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Entreaty for Help from a Political Prisoner

Madison Y. Johnson was an attorney engaged for the defense in a murder trial in Galena, Illinois, on August 28, 1862, when he was seized in the court house and taken to the passenger train depot. From there he was taken to Chicago, where he was confined for two days, then taken to New York City, and imprisoned in what was known as the “Inner Temple,” on Elm street. He was confined there for twenty-four hours, then taken to Fort Hamilton for processing. Johnson was conveyed by boat to Fort Lafayette in New York Harbor, where he was detained as a political prisoner for two months.¹ (Figure 2)

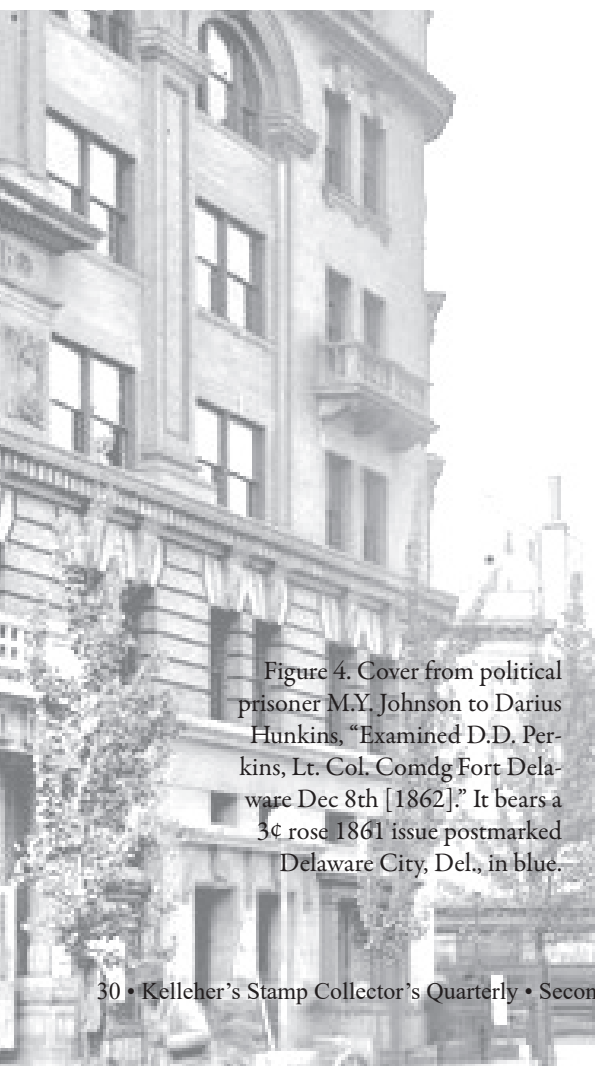
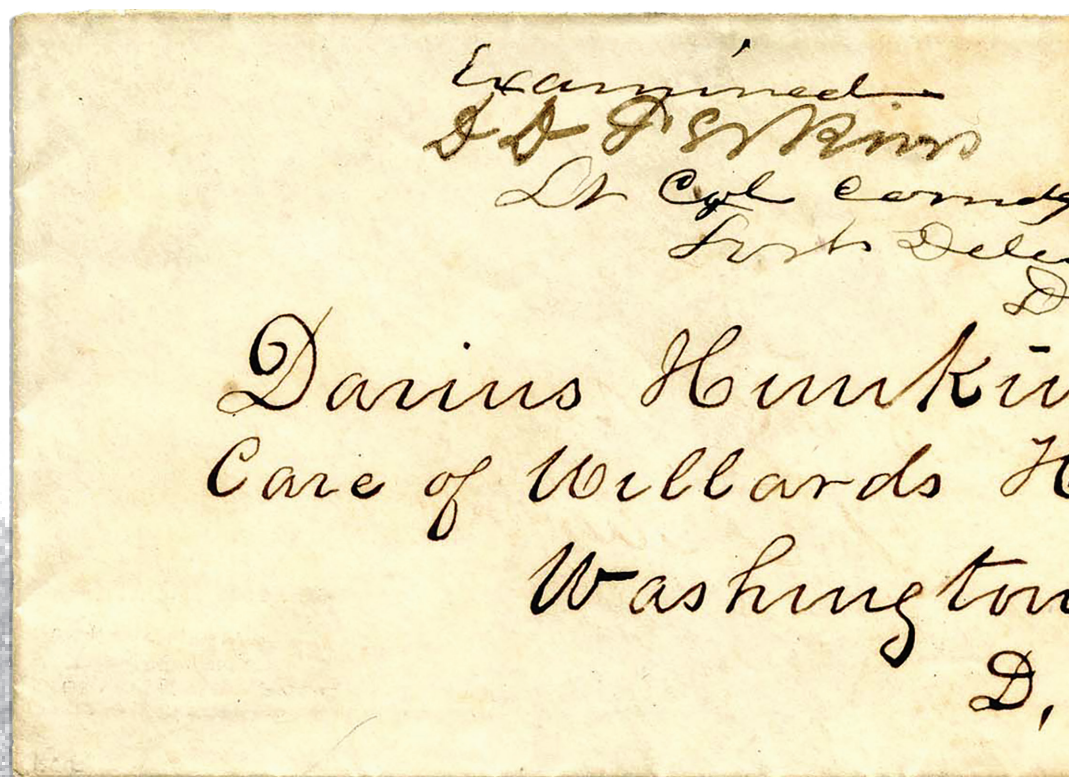


Figure 4. Cover from political prisoner M.Y. Johnson to Darius Hunkins, “Examined D.D. Perkins, Lt. Col. Comdg Fort Delaware Dec 8th [1862].” It bears a 3¢ rose 1861 issue postmarked Delaware City, Del., in blue.



Washington, D.C.'s Willard's Hotel—where Abraham Lincoln slept the night before his inauguration in January 1861. Photo taken in 1919.



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Subsequently, Johnson was transferred to Fort Delaware, a military fortification in the Delaware Bay on Pea Patch Island, there confined until released. (Figure 3)

The cover shown in Figure 4 is addressed in the hand on M. Y. Johnson to Darius Hunkins, Esq., Care of Willards Hotel, Washington City, D.C.

The Willards Hotel was—and still is—directly across from the White house, a historic landmark of a 5-star hotel at 14th Street and Pennsylvania Avenue. It was established initially as six buildings in 1816, but formally founded as Willards in 1847.

The cover is franked with a U.S. 3¢ rose, 1861 issue, and postmarked with a blue Delaware City, Del, circular datestamp dated Dec 8 [1862]. This postmark is only known used in blue early in the war.² Sometime in 1863, the postmarks changed to black for the remainder of the war. To my knowledge, no study has been done to determine exactly when the change occurred, although it would likely have been early in 1863.

On the back of the cover is a note “Photo by S.B.A. for MacBride. 7/18 -[19]50.” The initials are those of the late philatelic luminary Stanley B. Ashbrook and, clearly, he must have taken a photo at the request of Van Dyk MacBride, another philatelic giant. In pencil, Ashbrook notes that this is an early date before handstamped censor marks were used. The only handstamped examined marking, an oval, was only used for about six months, from April 12, 1864, through October 29, 1864, per Galen Harrison’s 1997 book on Civil War prisons. Harrison records 244 covers from Fort Delaware.³

A newly recorded examined marking

To the left of the stamp is the prison censor marking, “Examined, D. D. Perkins, Lt. Col. Comdg. Fort Delaware, Dec 8th [1862].” This examined marking is noted in Harrison⁴ as only being used on one date, February 3, 1863, which would lead one to believe there is only one other use recorded. The subject cover would extend the published date range to at least two months although, from my research on Perkins’ command, that should be three to four months, depending on which source you believe.

Lt. Col. Delavan Duane Perkins

In one source, Delavan D. Perkins is said to have assumed command of Fort Delaware on November 21, 1862, and to have been relieved March 3, 1863—a bit over three months. Another source shows him as in command and in charge of prisoners confined there from November 21, 1862, to March 16, 1863—closer to four months. Either way, it was not a long period.

Perkins was a cadet at the U.S. Military Academy at West Point from July 1, 1845, to July 1, 1849, when he graduated, and was promoted in the Army to Bvt. Second Lieutenant 2nd Artillery. He served initially at the garrison at Fort Monroe, Virginia, 1849-50. He served in various capacities from mathematics professor at the academy to fighting the Seminole Indians in Florida, frontier duty

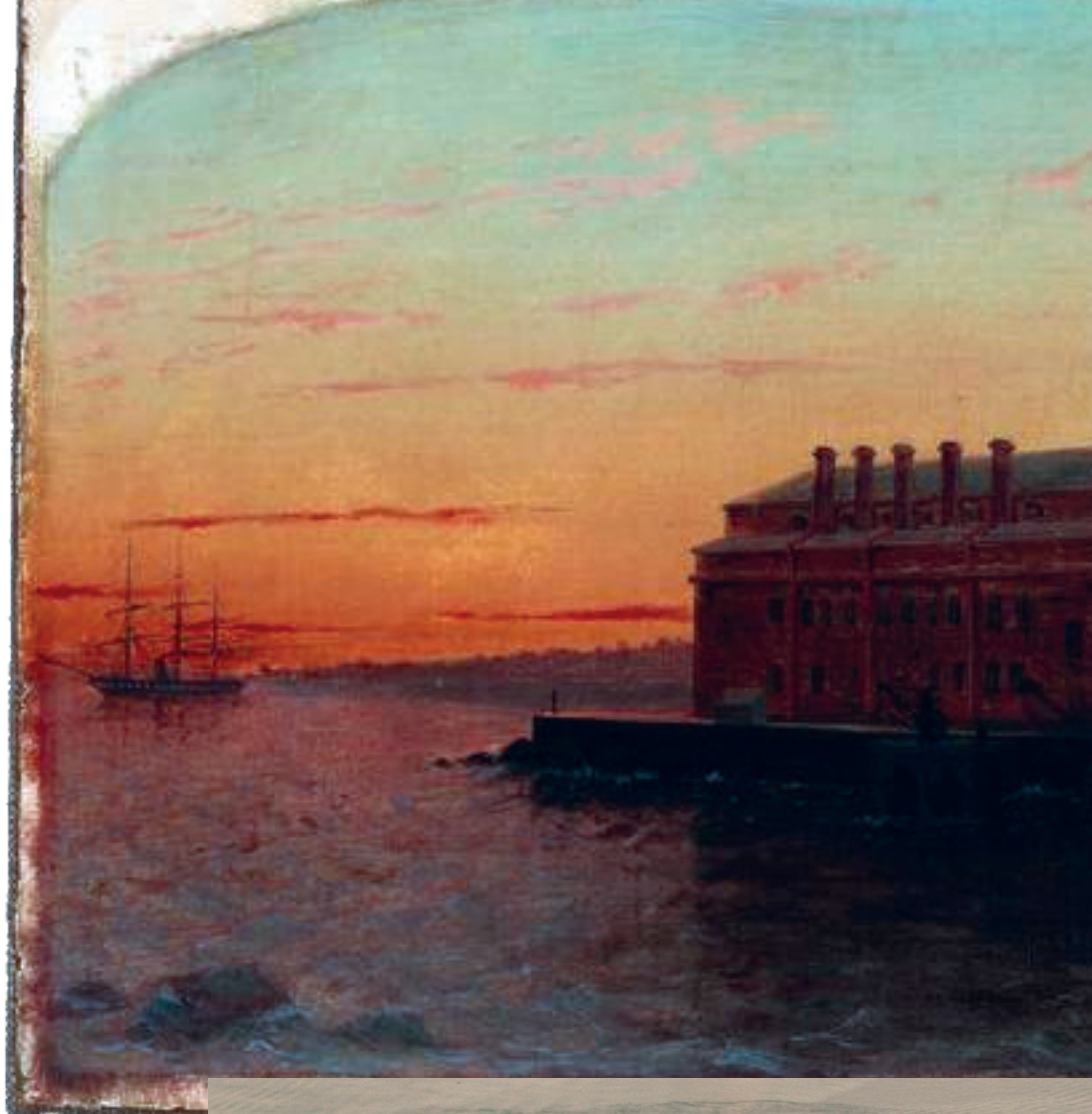




Figure 2. Fort Lafayette, circa 1904. *Museum of the City of New York*

at Fort Leavenworth, Kansas, quelling Kansas disturbances, on the Utah Expedition (also known as Buchanan's Blunder or the Mormon War) being engaged against hostile Indians in Kirby Valley and eventually served in the "Rebellion of the Seceded States."

Figure 5 shows a letter signed by 17-year old Delavan Duane Perkins headed "Watertown [New York] Feb 22, 1844, to the Hon. Wm. Wilkins, Secretary of War," offering himself as a candidate for the appointment of Cadet in the Military Academy at West Point. Figure 6 shows a listing for Perkins in the archives of the U.S. Military Academy.⁶ And Figure 7 is a partially printed and signed 1845 form letter from young Delavan Perkins acknowledging receipt of a presidential appointment of Cadet in the service of the United States and his acceptance of same, as well as acceptance by his father, Charles Perkins, binding him to serve the United States for eight years. The circular handstamp at center is of "The National Archives of the United States."

In the Widows and Pension Claims of the National Archives, is a claim (Figures 8-10) from Lizzie H. Perkins of Bath, Maine, the widow of Delavan Perkins, "Who died January 6th, 1865, at Georgetown, D.C., of Phthisis Pulmonalis (archaic term for pulmonary tuberculosis), acquired in discharge of his official duties...She further declares that she was married to the said Delavan D. Perkins on the 21st day of December in the year 1864."

Figure 11 shows the physician's statement, signed by [Major] Basil Norris, Surgeon U.S.A. At the time of his death, Perkins was Acting Provost Marshal General of the State of Connecticut, stationed in Washington, D.C.

The span between marriage and death was only a bit over two weeks. One must wonder if this could conceivably a "marriage of convenience" for the sake of a pension, as opposed to sheer bad luck. Surely, the signs and symptoms of tuberculosis had to be obvious. And, as it is highly contagious disease, would he risk transmitting this wasting of the lungs to his new bride?

Johnson Wrongfully Imprisoned

The letter enclosed with the subject prisoner's cover is headed "Ft. Delaware, Del, Dec 8th, 1862," addressed to D[arius] Hunkins with salutation of "My dear friend & Brother." Johnson and Hunkins were both Quakers and used "brother" as a common salutation, although there was no blood relation. They were brothers in Christ. (Figure 12)

Johnson states that the order for his discharge has not yet arrived and, "I wish you would look sharp & see that it is sent soon." He further states, "When I am out, I desire to go West with you, if you do so soon." Note that the signature is clearly in the same hand as that shown with his image in Figure 1.

Johnson was never informed of any charges against him, al-



Figure 3. Aerial view of Fort Delaware, 1998. *Library of Congress*

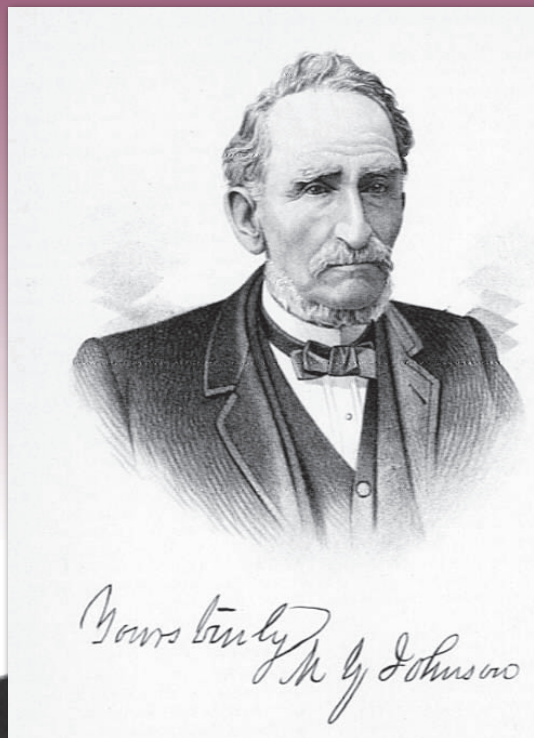
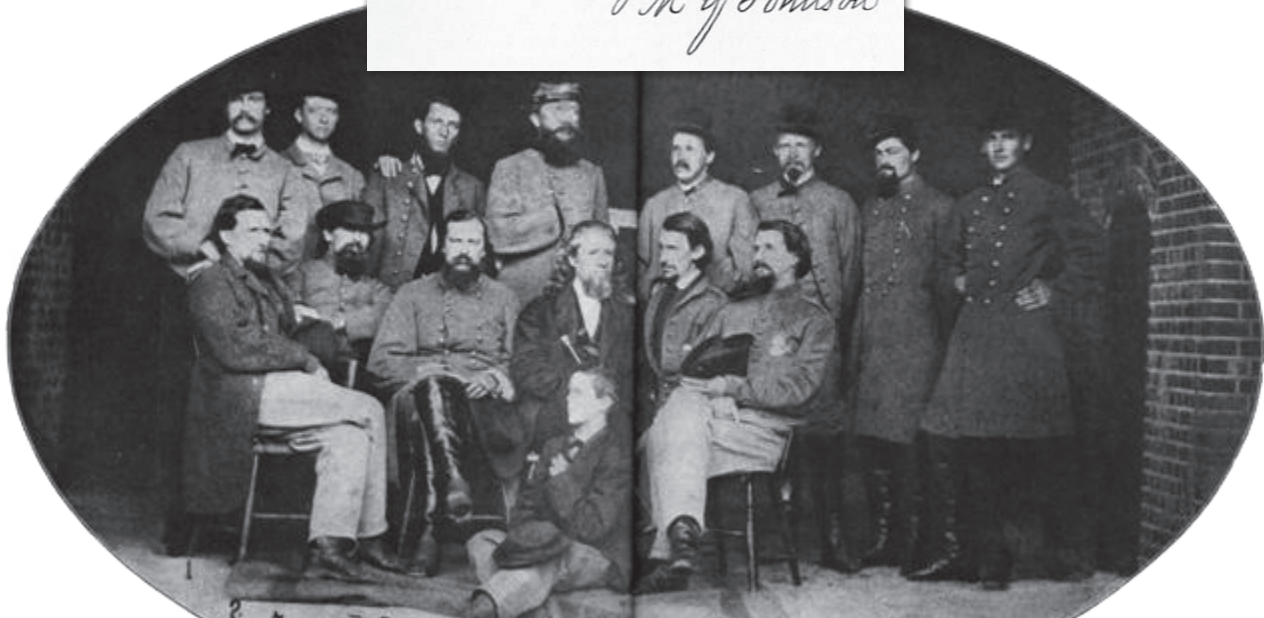


Figure 1. Madison Y. Johnson, lawyer and Southern sympathizer \ from Galena, Illinois.



Prisoners of War in Fort Delaware, May, 1864—
Brave and Distinguished Southerners in a Union Prison
Volume VII • *The Photographic History of the Civil War*

though he was finally released on December 13, 1862, nearly four months after his unjust imprisonment and within a week of his letter to Hunkins. That is a short-term confinement compared to many other unlucky political prisoners. Undoubtedly, his abilities in the legal profession helped achieve an “early” release, although doubtless he felt his incarceration was anything but brief.

Addressee Darius Hunkins (1812-1881) was a fellow resident and friend from Galena who moved there in the 1830s from New Hampshire to build the Great Illinois Central Railroad.⁷ In 1846, Hunkins built one of the legendary houses in Galena, which today serves as a lovely Bed and Breakfast, the Annie Wiggins Guest House.⁸

Johnson addressed a letter to President Abraham Lincoln during his incarceration, as well as one to Secretary of War Edwin M. Stanton and Major General John E. Wool, appealing to them at least to know with what he was charged, and requesting to be either punished or vindicated

by a memorial to the U.S. Senate, who, by a party vote, denied all examination into the case.

One of his letters to President Lincoln, written from Fort Delaware October 28, 1862, stated, in part:

“Your petitioner would further represent that his arrest was without warrant, or any of the form of law; was an illegal and arbitrary usurpation of power on the part of the Secretary of War, destructive of all liberty to the citizen. His transportation beyond the State, where the courts are open and uninterrupted for the punishment of crime, is not only an invasion of State sovereignty, but a violation of constitutional guarantees. His incarceration and detention in a military prison, without informing him of the offense charged against him, or his accusers’ names, and making it an aggravation of the offense, to employ counsel, and attempt to get a hearing, is an intolerable despotism, only equaled by the dark and mysterious actings of a Spanish inquisition, and last, the entire



Fort Lafayette in a contemporary watercolor. Its location is now occupied by the Verrazano Narrows Bridge.

Fort Lafayette and Fort Delaware and their southern prisoners

Fort Lafayette was constructed between 1812 and 1818 as a casemated brick coastal fort. During the War of 1812, it was called Fort Diamond. In 1823, it was renamed for General Lafayette, hero of the Revolutionary War. It was used by the Union during the Civil War as a prison.

All Civil War prisoners en route to Fort Lafayette arrived at Fort Hamilton first, where they were searched, had their names recorded, and were placed on a boat for the quarter-mile trip to the offshore island prison.

The fort served as one of the first Northern coastal fortifications to hold Federal political prisoners and was one of the last to release prisoners in March 1866. By November 1865, most of the POWs were released, but political prisoners continued to be held into the following year.¹¹

Captain Robert E. Lee was posted there in 1841 as a supervising engineer for the four forts at the New York Narrows and spent five years there working on them.¹²

Fort Lafayette burned in 1868 and was used for a variety of military purposes until it was finally abandoned in 1946.

In January 1960, the fort was destroyed to make way for the North Tower of the Verrazano-Narrows Bridge. The rubble that was once Fort Lafayette was dumped off the Staten Island shore to help support the west tower of the bridge.

Fort Delaware was another island prison, located in the Delaware Bay on Pea Patch Island and today a well-visited tourist attraction located not far from the author.

In April, 1862, with the arrival of 258 Confederate prisoners captured at the Battle of Kernstown, Fort Delaware's role was transformed from a protector of ports to a prison camp. Although not designed for this purpose, the fort housed prisoners of war, political prisoners, and Union deserters throughout the Civil War. The most prisoners on the island at any one time was shortly after Gettysburg in late 1863, with nearly 12,000 detainees.

Both Confederate soldiers and their Union guards blamed the dampness of the island as a major cause of the sickness there. At that time, Pea Patch Island was described as "marshy and wet, mostly made ground." The island of today is about 10 feet higher than it was during the 19th century, due to the deposition of 2 million cubic tons of dredge spoil deposits of 1903-05. At the time of the Civil War, the island was protected from the tides only by a high seawall. A series of ditches crisscrossed the island to drain the soggy ground.

Many compare Fort Delaware to the infamous Confederate Andersonville prison in Georgia, but facilities and conditions at Andersonville were far harsher. Of nearly 33,000 Rebel prisoners housed at Fort Delaware over a four-year span, approximately 2,400 of them never made it home. They are buried at what is now Finn's Point National Cemetery across the river from here in New Jersey.

Andersonville, on the other hand, was only open for 14 months. A makeshift prison, the Union prisoners did not even have benefit of shelter. Of the nearly 49,000 men held there (33,000 at one time), a 13,700 died. At that point in the war, the South could barely feed its own people let alone care for so many prisoners.

*Blindling
McPatrick*

Watertown Feb 22. 1844

To the Hon Mr. Wilkins Secretary of War

Sir

I offer myself a candidate for the app^t of Cadet in the Military Academy at West Point, and request that my application may be considered when the next selections shall be made to fill Cadet vacancies in that Institution.

I was born in the state of New York and now reside in the village of Watertown - County of Jefferson - State of New York. My age is seventeen years, and my character and qualifications will appear from the ^{above} ~~enclosed~~ recommendations.

Respectfully your humble servant
Seldvan Isaac Perkins

Figure 6.
Listing for
Delavan
Perkins in the
archives of the
U.S. Military
Academy.

PERKINS.

Perkins, Delavan Dua
N Y. Cadet M A 1 July 1844
Lt 2 art 1 July 1849; 2 Lt 4
1850; 1 Lt 27 May 1854; capt
maj a d c 18 Nov 1861; Lt c
20 Aug 1862 to 11 Apr 1863;
June 1864; died 6 Jan 1865.

Figure 5. Delavan Perkins letter dated 1844 to the U.S. Secretary of War in which he offers himself for appointment as Cadet in the Military Academy at West Point.

Figure 7. An 1845 signed form letter from young Delavan Perkins acknowledging receipt of presidential appointment of Cadet in the service of the United States and his acceptance as same, as well as his father's.

Watertown March

Hon. Mr. Wilkins

Secretary of War.

Sir:

I have the honor to acknowledge your communication of the 21st of February 1845 in which the President has conferred upon me a conditional appointment to the service of the United States, and to inform you of my acceptance of the same.



Very respectfully,

Your
Delavan

I hereby assent to the above acceptance of the conditional appointment as Cadet, and he has my articles by which he will bind himself to serve the United States for four years unless sooner discharged.

Chas

neglect to hear his grievances, or make any examination as to his guilt or innocence, when he is hopelessly buried in a bastille, and could have no communication with his friends, except by permission of those who have already outraged him, is a degree of tyranny unparalleled in the history of any free government."

For the outrage of mind and body, the separation from his family, from being prevented from attending to important private affairs, as well as being subjected to great expense, bad treatment and unhealthy surroundings, Johnson sued the instigators of this persecution, which resulted in a judgment and costs of the court, granted in the State of Illinois, Jo Daviess County, filed and entered on record May 24, 1869.

The suit was filed as Madison Y. Johnson vs. J. Russell Jones, John C. Hawkins, Oliver P. Hopkins, Elihu B. Washburne, and Bradner Smith. The judgement stated, in part (emphasis by author):

"And now comes the said defendants, Jones, Hawkins, and Hopkins. and admit that the said pleas, heretofore filed by them in said case, and the matters and things therein set forth against said plaintiff, are untrue in substance and in fact, and the defendants ask leave of the court to withdraw the same, which is granted by the Court, and the said defendants further confess the wrongful trespass and imprisonment set forth in said declaration, and that the said defendants are guilty in manner and form as therein stated and set forth, and that said plaintiff has sustained great damage thereby, as is alleged in said declaration, and said defendants further confess that the said seizure and imprisonment of said plaintiff was wrongful, unjustifiable and without cause, and that said plaintiff was innocent of the violation of any law, or of doing any act inimical to the Government of the United States, and that said plaintiff did not act, used no expression, or exercised any influence, to the knowledge of said defendants, that was not in support of the Gov-

ernment of the United States, its constitution and its laws. And, inasmuch as said suit was brought by said plaintiff for a personal vindication of his character and conduct as a citizen, he releases the said damages, except as to the sum of one thousand dollars, for costs and expenses incurred by said plaintiff, on account of said wrongful seizure and imprisonment."

Madison Johnson (1817-1890) was a well-respected trial lawyer throughout his career.

He was also interested in railroad matters and, upon the organization of the Galena and Southern Wisconsin Railroad Company in 1872, he was made president; he was instrumental in building forty miles of railroad from Galena north. He also became interested in the lead mines of Galena, as well as other real estate and business enterprises, but he is best remembered for his prowess as a practitioner of the law. After the Whig party broke up, he affiliated with the Democrats and became a leader of prominence in the party.

Johnson had moved to Galena from the South in the latter part of

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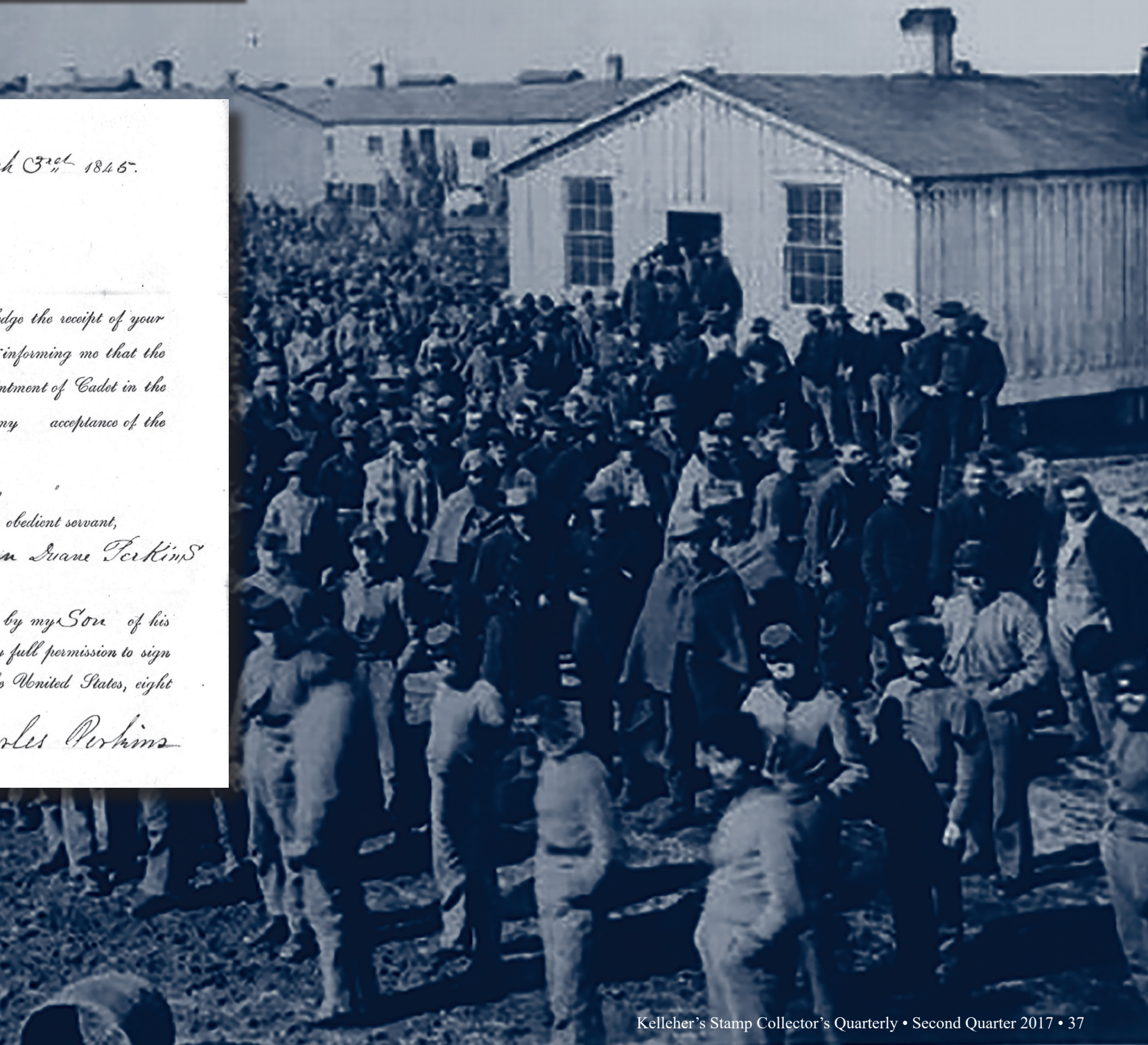
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ment of Cadet in the
my acceptance of the

obedient servant,

Swane Perkins

by my Son of his
full permission to sign
United States, eight

les Perkins



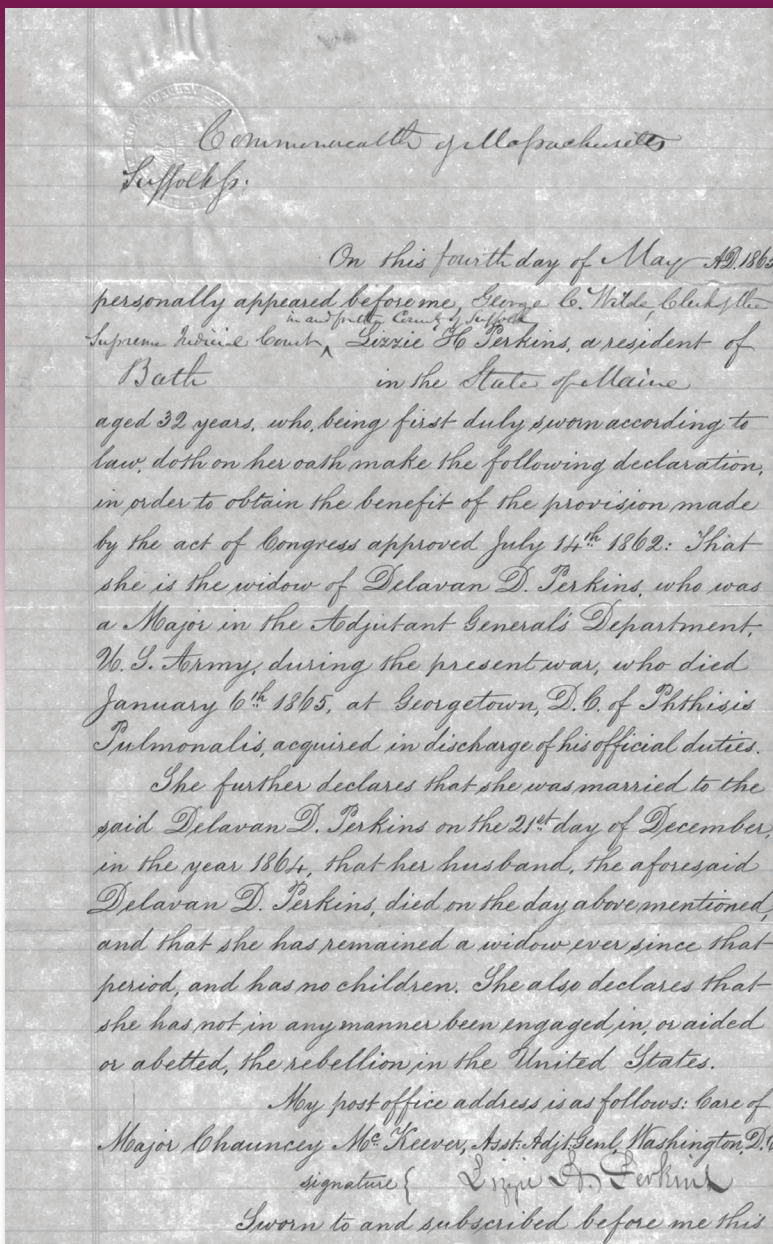


Figure 8. May 4, 1865, dated application from widow Lizzie H. Perkins on the death of her husband, who died of tuberculosis during the discharge of his official duties.

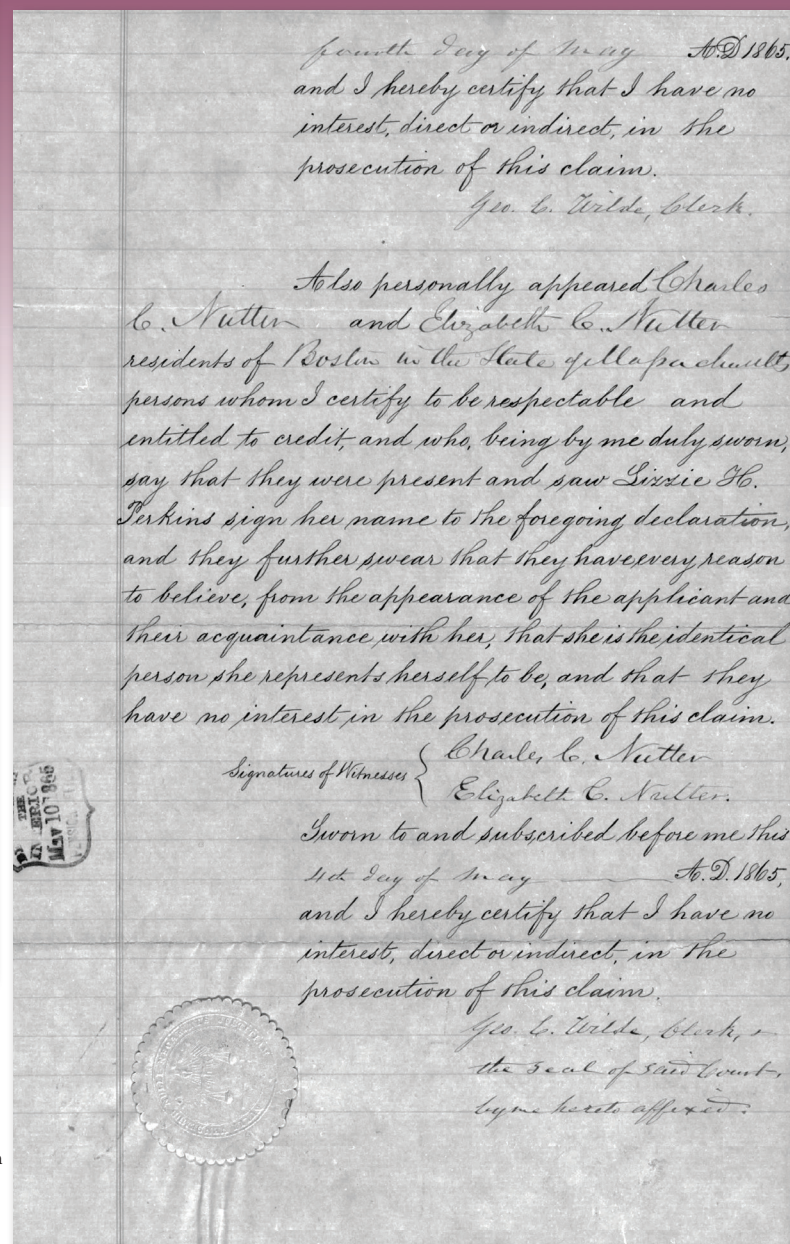


Figure 9. Second page of Widow Perkins application for pension, signed and notarized.

the 1830s and thus, not surprisingly, was a Southern sympathizer. He was said to have discouraged enlistments and that this was the source of animus against him.¹⁰

Clearly, the reason Johnson filed suit was on principal. As noted in the legal judgement, he released most of the awarded damages, once vindicated. The honorable Mr. Johnson kept a relatively minor amount to cover his costs and expenses.

Endnotes:

¹Madison Y. Johnson, *Portrait and Biographical Album of Jo Daviess Co., IL* (1889). <http://jodaviess.illinoisgenweb.org/1889bios/>

MYJohnson.htm Accessed January 2, 2017

²Robert Swed (Delaware postal historian), telephone conversation December 29, 2016.

³Galen D. Harrison, *Prisoners' Mail from the American Civil War*, 1997, pp. 106-111.

⁴Ibid, Harrison.

⁵Fort Delaware Partial Commanders List. http://fortwiki.com/Fort_Delaware Accessed January 2, 2017

⁶Francis B. Heitman, *Historical Register and Dictionary of the United States Army from its Organization September 29, 1789, to March 2, 1903*. Fold3.com Accessed January 2, 2017

⁷Greenwood Cemetery, West Galena Township. <http://jo->

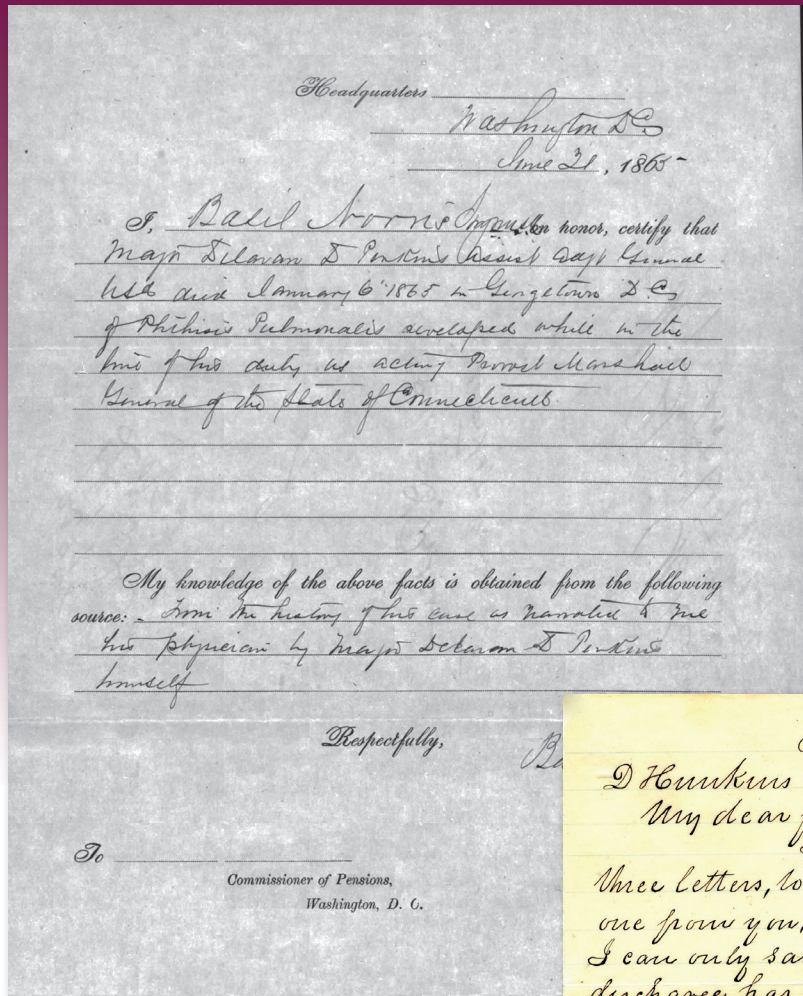


Figure 10. Outer side of Pension Office claim by Lizzie H. Perkins, widow of Major Delavan D. Perkins.

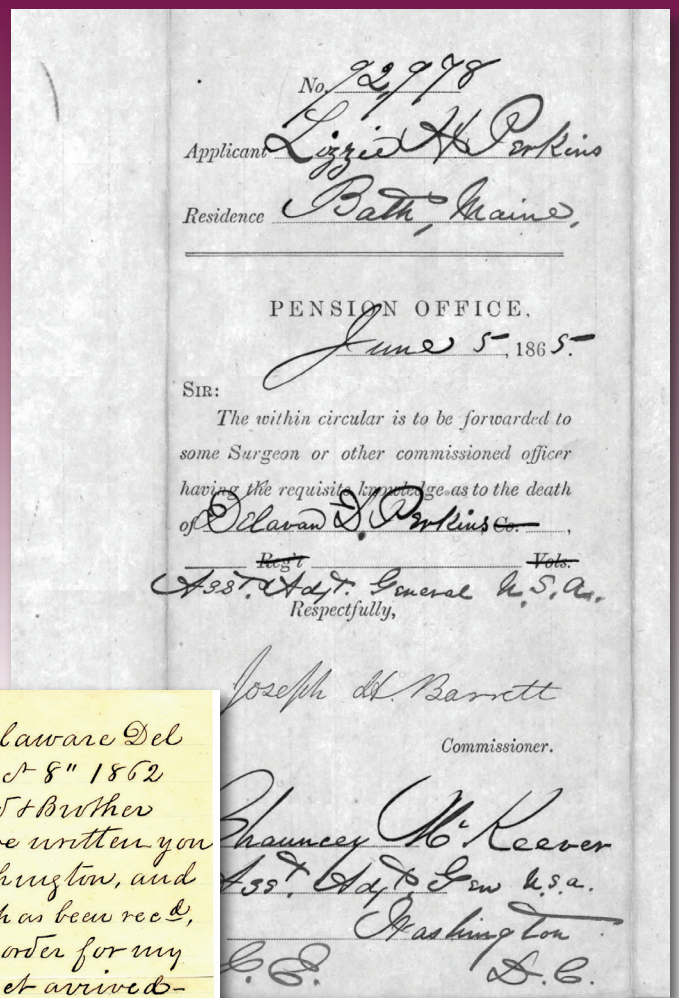


Figure 11. Surgeon's certificate stating Perkins' cause of death, signed by [Major] Basil Norris, Surgeon U.S.A.

Figure 12. Letter from political prisoner M.Y. Johnson headed Ft. Delaware, Del, Dec 8th, 1862, to D[arius] Hunkins imploring him to continue fighting for his discharge.

Ft Delaware Del
D Hunkins Dec 8th 1862
My dear friend & Brother
I have written you
three letters, to Washington, and
one from you, only has been rec^d.
I can only say the order for my
discharge has not yet arrived.
I wish you would look sharp &
see that it's sent soon. Would it
not be well to see Richardson
and ask his aid in the premises
If I have to wait, for a general
order, in the hurry hurry of busi-
-ness, we are entirely overlooked, &
it may be, weeks or in months before
the matter would be disposed of.
When I am out, I desire to go
West with you. If you go soon, if
not out I wish you would call
on me here as I wish to see you
Write me on receipt of this -
Truly M Y Johnson

daviess.illinoisgenweb.org/cemeteries/greenwoodmerge.htm
Accessed January 2, 2017

⁸Annie Wiggins Guest House - Galena Illinois. <http://www.anniewiggins.com/house.html> Accessed January 2, 2017

⁹Madison Y. Johnson, *Portrait and Biographical Album of Jo Daviess Co., IL* (1889). <http://jodaviess.illinoisgenweb.org/1889bios/MYJohnson.htm> Accessed January 2, 2017

¹⁰Illinois During the Civil War, Northern Illinois University Digital Collections and Collaborative Projects. <http://civilwar.lib.niu.edu/islandora/object/niu-civil%3A15848> Accessed January 2, 2017

¹¹Fort LaFayette Prisoner of War Camp, *The American Civil War*.

<http://www.mycivilwar.com/pow/ny-fort-lafayette.html> Accessed January 2, 2017

¹²Fort Lafayette, [http://www.fortwiki.com/Fort_Lafayette_\(2\)](http://www.fortwiki.com/Fort_Lafayette_(2)) Accessed January 2, 2017

¹³Fort Delaware State Park, Delaware City, Delaware, Brief History of Fort Delaware. <http://www.destateparks.com/park/fort-delaware/civil-war/camp-trail/index.asp> Accessed January 2, 2017

¹⁴Tracey Bryant, *Escape from Fort Delaware*, University of Delaware Research Online Magazine. http://www1.udel.edu/researchmagazine/issue/vol2_no2_security/escape_from_fort-delaware.html Accessed January 2, 2017