retreat.

When the news of Helias's sudden departure from Taos became known, calumny again became busy with the father's name. The old cry of disloyalty to the Union was again raised and with such effect that soldiers belonging to the local militia known as the Home Guard broke into the presbytery of St. Francis Xavier at Taos, destroyed the furniture and carried off such valuables as suited their taste. Not content with this, they vented their ill-will on some of the neighboring farmers who were charged with being accomplices of Father Helias. The presence of the latter at New Westphalia had in the meantime ceased to

be a secret, a circumstance which determined him to resort to flight a second time. He accordingly left St. Joseph's presbytery one night under cover of darkness and, making his way through a dense woods to avoid taking the public road, reached the house of a friend of his, a Mr. Forth. Here he found hospitable refuge and a secure hiding-place. Soon, however, he realized that the interests of his parishioners as well as the good name of his ministry and of the order to which he belonged demanded that he take steps towards vindicating himself before the public. He therefore drew up a statement in explanation and defense of his career, which he addressed to the military authorities in Jefferson City. It is a well-written and even eloquent document, replete with patriotic sentiment and inspired throughout by the sincerest attachment to the Union. "The founder of the Mission of Central Missouri could never be the partisan of a secession in which his conscience saw only a flagrant violation of the primitive pact and sacred contract, which not being restricted to any period of time remains forever of equal obligation. He has not failed to employ every means in his power to maintain the people in submission to the law, he has been and will continue to be the apostle of peace, at Taos where he resides and everywhere in Missouri, he has been seen to defend and support the cause of the Union, his numerous friends will know whether he has ever spoken any other language save that of concord."

Father Helias's defense was well received. General Davis, in command at Jefferson City, addressed him a letter under date of September 16, 1861, in which he gave assurance that the priest would no longer be subject to molestation at the hands of the Home Guard. "I will not permit a minister of the Gospel to be insulted or ill-treated by those under my command. I accordingly reserve to myself the punishment of every infraction of my order."³⁷

Taking up again his work in Taos, Helias, though spared any interference on the part of the military, still continued to be harassed by the free-thinking element of the place. One gets an idea of the lawless character of the times in reading how a body of armed men entered the priest's residence at night and sacked it from garret to cellar, demolishing what they could not carry off and leaving him nothing but his bed and books. To a friend of his who offered him on this occasion five hundred dollars wherewith to retrieve his losses, the father replied, "Keep it, they might rob me of that also." To spare the good priest further molestation he was removed by his superior in 1864 to the novitiate at Florissant. But his stay there was short and he was soon back again with his parishioners of Taos.

³⁷ Auguste Lebrocquy, S. J., *Vie du R. P. Hélias D'Huddelghem* (Ghent, 1878), pp. 258, 285.

On the Kansas border towards the end of 1861 Father James Van Goch met with a harrowing experience, which Father De Coen of Leavenworth recounted in a letter to St. Louis

Good Father Van Goch met with a very trying occurrence the other day. On his way to Leavenworth near Fort Scott he was arrested by a band of federal marauders, they knew him and he knew them, as only a few days before he had very kindly fed them and their horses at the [Osage] Mission. They acknowledged that they had been well treated, but they said that he was a damned priest and that his kindness was nothing but hypocrisy, they cursed him most dreadfully and threatened to take his life. Then the leader of the band put his revolver to Fr. Van Goch's ear telling him that he wanted to go to confession and that he [Father Van Goch] would hear a confession as he never heard before, that he would blow a pill through both ears at once. After many insults and blasphemies about religion, they made him march on, having their rifles pointed towards him and threatening at every step to blow him to pieces. After a few miles they told him that his last hour was come and that he had only two minutes to live. They then dragged him into the wood by the roadside and ordered him to kneel, they immediately surrounded him with their revolvers and pointed to his heart. "Men," said the leader, "when I say *one, two, three*, fire altogether", here one of the men stepped forward. "Captain," said he, "let us take him to the camp and examine him and blow out his brains afterwards." This was accordingly done, they took him to their camp which was a few miles farther in, insulting and threatening him all the time. Arriving there, they took him before the Commander, who at once recognized him and shook hands with him. "Father," said he, "I am glad to see you, but what brought you here?" Fr. Van Goch answered that he had been taken prisoner. The Commander told his men to go about their business and invited Fr. Van Goch to his tent and treated him very kindly, the only apology he made was that he had some bad men among his troops. Fr. Van Goch was thankful to him for his protection and asked him to accompany him until he was out of reach of his late friends, which the officer did. Fr. Van Goch seems to have taken this mishap with great composure and great resignation. Almighty God be praised for the assistance He gave to his servant during these trying [times?]³⁸

§ 4. AFTERMATH OF THE WAR

The close of the war found the Jesuit houses of the Middle West if not in a state of prosperity at least engaged without molestation in their ordinary round of activities. "Here at St. Louis and in other places where we have establishments," recorded Father Coosemans Feb-

³⁸ De Coen to Murphy, December 11, 1861 (A). Most of the details embodied in the foregoing section are derived from the *Litterae Annuae*, 1864. Civil War incidents bearing on the Potawatomi and Osage missions are told in the chapters specially dealing with these missions.

ruary 18, 1865, "Ours continue, thanks be to God, to work in peace A.M.D.G. It is something marvellous that since the beginning of this unfortunate war we have been nowhere hampered in our activities except at Bardstown, and even the closing of that college must be regarded as a favorable stroke of Providence by making it possible for us to send some of our men to the scholasticate" ³⁹ Some two months later Lee laid down his arms at Appomattox Court House, a little later followed the surrender of the other Confederate armies and the Union triumph was complete "We have grounds for hoping that we shall soon have the peace for which we have long prayed," Coosemans informed the General "Yesterday [April 10] we received news that General Lee of the Confederate army had surrendered at discretion" ⁴⁰

Though an end had come to the memorable struggle, the violence of political passions to which it had given rise was long in subsiding. In Missouri particularly a bitter aftermath of ungenerous and reckless oppression of the vanquished party was gathered in. The so-called radical or uncompromising wing of the Republican party having got the upper hand in the state, a new constitution was adopted in June, 1865, an outstanding feature of which was the requirement of a test-oath from all voters, public officials, teachers, clergymen, lawyers, jurors, and trustees of church property. "The principal condition of the oath was that the individual had never sympathized with or aided the South. There were some forty-five offenses that he must never have committed, and so sweeping were its provisions that no one could truthfully take it" ⁴¹ Writing to one of his relatives in Belgium shortly after the announcement of the Drake oath, as it came to be called from the principal author of the new constitution, Charles Drake, a St. Louis lawyer, Father De Smet inveighed against this latest exploit of the dominant party in Missouri.

The old proverb says *sunt bona mixta malis* and that is the case today in Missouri. Upon emerging from the war and at the beginning of the return of peace we find ourselves in fresh trouble and in a state of cruel uncertainty. This is the way of it. The radical party has installed itself, *per fas et nefas*, at the head of the State Government. The new Constitution, which has been adopted by a slender majority and which is publicly denounced as fraudulent, requires the clergy of all denominations, all professors of seminaries and colleges and all school teachers of either sex (including nuns) to take the following oath: "That they have at no time in the past uttered a word nor sympathized in any manner in favor of the rebellion," etc. Preaching and performing the marriage ceremony are expressly forbidden to the clergy by

³⁹ Coosemans à Beckx, February 18, 1865 (AA)

⁴⁰ Coosemans à Beckx, April 11, 1865 (AA)

⁴¹ CR, *De Smet*, I 133

this law The priests are generally agreed that, on principle, such an oath cannot be taken, because our authority does not emanate from the State and we cannot, without compromising the ecclesiastical estate, consent to take such an oath No Catholic priest in Missouri will take it, the Protestant ministers have generally done so The penalty for those who refuse to take this abominable *ex post facto* oath is a fine of \$500 and imprisonment The Governor has announced in a speech "that he has had the State prison enlarged and that the law shall be executed" If this cruel law is really enforced our churches will have to be closed and our schools and colleges will be ruined

We have thus far been left in peace at St. Louis, but in the interior of the State, in places where the radicals are in a majority, religious persecution is beginning to seethe Four priests have been cited before their tribunals "for having preached the gospel" contrary to their iniquitous law One of the priests is actually in prison, the other three have given bail Two Sisters of Charity have also been cited before these famous judges "for having taught children" and have been released under bail Serious as this matter is, it has also its curious side, it is wonderful that a land so proud and jealous of its liberty can hatch so many tyrants of the lowest and most detestable kind This law is at the same time so absurd that I am inclined to believe that the odious act, after a few vain efforts, will be smothered and expire after having seen the light of day This black and infamous blemish in the Constitution of Missouri will, it is hoped, react promptly upon its contrivers

The sad circumstances in which we find ourselves do not in the least interfere with our ordinary tranquility Each one keeps at his work as if nothing was plotting around us This tyrannical law of Missouri being *ex post facto* is unconstitutional and therefore null and contrary to the Constitution of the United States, which prohibits laws of that sort Meanwhile our churches remain open and we preach and administer the sacraments as usual Our college opened on the very day of the promulgation of the law (the fourth of this month) with an attendance of about 600 pupils We pray and keep our patience under the wings of the eagle, the emblem of the Constitution of the United States—or rather we repose without uneasiness under the safeguard of the Lord! May his holy will be accomplished in regard to us!"⁴²

From the beginning the test-oath met with widespread opposition not only among Catholics but among Protestants as well The claim has been made by a careful student of the subject that the oath was conceived not in any spirit of hostility to the churches as such but solely with a view to penalize to the extreme all participants in and abettors

⁴² *Idem*, 4 1444 De Smet was in error when he wrote that the Protestant ministers in general took the Drake oath August 10, 1864, the province consultors agreed that in view of the Archbishop's instructions the oath could not be taken as a condition for exercising the ministry, but the question was raised whether it might not be taken by teachers, trustees, etc No decision was reached and meanwhile the Archbishop's advice was to be sought

of the Rebellion ⁴³ As the Baptist minister, Galusha Anderson, one of the advocates of the test, expressed it "They framed this merciless oath to hold in check the rebellious pro-slavery element of the commonwealth until the new order of things should be established" ⁴⁴ Be this as it may, the oath was rather generally regarded as a gross violation of religious liberty Almost unanimously the Baptist, Presbyterian and Methodist clergymen of the state announced their intention to continue to discharge their ministerial duties in disregard of it Archbishop Kenrick in an open letter to his clergy forbade them to take the oath ⁴⁵ It was reckoned that of the fifteen hundred clergymen in the state not a hundredth part accepted the test, though many desisted from preaching As far as figures, admittedly incomplete, are available, some eighty-five clergymen were indicted for disregarding the oath, all of whom were released on bail The great majority of the cases were never brought to trial and the proportion of convictions to indictments was negligible ⁴⁶ Francis Preston Blair, the acknowledged leader of the movement to save Missouri for the Union but subsequently the radicals' most determined foe, declared in a speech in October, 1865 "It [the test-oath] is inoperative Every preacher in the state continues to preach In St. Louis preachers of the Gospel pray and preach and perform the marriage ceremony and there is no Grand Jury that will indict them" ⁴⁷

The part played by the Catholic clergy in the opposition to the oath was a conspicuous one No Catholic priest in the state subscribed to it Three of their number, Fathers Cummings and Murphy and probably a third, Father Ryan, were put on trial and fined for having preached without first taking the oath Father Hogan, of Chillicothe, subsequently Bishop of St. Joseph and later of Kansas City, Missouri, attracted widespread public notice by openly repudiating it As to the Jesuits, those residing in St. Louis were protected by public opinion and, though continuing the open discharge of their ministerial duties in disregard of the oath, were in no wise molested But in the interior of the state legal action was taken here and there against Jesuit pastors On May 2, 1866, Fathers Goeldin and Niederkorn of Westphalia were

⁴³ "That there was any state-wide and systematic persecution of the clergy for the conscious purpose of destroying religious freedom must be regarded as a legend" Thomas S. Barclay, "The Test Oath for the Clergy in Missouri," in *Missouri Historical Review*, 18: 345-381

⁴⁴ Barclay, p. 352

⁴⁵ " *Kenrick y voyant un impietement sur les libertés ecclesiastiques*" Coosmans à Beckx, September 13, 1865 (AA)

⁴⁶ Barclay, p. 380

⁴⁷ Barclay, p. 359

before the grand jury for having preached in disregard of the oath. They obtained an appeal to February, 1867, by which time it was hoped the obnoxious thing would be ruled out by the courts. At St. Charles in November of the same year Fathers Oakley and Setters, both non-jurors, were summoned to trial but acquitted. At Washington Father Seisl was cited for not having subscribed to the oath but twice secured a postponement of the suit. These cases are typical of the results which attended the attempts made to enforce the test by legal action.

Of all the cases resulting from the test-oath in which Catholic priests were involved, that of Father John Cummings of Louisiana in Pike County was to be the most important. A contemporary account describes him as "a very modest gentlemanly looking little fellow of about twenty-two or twenty-three years of age," though this was no doubt an understatement of his actual age. On September 3, 1865, he had preached to his congregation without having previously sworn the oath. Almost immediately he was haled before the grand jury of Pike County, indicted and subsequently convicted by the Circuit Court. Bail was offered him but he pertinaciously refused to accept it, preferring to go to jail, where he was confined for some days. On his eventual release under bond and in pursuance of advice from Archbishop Kenrick, who was determined to make this a test-case of the constitutionality of the oath, he appealed his sentence from the Circuit Court to the State Supreme Court of Missouri.⁴⁸ The latter having by an unanimous ruling upheld the constitutionality of the oath, the case was then appealed to the Supreme Court of the United States. This highest tribunal of the land, not unanimously, curious to say, but by a divided vote of five to four, declared, January 14, 1867, the oath to be null and void on several counts, among these being the circumstance that it was an *ex post facto* measure and therefore at odds with the federal constitution. "For severity," runs the comment of the majority judges, the oath "is without any precedent that we can discover." Such was the inglorious issue of the Missouri test-oath of 1865, which had been conceived in a spirit of political rancor and vindictiveness and in complete disregard of Lincoln's immortal watchword for reconstruction, "with charity to all, with malice to none." As a postscript to this brief account of the fortunes of the middlewestern Jesuits during the period of the Civil War, may be cited the words penned by Father Coosemans in September, 1868: "I will only say that, if during the Civil War we have happily escaped many a disagreeable situation, this certainly was not by reason of my administration, for everything done to extricate

⁴⁸ According to Walsh, *Life of Archbishop Kenrick*, the prelate incurred an outlay of some ten thousand dollars in carrying through the Cummings case.

us from the difficulties to which we were exposed was done by Father De Smet, who has great influence with the government, and by Father Thomas O'Neil, Rector of the University at the time, who took effective measures to save it from the difficulties in which new and hostile legislation had placed it”