

## Lafayette Baker and Security in the Civil War North

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Of the major officials who served the union war effort, none has been more maligned or less understood than the head of the nation's first federal detective force—Colonel Lafayette C. Baker. The traditional verdict has been that he was a corrupt and excessive zealot, who used his power to pursue political vendettas and promote the radical Republican cause. In her classic account of wartime Washington D.C., Margaret Leech characterized him as “a sinister figure whose extraordinary powers and oppressive acts would make him feared and execrated throughout the nation.” Jacob Moglever's *Death to Tyrants*, the only complete biography of Baker written to date, described him as the “red-bearded, ferret-eyed . . . man who created the Secret Service, a frightening, oppressive organization under his drumming, doodling fingers.”<sup>1</sup> In the decades since these accounts were published, little has been written to offset this demonic portrait. Professional historians—whether because they deem Baker insufficiently important to the history of the Civil War or because they are leery of his popular standing—have devoted scant attention to either the individual or to the security operations he undertook. Further adding to the chief detective's sordid reputation, Baker has been implicated in several books that propose Lincoln's assassination was the result of a conspiracy organized by his own Secretary of War.<sup>2</sup>

The origins of this excessive reputation lie in the controversies that marked northern society during the Civil War, as expressed in newspapers and in the memoirs

penned by those who lived through those tumultuous times. Northern journals occasionally featured coverage of Baker's exploits and depending upon the paper's political orientation, the secret service chief was either commended or condemned. For northern opponents of the war, he came to personify the civil liberties abuses of the Lincoln administration. Combined with the low reputation accorded detectives in nineteenth-century popular culture, the resulting portrait was frequently unfavorable—especially in Democratic papers. The *Brooklyn Eagle* hounded Baker for his arrests of New York bounty brokers in early 1865. When he was promoted to brigadier-general later that summer, it declared that “If military rank is conferred upon spies and informers, it will soon cease to have any value. . . Let the fellows who are expert at mousing into private affairs have some more fitting reward.” Following Baker's investigation of the Treasury Department in 1864, The *San Francisco Evening Bulletin* described him as “a thoroughly bad man, capable of any wickedness in private life or any treason in public employment.”<sup>3</sup> The opening lines from journalist George Alfred Townsend's widely-read account of John Wilkes Booth's capture—in which Baker supposedly played an instrumental role—provided the quintessential caricature:

A hard and grizzly face overlooks me as I write. Its inconsiderable forehead is crowned with burning sandy hair, and the deep concave of its long insatiate jaws is almost hidden by a dense red beard, which cannot still abate the terrible decision of the large mouth, so well sustained by searching eyes of spotted gray, which roll and rivet one. This is the face of Lafayette Baker, colonel and chief of

the secret service. He has played the most perilous parts of the war, and is the capturer of the late President's murderer.<sup>4</sup>

Baker also earned the enmity of politicians and officials inside the northern government. His investigations into fraud and corruption made him enemies, and while a few senior officers would defend his actions, others spoke against him. It was a role that Baker apparently came to relish, and when tracking the sources of his reputation his own memoir, *History of the United States Secret Service*, first published in 1867, undoubtedly provided ammunition for subsequent writers.

But who was Lafayette Baker really? Was he as excessive as existing accounts assert, or is there a more reasonable explanation for his actions? Military records containing the details of his daily operations and finances suggest there is. Although they do not fully exonerate the chief detective of the charges made against him, the records provide a refreshing antidote to the sensational portrait that has prevailed to date. First of all, as is often the case with military and law enforcement operations, much of what Baker and his agents did was mundane. Recovering government horses appears to have been their number one chore, followed by surveillance of shipping depots, train stations, and ship docks. Secondly, most of their operations were conducted under the direct orders of military superiors and when Baker overstepped his bounds he was called to account. Lastly and most importantly, his career as a government agent reflected the domestic security challenges faced by the northern state as the war progressed.

Analyzing his operations sheds light on the nature of those challenges and the union government's response to them.

Three sets of military records from the National Archives provide the details on Baker's operations. Of these, possibly the most interesting are the "Secret Service Accounts" containing the financial records of the War Department fund used to pay detectives, secret agents, and other persons engaged in clandestine operations.<sup>5</sup> Not all secret operatives working for the Union were paid out of this fund, as individual military commanders often made their own arrangements. But when the operation originated with the War Department, or when department commanders requested payment from Secretary of War Edwin Stanton, this appears to be where the money came from. There were payments made to agents operating behind the lines, as in the case of William B. Carter, organizer of the tragic Tennessee bridge burning operation in November, 1861. Carter was paid a total of \$ 17,800 (the largest single payment made from the fund) to be disbursed in varying amounts to all those participating in the burning of nine railroad bridges leading from Virginia and Georgia into eastern Tennessee.<sup>6</sup> Of the numerous other persons paid out of this account many operated on northern soil. Beginning early in the war the union government conducted surveillance on individuals it suspected of committing disloyal activities and Baker was not the only agent so engaged. The "Middle Department" in Baltimore employed a dozen or more persons of this type, including a few women and African American informants. Their duties included arresting deserters, surveillance on persons suspected of engaging in disloyal activities, tracking blockade runners and contraband artists. The account records also list payments

made to civilian law enforcement officials including the police chiefs of Philadelphia and New York City. Local officials billed the government for their time and services when assisting with federal business. Of the major security and intelligence officials paid out of the Secret Service Accounts, the most famous was Allan Pinkerton. Operating under the alias “E.J. Allen,” Pinkerton served as George McClellan’s intelligence chief for the Army of the Potomac. Pinkerton’s monthly vouchers for pay and incidentals were the highest regular payments made out of the fund. During 1862, he billed the government over \$ 6,000 a month for his salary, his agents (who are never listed by name, but only as “A,” “B,” “C,” etc.) and incidentals. H.S. Olcott, the future mystic and founder of Theosophy appointed by Stanton to investigate contract frauds, was also paid from this fund. His office in New York City employed a staff of fourteen comprising seven detective/translators, clerks, a night watchman and charwoman.<sup>7</sup>

The financial records show that Baker started out as a solo operative working for the State Department in the late summer of 1861, and that he paid “Sundry persons for information concerning suspected parties engaged in Shipping Contraband goods &.”<sup>8</sup> He also traveled frequently, with trips to the major cities in the Midwest and eastern seaboard. As the State Department was responsible for domestic security during the first year of the war, Baker’s travels were likely part of William Seward’s efforts to establish a network of agents in the major cities, ports of entries, and along the border with Canada. In October 1861, Baker began engaging “assistants” on a regular basis although some including Benjamin Franklin, Philadelphia’s aptly-named police chief, were already appointed to other jurisdictions. By the end of the year, Baker had six full-time agents on

his payroll each making \$ 100 a month, while he himself was earning \$ 200.<sup>9</sup> His voucher for December lists seven full-time officers and for January, 1862 he claimed thirteen agents although the rates of pay indicate that some may have been simple laborers. During this period his activities included traveling to “Canada & the West for the purpose of establishing a Police system, much needed in that Section.” He also participated in the federal sweep of lower Maryland in late 1861, which Major General John A. Dix had urged be undertaken to root out secessionist networks. But at this point he remained relatively unknown within the union government and to the public at large.

Baker’s most newsworthy exploit during the first year of the war was his undercover operation carried out that fall with Franklin in Philadelphia. It led to the arrest of three merchants including a British subject, for attempting to sell musket primer caps to a southern agent. The southern agent was Baker, disguised as “Samuel Munson.” In recounting the operation the *New York Herald* did not refer to Baker by name but described him as “a daring Californian, full of nerve and fertile in expedients . . . His manner of making the arrest cannot now be disclosed, although it rivals in interest and danger the exploits of the best Bow Street officers.”<sup>10</sup> Apparently Baker was already regaling journalists with exaggerated tales of his adventures, and of his past life as a deputy for San Francisco’s vigilante government. The Philadelphia arrests are of interest as well for the legal developments in prosecuting “disloyal” behavior in the North. The federal judge on the case advised the government’s attorneys that the test for high treason—the only federal statute available at the beginning of the war for prosecuting

persons aiding an enemy—would be difficult to satisfy. The attorneys then turned to a new law aimed at punishing conspiracies against the United States.<sup>11</sup>

Lincoln's Executive Order No. 1, issued on February 14, 1862, transferred authority for making "extraordinary arrests" to the War Department. In the order, Lincoln summarized the various security threats faced by the national government at the war's start: treason within all three branches, treason at the local level, lack of statutory provisions to deal with offenses directed against the government, and the actions of individuals who "from motives of disloyalty or cupidity or from excited passions or perverted sympathies" furnished monetary, material, or manpower support to the insurgents. Now, Lincoln believed, the "line between loyalty and disloyalty is plainly defined." Stability had been reestablished permitting "a return to the normal course of government." He therefore ordered a release of political prisoners except for spies and others deemed hazardous to the public safety. At the same time, and somewhat at odds with his optimistic assessment, he transferred responsibility for future arrests (which implied responsibility for investigating and policing all activities deemed disloyal) to the War Department. The conventional explanation for why he did so is that Seward had proven ineffective in his domestic security role: the War Department, galvanized under Stanton's new leadership, was deemed better suited to handle the sort of matters the arrests entailed. Regardless of its motivation, Lincoln's measure led to the intensification and militarization of security measures on the home front. As historian Mark Neely has noted, the pace of extraordinary arrests increased once Stanton's War Department took over.<sup>12</sup>

Executive Order No.1 had a significant impact on Baker's career. Records show he was one of two State Department special agents transferred over to the War Department. His first operation for Stanton involved reconnoitering northern Virginia in mid March, 1862, following the pull-out of Confederate forces from their positions at Centreville and Manassas Junction. Baker's report back to Stanton, prepared with the help of a Colonel Wheeler, detailed the extent of Confederate fortifications and brought to light that some of the positions consisted of fake emplacements and wooden "Quaker guns." While Centreville was well defended, at Manassas Junction, "the defenses were of a very inferior character. One large fort, situated on the left of the railroad, was formidable and well constructed, but no guns had ever been placed in position, it having but very recently been completed." Troop strengths were also less than had been estimated by McClellan and his intelligence chief. The report cast doubts upon the assertion of the Army of the Potomac's commander that a Union push through northern Virginia would be repulsed by superior forces. It drew the attention of the congressional Committee on the Conduct of the War to whom Baker forwarded captured rebel documents.<sup>13</sup>

On March 30 Baker was appointed special agent of the War Department and ordered to take control of all abandoned rebel property in northern Virginia. Because of its rapid withdrawal, lack of adequate transport, and the poor condition of the roads in the area, the rebel army had left behind substantial quantities of military supplies. Civilian residents in northern Virginia were absconding with the abandoned carts, tents, muskets,

hides, and foodstuffs, and Baker was sent to halt the pilfering. With the aid of several agents and laborers, he spent the better part of three months recovering military stores and turning the material over to the quartermaster's warehouse in Alexandria, Virginia. He kept detailed accounts of the items recovered and turned over. The lists provide an interesting look at the "sinews of war" for an early Civil War army.<sup>14</sup> The situation in northern Virginia was very "mixed" with some residents supporting the Union forces, while others feigned to do so, and still others were open secessionists. Baker's reports relied upon the intelligence of those he deemed to be genuine loyalists, but the situation could become tangled. In one case, a local plantation owner complained to the War Department that Baker's men had stolen wheat from her fields, even though she was a loyal citizen. Assistant Secretary of War P.H. Watson directed Baker to report on the matter. Baker replied that while she may be loyal, the wheat didn't technically belong to her. It belonged to her son and "An abundance of proof can be furnished that Young Stewart either leased the farm from his Mother or worked the same on shares, also that he young Stewart is now in the Confederate Army in open Rebellion against the United States Government."<sup>15</sup> Baker's operations in northern Virginia also included investigating civilians engaged in aiding the enemy. Alexandria, a suburb of Washington and a center of secessionist sentiment on the Potomac, came under his scrutiny and would continue to receive his special attention for some time. In mid-April he reported back to Watson on the residents of Harper's Ferry, some of whom had assisted in dismantling and shipping south arms-making machinery from the federal arsenal.<sup>16</sup>

The records from the first half of 1862 suggest that Baker's utility to the War Department lay in his ability to carry out missions that required a good deal of interaction with the local population in order to gain important information and identify culprits. Baker and his agents were part of the government's effort to improve security in the areas surrounding Washington. This involved arresting persons deemed disloyal and supporting "union men" by demonstrating federal authority and presence in the area. Contrary to the conciliatory attitude demonstrated by many federal commanders at this point in the war towards southern civilians and southern property, Baker's records indicate that he was taking a stronger stand. This position brought him into conflict with other officials and with area residents. But it corresponded with the growing sentiment of Stanton and other leaders that the war needed to be prosecuted more vigorously.

By the middle of 1862 the War Department special agent continued his operations in northern Virginia, and he was also called upon to investigate cases of fraud within the Army, disloyalty, and contraband operations in the North. The attention to internal security—that is, to criminal behavior and security threats inside the Union government and military—represented a new stage in his career. Combating these threats would make up a major portion of his duties for the next year. As was the case with regional security, his efforts in this area coincided with developments within the union government. The revelations in 1861 of fraud and corruption in military contracts prompted the establishment of congressional committees, the passage of legislation, and Secretary of War Simon Cameron's resignation in January, 1862. His successor Edwin Stanton worked to establish controls to prevent waste, fraud, and preserve military

order.<sup>17</sup> As the military establishment in and around Washington grew to unprecedented size, the problems in these areas became acute. The provost marshal's department established by McClellan when he assumed command of the Army of the Potomac in August, 1861 was mainly intended to establish military discipline.<sup>18</sup> It was inadequate to the task of preventing the shipping of contraband goods through military lines, enemy intelligence, frauds on government contracts, and corruption by military personnel and government employees. Furthermore, the growing problem of desertion and resistance to the 1862 Militia Act required a stronger response. Baker would shortly become a front-man in these efforts.

At this point, however, he was still considered a "special agent" and held no formal position within the military chain of command. This would shortly change. In late August he drew twenty pistols, holsters, and two-thousand carbine cartridges from ordnance stores, a prelude to his appointment two weeks later as a special provost marshal.<sup>19</sup> He was among twenty-two special provost marshals appointed around this time. Their primary duties entailed suppressing desertion, enlistment frauds, and resistance to military recruitment.<sup>20</sup> Baker was unique in that he was the only one appointed directly to the War Department in Washington, D.C. His duties also encompassed a broader range of activities and he reported directly to the Secretary of War—a fact that Simeon Draper, the New York merchant who briefly served as Provost Marshal General, saw fit to note in his final report.<sup>21</sup>

Baker now carried official status and he and his agents were placed directly on the War Department payroll. For the next year we can trace the exact composition of his detective force, down to the names and salaries of the agents he employed. By the fall of 1862, his payments were exceeded only by Pinkerton's. By the following year the special provost marshal had overtaken his more famous colleague in terms of organization and manpower. Baker's star rose as Pinkerton's set owing to the latter's association with the discredited McClellan. Following McClellan's second dismissal from command in November, 1862, Pinkerton resigned his position as chief of intelligence.<sup>22</sup> Baker, on the other hand, established himself as the de facto chief of security for the Washington metropolitan region. His duties comprised a mixture of counter-intelligence operations, investigations of fraud and corruption, military police duties and occasional military actions against rebel irregulars. His detective organization expanded to over twenty agents, several clerks, a deputy, a stable hand and helpers. From March until July 1863, his payrolls (not including expenses) averaged over \$ 3,500 a month. He reached the height of his organizational strength in the summer of 1863, when he tallied twenty-five detectives, a deputy, four clerks, an engineer, captain, and pilot for the *Jennie Curry* (a steam launch named after his wife), and the stable help. Additionally, Baker also commanded a cavalry regiment, known informally as "Baker's Rangers," and officially as the First District Cavalry. The expenses for this force are not included in the Secret Service Accounts but other sources indicate it amounted to over two hundred men. Together, his agents and cavalry unit provided Baker with a considerable force, although there are no indications it ever reached the hundreds or even

thousands of agents some popular accounts allege. Baker became a presence in the Civil War capital and it was then that he began earning his negative reputation in earnest.

The two areas that appear to have provoked the most outrage were his policing of military personnel and his arrests of civilians and seizures of civilian property in the capital region. In September, 1862, he detailed agents to begin watching the Washington depot of the Adams Express Company (the ancestor of today's UPS and Federal Express), for shipments of government property to private citizens. His agents intercepted trunks containing clothing, military apparel, and liquor. Many were addressed to officers in the federal forces. His interception of liquor stores produced several scathing letters. An army major declared that if a soldier could not receive a personal package sent by a friend "I think the Country would be just as well without any Government at all . . . than with one that is seizing upon the private property of Citizens without law." When Baker seized Brigadier-General Joseph W. Revere's whiskey supply just before New Year's 1863, the commander of the Excelsior Brigade wrote that "In my 22 years of military service. . . I have never before suffered such an insulting suspicion or personal affront"<sup>23</sup> In January, 1863 Baker's agents intercepted trunks containing furnishings and personal belongings stolen by federal troops when they ransacked Fredericksburg preceding the battle of December 13, 1862.<sup>24</sup> He also assigned detectives to monitor shipments and travelers aboard the government transports that plied between Washington's Sixth Street wharf and the army's staging area at Aquia Creek, located forty-five miles below the capital on the Virginia shore of the Potomac. During the third year of the war Aquia Creek became a huge federal supply depot, and the potential for

abuses by quartermasters, commissary clerks, and sutlers soon became evident. Baker's men arrested sutlers carrying illicit goods to the military camps and commissaries drawing more than their allotted quantity of supplies. They also inspected the passes of persons attempting to board the transports and refused passage to questionable characters.

These activities brought Baker into conflict with other military authorities including Brigadier-General Marsena Patrick, Provost Marshal General (PMG) of the Army of the Potomac. Army officers were bound to resent his interference in what they considered to be their business: Baker was an outsider, a detective, and not a soldier. The extent of the abuses, however, went beyond the traditional functions of the army's provosts. Quartermaster General Montgomery Meigs wrote to Baker that "the followers of an army are ingenious, enterprising, often unscrupulous."<sup>25</sup> As Baker remarked in his memoir, the opportunities for graft and corruption were immense. There were three dimensions to the problem: the diversion of military property for sale or private use; the passage of illicit people and things into the military camps (spies, prostitutes, gamblers, liquor, pornography, and anti-Union literature); and trading with the enemy. It is certain that Baker was not operating on his own, but that he had the support of higher authority. When two of his agents aboard an army transport were arrested and imprisoned by Patrick, Stanton ordered their release and reinstatement. Meigs expressed his concern that if Baker's detectives were withdrawn from the transports, "the passage of improper persons to Aquia Creek, which was so great an evil last spring, will be again resumed."<sup>26</sup>

On the civilian side, Baker's operations involved a combination of counter-espionage and ordinary police functions. He kept close tabs on "disloyal" activities in the Washington area, including smuggling, espionage, sabotage, and treasonous behavior by government employees. Information was supplied by his own agents, as well as by ordinary citizens and other government officials. The records include multiple instances of these communications. The provost marshal in Montgomery County, Maryland, wrote him two weeks after Gettysburg of news provided "by a reliable colored man who has a family in the neighborhood," regarding wounded rebel soldiers concealed by area families. Soldiers and citizens wrote concerning officers who were selling government horses. An official with the C&O Canal urged him to contact the canal's superintendent concerning conditions near Harper's Ferry as "neither the government nor individuals can get a supply of Cumberland coal safely unless some adequate protection is afforded for that portion of the canal." At the request of Quartermaster General Meigs, Baker detailed an agent to investigate the charges of citizens in Clarksburg, Virginia, against the local army quartermaster. They accused him of being derelict in his duties and openly secessionist in sentiment. The agent confirmed their allegations, noting among other things that "I have seen myself the Government's ambulances + drivers used for Pic nics + blackberrying parties." The police chiefs of Philadelphia and New York telegraphed information concerning suspicious individuals, as did Baker's colleague in Baltimore, Provost Marshal J.S. McPhail. Commissioner Olcott relayed information on large amounts of clothing being smuggled through Rockville, Maryland to rebel lines, and on the smuggling operations of a Baltimore merchant.<sup>27</sup>

These communications show that by mid-1863, Baker was recognized as an authority responsible for security in the Washington area. They also show that he had established an intelligence network using both his own agents and information provided by a wide range of outside sources. In many cases the sources provided the information voluntarily. The motives behind some of the notes (especially those from anonymous tipsters reporting on the disloyal behavior of neighbors and acquaintances) certainly need to be evaluated with care. Without some objective evaluation of the level of “disloyal” activities in the capital region over the course of the war, it is also difficult to judge how effective Baker’s network was. But there is no question that it existed and that it provided him with intelligence which was acted upon. Offsetting the traditional portrait of Baker as relying exclusively upon snoops and spies, or of conducting forced interrogations to gather information, the reports sent him by official and non-official sources indicate support for his security operations.

In summary, Baker’s role as a security chief must be considered in the context of developments in and around Washington from the period when he assumed command (five days before Antietam), through the latter part of 1863. The evidence suggests public support for his actions, as well as opposition to what he did. Those who opposed him included both other federal officials and southern sympathizers. His flair for the dramatic and penchant for arresting young female southern agents also provoked censure. But his actions do not appear to have ever approached the drastic methods of which he is accused in popular accounts. The records indicate that the majority of his operations were directed at specific crimes against the federal government including the theft of

government property, the trade in contraband items, and frauds. Additionally, his forces contributed to the capital's physical security with occasional operations against the rebel irregulars operating in the western suburbs. They also helped police Washington as the city experienced a crime wave during the middle period of the war. According to Leech, Baker's saloon-smashing expeditions and raids on gambling dens were applauded by city residents, who "had nothing but praise for his energy."<sup>28</sup>

Following August 1863, there is a break in the records and no further payrolls for Baker's force are found in the Secret Service Accounts. While Baker would continue to be paid for his expense vouchers through the end of the war, his force of agents was disbanded or perhaps split up and placed under other jurisdictions. Popular accounts maintain that Stanton relieved Baker of his position around this time after catching the chief detective tapping Stanton's telegraph lines because he suspected the Secretary of corruption. This is possible, as Baker was capable of carrying out some hair-brained schemes. The most famous of these would be his surveillance of Andrew Johnson in Johnson's own White House in late 1865. Spying on Edwin Stanton, however, was another matter, and even Baker's strongest critics make much of his loyalty to the Secretary. Furthermore, if Stanton fired Baker from his position as special provost marshal, he allowed him to maintain command of his cavalry regiment. Action reports from October 1863 indicate "Baker's Rangers" were operating with other union cavalry units against Mosby's Rangers in the vicinity of Fairfax Courthouse and that Baker was still signing himself "Colonel, Commanding First District Cavalry."<sup>29</sup>

A more reasonable explanation is tied to organizational developments and changing priorities on the northern domestic front. The Enrollment Act passed in March, 1863, established federal control over the recruitment and enlistment of union soldiers. It also established the Bureau of the Provost Marshal General (BPMG) to administer the act's provisions. The earlier Militia Act had federalized to a certain extent the enlistment of soldiers, but it continued to work through the state militia organizations. In the opinion of the later head of the BPMG's "Deserter's Branch," the 1862 Militia Act established a corps of special provost marshal but no real organization or resources to support their actions. They operated on an ad hoc basis and with the assistance of civilian officers: "There are no available records to show how many deserters were arrested by this organization, but they were undoubtedly few."<sup>30</sup> The 1863 Enrollment Act established a regular military organization devoted to administering and enforcing the conscription statutes. The legislation that created the BPMG also empowered it to investigate and arrest persons who attempted to discourage enlistments through actions or words.<sup>31</sup> With this development, it is easy to see how Baker's force, at least in the matter of capturing deserters, became superfluous. A small item in the *Baltimore Sun* about this time noted that Baker had begun recalling the commissions of his agents as "The duties heretofore performed by him fall upon the provost marshal under the conscription act."<sup>32</sup>

Following the Battle of Gettysburg, the union capital was also less exposed to the threat of a concerted confederate attack. The preoccupation with regional physical security lessened. In early 1864, the First District Cavalry was transferred to the Army of the Potomac and renamed the First Maine Cavalry. Nonetheless, Baker retained his rank

and his special position in the War Department. He undertook several large-scale investigations for Stanton in the last year of the war. In early 1864, he investigated frauds in the Treasury Department and later in the year he led an operation against counterfeiters in the Midwest. At the time of Lincoln's assassination, Baker was engaged in an extensive investigation of enlistment frauds centered in New York City involving bounty brokers, bounty jumpers, and corrupt government officials. These operations, more than previous ones, involved Baker in political controversy. His accusations of sexual improprieties in the Treasury Department's printing bureau—at the same time Treasury Secretary Salmon P. Chase was attempting to organize his covert bid for the Republican presidential nomination—led Representative James Garfield to charge Baker with fomenting a conspiracy.<sup>33</sup> His investigations late in the war were also more national in scope and brought him before a national audience. Their size and nature reflected the growing presence of the federal state in northern society, and the negative press Baker received was sometimes linked to popular opposition to this presence.

In conclusion, there are several interesting points to consider when reviewing Lafayette Baker's Civil War career. First, his progression from special agent to provost marshal and then back again to special agent reflected the union government's management of its security challenges on the home front. During the first phase, from the war's start until mid-1862, the government had to rely upon free-lancers like Baker as it lacked agents or an organization to manage the security effort on its own. Baker's identity as a trans-continental personality—one who had lived and traveled widely in the United States prior to the war—made him a valuable asset. He was familiar with a broad

range of people and behaviors and could move easily about the country and among different social groups. During the second phase, lasting from mid-1862 until the end of 1863, the union government implemented formal procedures to deal more effectively with security threats including desertion, trading with the enemy, and fraud within the government. This phase still relied upon special organizations, of which Baker's force was a prime example. The third phase lasted from the end of 1863 until the end of the war. During this phase special units like Baker's were replaced with regular military organizations operating on the basis of formal legislation. Baker's force was disbanded and he returned to his previous role as a detective agent entrusted with special investigations by the Secretary of War. His investigations were much broader in scope than those he had undertaken in earlier phases, and they reflected the growing reach of the federal state in northern life.

As for Baker's negative reputation, there are several factors that help explain it. To begin with, Baker and his agents did engage in sensational arrests and undercover "stings." However, he was by no means the only union official carrying out extraordinary arrests. Secondly, the military records and news accounts indicate that Baker first earned his reputation while serving as the War Department's provost marshal for the Washington region. Those who condemned his actions were residents of the area and union officials. Military officers objected to his seizures and surveillance of military traffic. Southern residents of the city condemned his arrests and inspections. Saloon, brothel, and gambling house owners objected to his raids. While in some cases their accusations of unlawful seizures and civil liberties violations were undoubtedly justified,

in many others their condemnations of Baker appear to have sprung from motives of petty self-interest rather than principle. His operations were also part of the city's transformation from a southern enclave to a national capital ruled over by what Washington resident and diarist Horatio Nelson Taft referred to as the "universal Yankee."<sup>34</sup> Baker represented the new order of things and there were bound to be those who resented the transformation. Furthermore, his activities brought to light the corruptions in this new order. Baker's demonization is partially attributable to the fact that he came to represent the seamy side of the war—the corruptions, frauds, and other activities in northern society and within the government itself—that people preferred not to acknowledge.

Lastly, and probably most importantly, Baker's negative reputation is attributable to the fact that he represented the newly-increased power of the federal state. Other military and civilian law enforcement officials made similar arrests and property seizures. However, they operated within set jurisdictions established by precedent or law. Even military officers functioned within the limits of their military region or command. Baker, on the other hand, held almost universal jurisdiction in the United States. His role as head of the "National Detective Police" and as the putative founder of the United States Secret Service made him a formidable presence. His organization, while short-lived, was the first federal law enforcement agency vested with broad powers of investigation and arrest. For nineteenth-century Americans this was a novel development. For many, Baker became a focal point for their anxieties and discontent as they adjusted to the increased authority of the federal state.

## Endnotes

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<sup>1</sup> Margaret Leech, *Reveille in Washington, 1860-1865* (New York: Harper & Brothers, 1941), 148; Jacob Mogelev, *Death to Traitors: The Story of General Lafayette C. Baker, Lincoln's Forgotten Secret Service Chief* (Garden City, New York: Doubleday & Co., 1960).

<sup>2</sup> A partial list of titles proposing that Lincoln was the victim of a conspiracy organized by Edwin Stanton and/or other parties inside the union government includes Otto Eisenschiml, *Why Was Lincoln Murdered?* (New York: Grosset & Dunlap, 1937); David Balsiger and Charles Sellier Jr., *The Lincoln Conspiracy* (Los Angeles: Schick Sunn Classic Books, 1977); Leonard F. Guttridge and Ray A. Neff, *Dark Union: The Secret Web of Profiteers, Politicians, and Booth Conspirators That Led to Lincoln's Death* (Hoboken, NJ: John Wiley and Sons, 2003).

<sup>3</sup> *Brooklyn Eagle*, Jul. 24, 1865, p. 2; *San Francisco Evening Bulletin*, Aug. 2, 1864, p.2.

<sup>4</sup> George Alfred Townsend, "Colonel Baker's Story," *World*, Apr. 29, 1865, p.1.

<sup>5</sup> "Secret Service Accounts," Records of the Provost Marshal General's Office, Record Group 110, Entry 95, National Archives and Records Administration, Washington D.C. (abbreviated "SSA"). Other sources from the National Archives used in this article include the "Case Files of Investigations by Levi C. Turner and Lafayette C. Baker, 1861-1866," Records of the Adjutant General's Office, Record Group 94, (abbreviated "TB"); and "Colonel L.C. Baker Papers," Record Group 105, Entry 105, (abbreviated "BP")

<sup>6</sup> SSA, bundle titled "Secret Service July 8, 1861 to December 31<sup>st</sup>, 1861." Box 1. For more on the bridge burning operation and Tennessee in the Civil War, see Richard Nelson Current, *Lincoln's Loyalists: Union Soldiers from the Confederacy* (Oxford University Press, 1994), and Noel C. Fisher, "Definitions of Victory: East Tennessee Unionists in the Civil War and Reconstruction," in *Guerillas, Unionists, and Violence on the Confederate Home Front*, Daniel E. Sutherland ed. (University of Arkansas Press, 1999).

<sup>7</sup> SSA, "Requisition by H.S. Olcott, Special Commissioner of the War Department for salaries in the Office for the detection of frauds, for the month of July, 1863," Box 3.

<sup>8</sup> SSA, "Voucher for Secret Services, Jul. 8 to Sept. 30<sup>th</sup>, 1861," Box 1. Even though Baker worked for the State Department at this time, he was paid by the War Department. His vouchers were approved by Seward.

<sup>9</sup> Baker's pay rate was between that of a lieutenant-colonel and full colonel.

<sup>10</sup> Lafayette Baker, *History of the United States Secret Service*, (Philadelphia, 1867): 81-4; *New York Herald*, Sept. 24, 1861.

<sup>11</sup> *The War of the Rebellion: a Compilation of the Official Records of the Union and Confederate Armies*, Series II, Volume 2: "Treatment of suspected and disloyal persons, North and South," (Washington: GPO, 1902); 852-4; H.R. 45, "An Act to define and punish certain conspiracies," 37<sup>th</sup> Congress, 1<sup>st</sup> sess., Bills and Resolutions."

<sup>12</sup> Mark E. Neely Jr., *The Fate of Liberty: Abraham Lincoln and Civil Liberties* (Oxford University Press, 1991): 23, 62.

<sup>13</sup> Baker, *History*, 143-4; SSA, Expense voucher dated April, 9, 1862, Box 1; Mogelev, *Death to Traitors*, 106-7; Albert Gallatin Riddle, *Recollections of War Times: Reminiscences of Men and Events in Washington, 1860-1865* (New York: G.P. Putnam's Sons, 1895):64.

<sup>14</sup> TB Roll 127, Cases 15B to 27B.

<sup>15</sup> TB Roll 127, Case 26B.

<sup>16</sup> TB Roll 127, Case 14B.

<sup>17</sup> The efforts to combat contract fraud, corruption and internal security problems began in the late summer of 1861 and are too extensive in scope for discussion here. Congress appointed several committees including the Potter Committee (loyalty among government employees), the Van Wyk Committee (frauds

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in government contracts), and passed legislation requiring loyalty oaths and set procedures in the issue of government contracts.

<sup>18</sup> “Organization of the Army of the Potomac,” *Report of Major General George B. McClellan*, Dec. 23, 1863. Serial Set Vol. No. 1187 : 29-30. See p. 55 for McClellan’s report on the operations of “E.J. Allen.”

<sup>19</sup> TB Roll 127, Case 51B.

<sup>20</sup> Jenifer Weber, *Copperheads: The Rise and Fall of Lincoln’s Opponents in the North* (Oxford University Press, 2006): 51-3.

<sup>21</sup> “Report of the Provost Marshal General, Dec. 6, 1862,” in *War of the Rebellion* , Series III, Vol. II, “Correspondence, orders, reports, and returns of the Union authorities from April 1 to December 31, 1862.” Serial Set Vol. No. 3965, 1899: 938.

<sup>22</sup> James D. Horan, *The Pinkertons: The Detective Dynasty That Made History* (New York: Crown Publishers, 1967), 135-6.

<sup>23</sup> Maj. C.N. Otis to Baker, 10/30/1862, TB, Roll 128, 131B; Brig. Gen. Revere to Baker, 1/11/1863, TB Roll 129, 226B.

<sup>24</sup> Baker to Stanton, Jan. 1863, TB Roll 128, 218B.

<sup>25</sup> Baker, *History*, 161.

<sup>26</sup> Edwin Stanton, order dated Jan. 22, 1863 and Montgomery Meigs to Baker, letter dated Jan. 26, 1863, TB, Roll 128, 191B.

<sup>27</sup> BP, M. Moulden to Baker, letter dated 7/15/1863; Reports from J.W. Brooks dated 8/7/1863 and 8/20/1863; Joseph Readley to Baker, 8/21/1863; H.S. Olcott to Baker, letter dated 7/8/1863.

<sup>28</sup> Leech, *Reveille in Washington*, 266.

<sup>29</sup> *War of the Rebellion*, Series I, Vol. 29, Part 1: 480, 494.

<sup>30</sup> “Report of the “Deserters’ Branch,” in *Report of the Provost Marshal General*, March 17, 1866. Serial Set Vol. No. 1251: 225.

<sup>31</sup> *Report of the Provost Marshal General*, March 17, 1866. Serial Set Vol. No. 1251: 13-5; Weber, *Copperheads*, 89-91.

<sup>32</sup> *Baltimore Sun*, Nov. 10, 1863, p. 4.

<sup>33</sup> U.S. Congress. House. Select Committee on Alleged Frauds in the Treasury Department. Serial Set Vol. No. 1207, Session Vol. No.2, 38th Congress, 1st Session, H.Rpt. 140, June 30, 1864.

<sup>34</sup> Entry for May 14, 1864, *The Diary of Horatio Nelson Taft*, Vol. 3, John R. Sellers ed. (Manuscript Division, Library of Congress). Available online at <http://memory.loc.gov/ammem/tafthtml/>; accessed May 19, 2008.