

THE TURBULENT CAREER OF JOHN FORBES BENJAMIN

(1817 - 1877)

By Heidi Jo Crist Templeton\*

Adventurer (successful "Forty-Niner" in California Gold Rush, and had mysterious and intriguing relationship with Washington, D.C. adventuress); farmer (oxen team); school teacher (public schools); surveyor; banker and financier (organized rural bank and had investments and banking interests in Washington, D.C.); builder (built most elegant home in Shelby County in 1857 and built "Benjamin House," a National Historic Site in 1872-73); warrior (a Union man who attained the rank of general in the Missouri Militia during the Civil War); lawyer (exceptional ability); orator (swayed juries, moved voters and caused sinners to repent by his church prayers); and politician (county surveyor, county superintendent of schools and prosecuting attorney, member Missouri House of Representatives, active in Missouri politics as a Democrat until Civil War when became a Radical Republican and was elected from the Eighth District of Missouri to the Thirty-Ninth, Fortieth and Forty-First Congresses of the United States).

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## EXPLODING THE BENJAMIN MYTH

Few know of John Forbes Benjamin. He was born on January 23, 1817 in Cicero, New York, to Sally and Elijah Benjamin. Two ~~other~~ brothers and two sisters rounded out the Benjamin family. Schooling consisted of the public schools in the vicinity of Cicero. In the early forties, Horace Greely convinced Benjamin that there was money to be made out west, if he was willing to work hard. Before departing on this grand adventure he persuaded his rather plain and homely sweetheart, Diana Hasbrouck of Liverpool, to accompany him. They were married in 1840 in the town of Liverpool. Five years later they moved to Texas and finally to Missouri in 1847. It was in this state of Missouri that Benjamin would make a name for himself. The question is; "What kind of name was it?" It is my objective, by researching different years of Benjamin's life, to shed some light on this important and interesting Missourian.

The information on the life of John Forbes Benjamin for the years 1848 to 1875 was obtained from Old Series File 8064, relating to the estate of John F. Benjamin, General Archives Division, National Archives (GSA), Washington, D.C. 20409, unless otherwise indicated.

Walkersville, six miles northwest of Shelbina, was the first home of the Benjamins. Living in a modest log cabin,

they worked long hours, taking out trees, turning over prairie sod and planting. After awhile Benjamin began to teach school and he also moved to Shelbyville. It was in 1848, while in Shelbyville, that he was admitted to the bar and began practicing law. Not long after, the famous California Gold Rush hit and Benjamin was struck with the fever. Laying aside his law practice, he and several other men from Shelbyville set out for California in 1849. His luck was with him as he cleared large sums of money each month by hauling ore from the mines to San Francisco. He returned to Shelbyville in the early 1850s, resumed his law practice and became involved with politics.

He was a member of the Missouri State House of Representatives from 1850-1852. Up until the beginning of the Civil War, he was a strong Democrat. In 1856 he was a presidential elector on the Democratic ticket of Buchanan and Breckenridge. Prior to the Civil War he held county offices as follows: Prosecuting Attorney, Surveyor, and Superintendent of Schools. The mortgage records in the Recorder's Office at Shelbyville show that he had amassed a great deal of money prior to the Civil War. This wealth bought him a fine new home in Shelbyville. In 1856 Benjamin, along with John Dickerson, John McAfee, J. M. Ennis, Alex McMatry and William Stracham, was considered the prominent Democrat of Shelby County.

In 1860 Benjamin was 45 years old, owning \$2,000.00 worth in personal property and \$15,000.00 in real estate. There were

about 7,000 people in Shelby County and for the first time ever, several Republican votes were cast at an election. The issue was slavery. Missouri was the only slave state lying next to the free states of Kansas and Nebraska. Governor Bob Stewart described it as "a peninsula of slavery running out into a sea of freedom" (History of Shelby County, p. 691). The Democratic Party became divided over the issue, and after the secession of several states, the question became, "Do we wait for development of a new policy or secede?"

The answer came October 28, 1861 when Missouri voted to secede from the Union. The trouble with this was the fact that so many were against the decision. Missouri became a divided state within itself. Half supported the Union, while the other half supported the secessionists. County officials were required to take the "Gamble Oath," supporting the provisional government of the state and the Constitution of the United States. Those who refused were disposed of. Benjamin became an ardent Union man.

On December 1, 1861 authority was received from the War Department at Washington for the organization of the Missouri State Militia. Two companies of this state militia were stationed in Shelbyville. They were quartered in the courthouse, around which a strong stockade had been built. This was built under the direction of Benjamin and it was said, "200 men inside of the stockade could have easily kept off a force of ten times their number not supplied with artillery"

(History of Shelby County, p. 730).

Benjamin writes to his nephew Frankie on September 1, 1861 of the secessionist robbing of houses, stealing, and maltreating Union men in every conceivable way. He then proceeds to tell of his capture by the secessionists.

Ironically he writes in this letter, "This past week has been an eventful one in the history of our part of Missouri, and will occupy a conspicuous page in the memoirs of my 'life and times' should some future biographer ever commit it to paper." Many of his friends came by to warn him to flee, as he was in great danger. He thanked them but said, "I had determined to stand my ground like a man and confront them face to face. That fleeing in my judgment indicated guilt or cowardice." When fifty or more armed men arrived, Benjamin retreated to a small scuttle hole in the upstairs bedroom. "I sat at the entrance, pistol in hand, ready to kill the first man who should there put his head through." The men, determined to have Benjamin at any cost, convinced Diana to tell him it would be in his best interest to come down. "I felt very much like selling out at the dearest rate possible, but finally yielded to her, and came down."

Surrounded by 150 armed men, they set out for their camp twenty miles away. By 10:00 a.m. the next morning he was escorted into their camp, passing many familiar faces, several of whom had been close friends. He was kept in the most "commodius" tent in the camp and even given a couch to lie on.

His horse was cared for and he was given dinner. He had over 100 friends and acquaintances at the camp, many of whom came by expressing sincere regret for what was happening. Even Colonel Green, commander in chief, expressed regret claiming Benjamin would be treated kindly and made comfortable. The reason for his capture, "the enemy had many of his friends under arrest, and he wanted me to exchange for one of them." Pointing out he had no influence over the United States Army, Benjamin felt there was no reason why he should be punished.

John McAfee and Colonel Green negotiated for his release. He was to have been released the next morning; instead they picked up and moved their camp, without any talk of releasing him. This went on for three days; finally on the third day, Green ordered his release. Benjamin, hearing loud quarreling with his name being used frequently, "got out of camp in quick time." Home again, he writes of large troops approaching from all directions. He writes, "I shall do what I can to stay the avenging hand when suspended over the innocent, but I do not expect to be able to accomplish much. . . . I am satisfied one or the other of the parties are to be driven off or exterminated before we are to have peace here. . . . We live a life time here now every week." It is obvious from his statements that war laid heavy on his mind, a war that would not be settled easily. "And the passions aroused to such a pitch that it can only be avenged in blood. May God in his mercy interpose and stay the tempest."

Benjamin's rise in the service was rapid. In February of 1862 he was commissioned a captain; by May, he was a major and finally a lieutenant colonel in September. Ironically in a letter written by Diana to Frank on February 23, 1862 John says in regard to the end of the war, "It would be done before he got a chance to immortalize his name as a military man." A neighbor by the name of Mrs. Ball claimed that Benjamin had come around her way showing his privates. Being the loyal and faithful wife Diana was, she could only come up with one excuse, "that he was a public man anyhow!" Mrs. Ball's threat to bring charges must have fallen through, as no more was written of this incident.

One of Benjamin's darkest days was Wednesday, April 2, 1862, when a band of Confederates bushwhacked some militia men near Walkersville, killing two soldiers and one prominent citizen. This caused great indignation among the militia men and the Union citizens. The 11th Missouri State Militia sprang to their arms and under the direction of Lieutenant John Donahue, they set out after the bushwhackers, killing two, drowning one and wounding another. In the meantime, Benjamin, who was beside himself with rage and excitement, declared "he would shoot three of these men instantly in retaliation for the three Union men killed." He had Rowland Harvey yanked from the prison and taken to the courtyard and tied up. Before Harvey knew what was happening, the guns were aimed and fired. Benjamin chose as his next victim

John Sigler, but before this execution was carried out, Lieutenant Donahue returned with the dead bushwhackers. This seemed to calm Benjamin's rage and no one else was shot (Missouri History, pp. 728-730).

On April 8, 1862 Colonel John Glover issued Special Order Number Thirty to Benjamin, ordering him that where the rebels take a dollar's worth of property of any kind from the Union man or family, to take at least twice as much in value from the rebels. Further he was to levy an assessment and collect it from the wealthy secessionists in the vicinity sufficient to comfortably support the families of those members of the Missouri State Militia who were killed by the rebels, and to see that they were comfortably supported by these means until further orders. One can see how it would have been hard for one to follow these orders and still remain popular in Shelby County.

Around the end of September in 1862 a Confederate rebel officer by the name of Captain Thomas Sidener was en route to Illinois, dressed up as a woman. Diana writes of this amusing incident in a letter to her sister Emeline dated September 28, 1862. Sidener, along with two lady relatives and his brother, set out in an open carriage to Canton. Sidener was trying to get across the Mississippi into Illinois, where he would be free from his war duties. They were almost clear of Shelbyville when a soldier informed Benjamin that Joe Sidener, Tom's brother, was seen driving a carriage with several women in it.

"John knew he was a pretty bad rebel and thought it a little strange, so he told him to go and bring them back." Sidener begged to let the women go on their way, but the major would not have it. Benjamin questioned them and then had them get out of the carriage. He "finally went behind the broad shouldered one and saw under the veil at the side a newly shaven face--raised the veil and there was Captain Sidener. Another dead giveaway were the army boots that failed miserably to blend in with his nice dress."

The following day Benjamin had business in Palmyra, so he took Sidener along. He was put in the military jail there and it was here that Sidener would meet his violent death. A short time after his arrival, General McNeil ordered ten men to be executed in retaliation for the killing by some of Porter's men of Andrew Allsman, a Union citizen of Palmyra. This became known as the Palmyra Massacre and this event stunned many, Union and pro-southern alike.

During the summer and fall of 1862 Confederate forces under Colonel Joe Porter engaged Shelby County forces various times. About the only real defeat that Colonel Porter had in Northeast Missouri was at Kirksville in August of 1862. Colonel Porter arrived at Kirksville on August 6, 1862 with about 3,000 men and with federals at his heels. His big mistake was not confronting McNeil in the woods where he would have most likely been able to defeat him. Instead he went on to Kirksville to await McNeil's assault on his front line.

The problem with this plan was that McNeil did not fully cooperate. He attacked the first line and then doubled back to partially envelope the Confederates. Benjamin's troop, McNeil's right wing, worked its way in the right side taking a cornfield and Hungarian grass patch as they forced their way into town. They took their time so Porter's plan could not be carried out. Benjamin's troops put them down by artillery fire and they began to give way. He grew impatient and charged into town. The battle lasted about five hours with Porter's forces retreating rapidly westward. It was every man for himself as the Confederates fled in great disarray. By the 11th of August most of the Confederate forces had disbanded, going either back home, going to a free state or following the defeated Porter.

During 1863 Shelby County was under control, as the large majority of people were Unionist. The Confederate troops outnumbered the Federalists, but because the Federalists had such a secure position they were able to withstand their attacks. In a letter written by Diana to her niece Frankie on February 10, 1863, she tells of the regiment's dissatisfaction of McNeil. He failed to show up to lead his troops, leaving Benjamin in full command. Diana claims his problem is one of many army officers--"too much whiskey." The feeling of many at this time was John did a fine job leading the regiment and McNeil need not return.

In a letter to Emeline Paddock from Diana dated March 20,

1863, she writes of Benjamin taking a leave of absence to prosecute the man who was indicted for abducting him. On his way home from this trial his train derailed, throwing him across the train and striking the end of one of the upper ribs. This caused him a great deal of pain for quite some time. Benjamin feels, in regard to the war, if they hold their own as they are at the present, there will be no trouble in Missouri. Diana claims that if there is not much to do but garrison duty, he will resign.

Benjamin writes to Frank on March 30, 1863 from the Headquarters of the Fifth Missouri Cavalry in Bloomfield. He writes of the realities of war and how the newspapers don't give accurate or truthful information to the readers. "Through the papers you got nothing but recounts of great events or those that show more on the surface, often distorted, always exaggerated--great heroes frequently made out of mighty small materials and conveying but an imperfect knowledge to the reader of the true state of affairs as they really exist." He crushes the myth that war is made up of "pomp and circumstance or that the din of battle and spurring amid the rattling heel, is all that makes up the sum total of soldier life." Instead he gives an account of the soldier's deep thoughts and intense lonely feelings. "The solitary sentinel as he passes his lonely beat, during the long winter night, in rain and snow, his clothes often stiff upon him, and not a sound to break the dull monotony . . . not one familiar face among

the thousands that surround him." How a line from one of the many of his relations or friends would cheer his drooping spirits and with what speed would the dismal midnight hours pass. He has been to the Post Office perhaps that day for the fiftieth time and has heard the cold answer "nothing for you" that chills his very blood within him. This hits very close to home for Benjamin. "I have been in the service now 15 months and except from Diana, I have not received a letter nor a solitary line from a relative nor friend except on business." He writes, "No greater service could they render them than frequently giving an earnest of their being remembered by the outer world."

The letter switches over to the actual war and how the rebels had destroyed all the bridges, burned many buildings and executed people. "Every person whose veins contained one drop of loyal blood has been driven away and his property either destroyed or appropriated." Many who fled the rebel attacks "have come to the site of their once happy home to find only a charred mass of ruins, and their relatives and friends either killed or executed." It is during this time period that McNeil is made a Brigadier, leaving Benjamin in command of the regiment. Ironically Benjamin was thinking the war had left their state, "Few weeks ago I flattered myself that I would soon be out of the service. The war as we think being ended in our part of the state." He had even turned in his resignation, "Not having any ambition for military fame,

I tendered my resignation, but the federal authorities refused to accept it, hence I am chained to the service for an indefinite time." He closes his long letter with a "fact that has from its truth and simplicity become proverbial . . . it is very desirable to have intelligence from the world without and especially at this season of the year." Benjamin was truly a thinker and a man of profound words.

Most of the fighting that occurred in the year 1864 was savage and merciless activities of guerilla bands. They made their way across the state burning, looting, pillaging, tearing up railroad tracks and ransacking towns. Benjamin writes of one such incident in a letter to John Paddock dated September 30, 1864. "On Tuesday morning I started for St. Louis on political business, my route being by the North Missouri Railroad. When near Centralia about fifty miles from Macon, we met a locomotive on the track and soon fell in with the passengers on the other train that had left St. Louis that morning. And from them learned that the Rebels under Bill Anderson had captured the train and robbed the passengers of everything they possessed of any value. Then they set fire to the cars and put a full head of steam on the engine and started it with the burning train up the track with a view of running it into the train coming down. The engineer had the presence of mind enough to put all the pumps at work, which soon flooded the boiler, and the engine stopped after running two miles. . . . After robbing the passengers they compelled

them to hold their horses, then they took out twenty-two who were dressed in soldiers uniforms, made them strip themselves of their clothing, formed them in line and deliberately shot them all. They were mostly sick and disabled who were going to see their families and friends on furlough. They were all unarmed." A company of about 200 men in pursuit of Anderson had reached Centralia about an hour after they had captured the train. "The men were undoubtedly enraged at seeing the dead and mutilated bodies of the soldiers slaughtered in cold blood and pressed on in pursuit." As they were chasing a small party of rebels into the timber they were suddenly met by a large force springing forth from the brush and charging full speed yelling so as to cause panic among both horses and men. "A few moments completed the work. One hundred and fifty-five fell in the fight or were captured and unhumanly butchered after surrendering. Out of fifty-six from the company raised here, fifty-one were slain. Persons from the battle-field report the most savage mutilation of the bodies of the dead--the major who commanded having been scalped." This horrible day was given the name the Centralia Massacre. These events horrified and angered many, including Benjamin. "I am again about to buckle on armor for the fight, but not in the manner to be pampered by military orders or bound by red tape. Fight the devil with fire and compel the quack to drink his own prescription. If this nation is to be subjected to the dominion of such an infamous set of thieves and

murderers, I have no desire to survive her dishonor."

Politically 1864 was a good year for Benjamin. At the presidential election he was elected to Congress on a Republican ticket by a large majority. He was the first Congressman ever elected from the county, serving three consecutive terms. The honor of having someone elected from Shelby County did not happen again until 1896. He was also Provost Marshal of the eighth district of Missouri and a delegate to the Republican National Convention in Baltimore (History of Shelby County, p. 777).

The year of 1865 brought General Lee's surrender on April 9 and with it the adoption of a new state constitution called the Drake constitution. This caused much bitterness as it stated "all those who participated in or had given any sort of voluntary aid or encouragement to the rebellion or the Confederate cause were debarred from voting or holding office, as well as from teaching, preaching, practicing law, etc." (History of Shelby County, p. 779). According to Diana's letter to Emeline on August 7, 1865, John campaigned hard for this new constitution. She also says, "John would be snowed with law business if he would take it, but such as he cannot finish before he leaves for Washington, he has to decline." Because he was not familiar with Washington he felt it best for Diana to stay in Shelbyville through this winter. After the conclusion of the war Shelby County progressed quite rapidly. People immigrated in, homes were built, new land was plowed

and old land was improved. After their debt was paid off they were able to build back bridges and improve roads.

In 1866 Benjamin again defeated Colonel John Glover for Congress. It was also during this year that President Andrew Johnson narrowly missed being impeached. Diana writes in a letter to Emeline on July 12, 1867, "I would like it if they would fix it so Johnson would not be able to give the country any more trouble." While in Washington as a member of Congress, Benjamin rented a room from a family named "Welch." Mr. and Mrs. Welch had five daughters. He became infatuated with one of them named Minnie. He would assist her in any way possible, mostly with money. It is said that she was a scheming, conniving woman of questionable character. It would seem many of Benjamin's problems began when he met her and things only seemed to worsen with time.

Benjamin was elected to Congress for the third time in 1868. His participation in Congress is recorded in the Congressional Globe: The Debates and Proceedings. There are many pages in this describing Benjamin's participation on different bills, issues, amendments and proceedings. Benjamin was nominated in 1869 for Senator with ten votes. The Radical Republicans met in Jefferson City to decide this. There were 115 of them between the two houses. They also nominated Schurz for senator and this nomination was later made secure with a unanimous vote.

The year 1870 was a very important, exciting and interesting time for politics. It was an election year and the contest was between the regular Republicans or "Radicals" on one side, and the Liberal Republicans and Democrats on the other. Questions of enfranchisement, universal amnesty and the repeal of the "iron-clad" oath drove a wedge in the Republican party causing it to split into two wings, the Radicals and Liberals. The Republican State Convention was in August 1870. Here the Radicals named A. G. Harland as temporary chairman, while the Liberals endorsed Benjamin, who was sympathetic toward the newer policy, but who could secure some support from the neutral delegates. He was chosen by a vote of 407 to 383. His election was interpreted as a concession to the liberals in an effort to secure harmony and as a definite victory for the liberal forces (Missouri Historical Review, p. 60). A second attempt to bring the parties back together was a move to get rid of both McClurg and Brown as the party's choice for governor and endorse Benjamin. The problem with this was that neither would step aside. Eighteen seventy was also remembered as the year both "rebels and niggers were allowed to vote" (History of Shelby County, p. 786).

Benjamin was nominated for county superintendent much to the disliking of the editor of the Shelbina Democrat, October 13, 1870. "He has no qualities for this office. He is totally incompetent and the office is a most important one, and it

would be better to have a vacancy than to elect this man."

In another Shelbina Democrat article dated October 20, 1870 they claim the Republican Party is a forlorn one and give some examples of Benjamin's past performance as superintendent:

1. He resigned within six months
2. He drew his salary for one year
3. Charged \$1.00 for teachers certificates in violation of the law
4. Imposed an expense of \$175.00 for township maps-- which he copied from another and which were not fit for the purpose designed. They cost him about 2¢.

Benjamin lost the election to Democrat, Charles King. Only two Radical Republicans were elected to office in this election.

One of Benjamin's bigger accomplishments was the establishment of the First National Bank of Shelbina in September 1870. Benjamin, along with four other men, was appointed director of this much needed bank. According to the Missouri Historical Review, Volume VII, October 1917-July 1918, p. 185, there was also a town named after Benjamin in 1870. It was about seven miles northwest of Canton. At one time it was a thriving town, but now one can only find the Benjamin Christian Church and graveyard remaining.

It was also during 1870 that Minnie Welsh, tired of Benjamin, married a younger man. As a result of this Benjamin turned his interests to her younger sister, Guy H. Allen,

whom he supposedly "adopted" as his daughter. Guy Allen testified under oath that she considered herself to be his daughter and that she received a letter from him in which he proposed to adopt her. Minerva Welsh, Guy's mother, also stated he had asked her if he could adopt Guy and she had given her consent. Guy always called him "papa" and he in turn called her "Bonnie." Their apartments were located next to each other on D Street in Washington. Although married to a man by the name of Allen, this never seemed to interfere with the many trips and escapades she and Benjamin had together. Diana Benjamin never acknowledged any "adopted" daughter and did not approve of her intimacy and familiarity with Benjamin. To friends Diana related she and Benjamin had been happy until his political position had taken him to Washington, leaving her home alone. It was also reported that Benjamin held firmly to the purse strings, giving Diana very little to live on while he was away. For this reason and probably loneliness, Diana began reading abstracts for people, as recorded in the Shelbina Democrat March 15, 1871.

As of March 29, 1871, the First National Bank is in a very healthy state and Benjamin is the president. It is also during March that Benjamin, securing an act of Congress, gets a mail route established for the people of Shelby County. He is also acknowledged in the same issue of the Shelbina Democrat as being the one who got valuable public documents and garden seeds from the National Botanical Garden. He also

defended J. M. Ennis, who was on trial for the fatal stabbing of W. R. Hill. Ennis and Hill had gotten into a fight over who had voted with the "niggers" in the last election.

Benjamin writes to the Shelby County Herald, May 3, 1871, condoning the actions of Judge Dines in issuing a warrant for the arrest of Ennis. Ennis was already in custody and Benjamin claims Dines should have known it was not in his power to take the prisoner from another officer. "Perhaps it was wicked that certain parties were denied the fancied pleasure in seeing him thus degraded, perhaps those who were the cause of their disappointment ought to be assailed and vilified." The Herald responds on May 3, 1871, "It is no reflection upon Benjamin as a lawyer that his defense of Mr. Chick is not more successful, it is the facts that are in fault: facts which, in this case are too stubborn for even Benjamin's legal ability." The following week in the Herald there was a letter from Judge Dines defending his position and also a letter from C. R. Chinn defending his position. We can see from all the letters written to the Herald and all of the Herald's responses that there were a lot of ill feelings surrounding this case and the people involved. This case, which finally came to a close April 28, 1871, was remarkable in three different aspects:

1. The great length of time occupied in what should have been a brief examination.
2. The great scope allowed by the Court to be taken.

3. The decision arrived at by the Court: Ennis was acquitted.

In 1872 the Benjamins moved to Shelbina, Missouri. It is here that Benjamin had erected a \$15,000 house. It was constructed by Brink and Son and Company out of Hannibal. The Democrat writes on May 22, 1872, "The location is a most sightly one, and when the proposed structure shall come up from the surface in perfect architectural proportions and highly ornamented . . . it will be hard to find a more elegant and imposing edifice for individual use, and difficult to conceive of a more desirable home." Benjamin desired to have the best and most elaborate home in the county, and it would seem he accomplished this. "All architects and builders who have examined the drawings concur in pronouncing it an edifice superior, both in architectural beauty and the conveniences of its internal arrangements, to anything in North East Missouri."

The same Democrat article gave this description of Benjamin's house: "Main building 42 feet square, two stories high with basement, attic and observatory. Rear building 20 x 27 feet, two stories high, and basement, all of brick. The foundation, door sills, steps to basement and chimney tops of cut stone. Window caps and sills of iron and highly ornamental. A beautiful observatory some fifty feet above the ground level, crowns the main building which will afford a splendid view of the surrounding country." It was the

first home to have indoor plumbing and electricity. He spent over seven thousand alone on furniture. The cost of the carpet and furniture in the parlor room was estimated at \$2,500.00.

The "Vesper" place, as Benjamin called it, was finally completed in June of 1873. The Herald writes on April 2, 1873, "It is hoped that many of our able citizens will feel constrained to follow the commendable example set by General Benjamin and erect for themselves palatial residences, as these are unmistakably pledges of our future prosperity." Without a doubt Benjamin's home, although erected out of his desire to show off, greatly benefitted the area by hiring mechanics and laborers who in turn spent their money in Shelbina.

It is also in 1872 that Benjamin is nominated for governor. This nomination met with mixed emotions, as there was already a great amount of prejudice against him because of his great Union war record. In an article written in the Shelby County Herald on April 3, 1872, the Palmyra Spectator claims the Herald is the "organ" of Benjamin. The Herald responds to this claiming they are the organ of no individual. A month later the Herald is reporting that Benjamin is connected with the New Party movement. Benjamin denies any involvement with them and declares his innocence in a letter written to the Honorable J. R. Winters, which was printed in the same Herald issue.

After the Republican State Convention in September 1872, the Herald writes of Benjamin, "The unanimity with which this gentleman was nominated in the Republican Congressional Convention at Memphis exhibits very forcibly the high estimation in which he is held by the Republicans in every quarter of the district" (Shelby County Herald, October 9, 1872).

Benjamin finally decides to accept the nomination. His acceptance letter was written to the Honorable E. V. Wilson and this printed in the Herald October 16, 1872. His opposition was Colonel Glover, Benjamin's superior in the Civil War. Glover accuses him of a variety of wrongdoings. Benjamin addresses these accusations in a speech given to the voters of the 12th Congressional District. In this speech he claims, "Let the truth and the whole truth be made known, and I will have no fears of the result." Benjamin claimed many of Glover's accusations were only orders that Glover himself had instructed Benjamin to carry out during the war. According to Benjamin he had documents to prove his innocence on all accounts.

Innocent or not an article printed in the Shelbina Democrat October 30, 1872 claimed that there were many things done poorly during the war but these issues are best left alone. What is important is what they did after the war. The two men took different courses--Benjamin's was used for his own advantage, "the disfranchisement of the people-- has stifled the voice of the majority." The "other has labored with all his power to relieve the people of an odious

oppression." Printed in the same Democrat issue is a card from C. E. Moss discussing Benjamin's desire to be governor. "John F. Benjamin, ex-member of the dirty and infamous Thirty-ninth Congress, is again seeking the suffrage of this people, whom he has so grievously wronged. . . . The arrogance of some men is astonishing, of John F. Benjamin it is astounding. . . . You possess no personal magnetism; your heart was never warmed with a generous impulse; your conceptions of justice are very obscure; your name is clouded deep and dark." From the results of the election it would seem many felt the same way about Benjamin. He lost to Glover by about 1,300 votes, never to be elected to a political office again.

Except for the completion of the Vesper Place, 1873 was a rather distressing year for Benjamin. One of his major problems was his being shot. He had been missing some gun powder and a colored lady claimed his handy man, James Hanley, had taken it. When Hanley was questioned about this he became indignant and angry that he was being accused of such a thing. He and Benjamin exchanged words and Hanley left claiming he would seek redress against Benjamin for such a lie. On August 25, 1873 on his way to the post office, Benjamin was surprised by Hanley, who had been hiding behind some men. Hanley told him they would now settle their accounts. "The general told him that he did not know that they had anything to settle, whereupon Hanley spit in his face and drew his revolver. The General made an effort to get hold of the

revolver, and would have done so had he not been struck on the side of the head with a rock or some other missile by one of Hanley's confederates. This blow stunned and paralyzed him for a moment, so Hanley succeeded in putting his revolver against the General's body, where he fired the would-be fatal shot" (Shelbina Democrat, September 3, 1873). Benjamin was able to push Hanley back into a dry goods box, walk into the post office and get his mail, and was then taken by carriage to his home. Several doctors attended to his wound, which was a bullet lodged in the muscles of his chest.

The shooting of Benjamin by Hanley gave rise to the expression of a good deal of feeling on the part of those who disliked Benjamin. In cases similar to this bail is around \$10,000; Hanley's was set at \$1,000. This ridiculously low bail caused quite a stir among the people. Some were angered by it, as this article published in the Quincy Herald Whig, August 29, 1873, attests, "The action of the magistrate of Shelbina, Missouri in holding the man Hanley who attempted to kill General Benjamin by shooting, on Saturday last, to bail in the insignificant sum of \$1,000, is meeting very secure and just censure. . . . The course of the magistrate betrays a degree of partisanship which renders justice a farce." The Herald, September 3, 1873, writes about those who supported Hanley's action, "I will not repeat the senseless laudits that have been heaped upon Hanley by low, unprincipled class that infest his part of our state, on

account of the part that he has played in this hellish affair. Nothing else was to be expected, but when persons who strive in passing for decent, law abiding citizens declare that they would put their names to Hanley's bond if it was ten times as large, if he would only shoot Benjamin again, it indicts [words are illegible] to say the least."

Benjamin himself was very bitter in regard to the developments of the trial. Charles King, Benjamin's lawyer and friend, testified under oath that Benjamin said if the people here did not want him here, he would leave, and if he did, he would tear down Vesper Place, brick by brick, and ship it away from here. Benjamin also said he was determined to seek a home in some community where newspapers and citizens generally do not uphold and apologize for an attempt to take human life. He carried out this threat in 1874 by moving to Washington, D.C., but fortunately he did leave the Vesper Place in tact.

The State vs. Hanley trial carried on for many months. In May of 1874 Hanley asked for a change of venue, claiming that there was no possible way to have a fair and impartial trial. He felt Benjamin had undue influence over the inhabitants of Shelby County. Hanley was granted a change of venue to Monroe County, where he was later acquitted.

Benjamin closed down the Shelbina Bank in February of 1874. He disposed of the bonds belonging to the stockholders of the bank, at a profit of \$2,000. The Shelby County Herald,

February 4, 1874, writes of the bank closing, "I wonder if any of those who have been so sorry that the Benjamin-Hanley affair resulted as it did, will find it at all inconvenient to straighten their accounts?" According to the testimony of Thomas Priest, in May of 1874 Benjamin told him he paid more tax than any man in the country and received fewer benefits. Benjamin also felt that the people of Shelby County were down on him and that his life was in danger if he stayed. In August of 1874 he formed a partnership with Otis Bigelow in Washington, D.C.

He called the Democrat on September 15, 1874 and informed them he would be taking up residence in Washington, where he would carry on a banking business. He would be leaving within a month, but Diana would not follow him out until next Spring. An editorial in the Democrat on September 16, 1874 says, "By the General's removal, Shelby County will lose an old and prominent citizen, besides taxable wealth amounting to about \$150,000. The reasons which caused him to take this step are obvious." The Herald writes on June 17, 1874 about Benjamin's decision to leave. "This will please quite a large number of our Bourbon friends who attempted his assassination and cheered and upheld the assassin. . . . How long will it take our Immigration Society to secure an influx of capital equal to that taken away by General Benjamin?" It is obvious that Benjamin's wealth played a big part in the economy of Shelby County and it was the one way he could get back at the

people who had turned on him.

Benjamin was a troubled man in 1875. He had prospered in northeast Missouri, but the people there had turned their backs on him, or had he turned his back on them? For whatever cause, he no longer found time for the people who had given him so much. The Washington, D.C. Business Directory listed Bigelow and Benjamin as bankers who would buy and sell home and foreign securities, and with good real estate notes constantly on hand for investors. He officed at 605 7th NW, a downtown address. The office building is still standing and painted a gaudy blue, just across the street from the old Patent Office Building and close to the old Pension Building. Benjamin was chairman of the Congressional Committee on Pension Claims after the Civil War.

Benjamin continued to be concerned about having to pay taxes. He told Gabriel Chase he was subject to excessive taxation in Missouri. The people back home considered him able and rich so they stuck it to him. The Shelby County records for 1875 show Benjamin had removed all taxable money, notes, bonds and credits. He told his "adopted daughter" Guy Allen he was no longer appreciated in the community, and was not going to pay taxes for the education of the children of the man (Hanley) who shot him. He told George Truesdell, secretary of Bigelow and Benjamin, he was highly taxed in Missouri and would escape taxation in Washington, D.C.

Benjamin was home twice in 1875. He spent part of these

short visits in trying to get all of his clocks in Benjamin House to strike at the same time. He was fond of clocks and had one in each room of his Missouri mansion. He boasted a library large enough to fill a railroad boxcar. He spent some time with his old horse which he loved dearly and spoke about taking it to Washington, D.C. Diana did not seem to be uppermost in his mind, although he told Lucretia Davis, a business and social acquaintance, he loved Diana and was unhappy about their separation. He continued to be stingy with money insofar as Diana was concerned. Charles King, Benjamin's confidant and lawyer in Missouri, said he knew of no money Benjamin had sent to Diana while he was in Washington, D.C. Benjamin had directed King to furnish Diana money from money King was collecting for Benjamin--\$140.75 in December of 1874 and \$92.00 in 1875.

Benjamin worried about the roving criminal bands in Missouri, such as Frank and Jesse James (Shelbina Democrat, February 17, 1875). He worried about the anti-Benjamin feeling that was building into a crescendo. He had as Commander of the Union forces caused the arrest and execution of a number of outlaws and guerillas (Rebels). At this time there was bitter feeling in northeast Missouri between Union and Southern sympathizers. He felt he had some bitter enemies who would not hesitate to kill him, therefore, he thought Missouri was a very undesirable place for a Republican or Union man, such as himself, to locate. He was afraid to leave his house alone,

for fear someone would burn it. Therefore, he left his wife Diana there to guard it, as if she could hold off a rebel gang!

The Hanley affair bothered Benjamin very much. He despaired about the shooting incident, but declared he had more friends than enemies, even among the Democrats. He took solace in the fact the locals showed no hesitancy in hiring him in their law suits, perhaps forgetting they understood he was more of a brilliant lawyer than friend. Benjamin looked upon the coming Hanley trial in Monroe County, the only county in Missouri to vote favorably for McGovern and the hotbed of Southern sympathizers in 1875, with inner fear and anxiety.

Benjamin was tendered and refused the position of Supervisor of Internal Revenue in a district comprising several western states. Whenever there were vacancies in post offices, route agencies or anything of that kind in northeast Missouri, the applicants, if Republicans, almost invariably wrote to him because he had to be consulted about appointments back home.

Benjamin was more concerned about impressing people with a pompous house rather than a home. He wanted to sell or exchange Benjamin House, and build a better "mouse-trap" in Washington, D.C. He listed the Benjamin House with various realtors in Washington, D.C. for sale or exchange. He boasted about having built the finest residence in northeast Missouri,

and wanted to build a residence in Washington, D.C. that would be as fine as any in that city. Several realtors stated they were unable to satisfy Benjamin on the purchase of any Washington, D.C. real estate. He wrote his Missouri lawyer to draft papers for the sale of Benjamin House to Mrs. Schoolcraft for \$30,000.00, but she was unable to obtain financing. He then tried to trade the Benjamin House for General William T. Sherman's, of Civil War fame, house in Washington, D.C. after General Sherman was ordered to duty at St. Louis, Missouri. Much to the dismay of Benjamin, General Sherman was more interested in selling than trading. Benjamin told his Missouri lawyer he was not going to move to Washington, D.C. permanently if he could not sell or exchange the Benjamin House. Apparently, he was convinced the odds were he would remain in Shelbina.

Along with his other problems, Benjamin's Washington, D.C. love-life seemed to be in shambles. Benjamin wrote his "daughter," Guy Allen, a letter expressing joy she had returned to Cumberland, Maryland, but expressing dismay she was so near and had shown no desire to see him. In the letter he referred to himself as "popsey" and stated his love for her. And, back home, his former grateful clients knew not Benjamin.

On January 7, 1876, Diana wrote her niece she had been urging her husband to hasten the time of his return to Missouri. She had asked him to give up the idea of building in

Washington, D.C., stating he had such enlarged ideas and extravagant notions of a house he would build, it would take another lifetime to get what he wanted. She expected him to arrange his money matters so he could soon come home and live. (Joint Collection, University of Missouri, Western Historical Manuscript Collection/Columbia State Historical Society of Missouri Manuscripts).

Benjamin continued to be active in the business of Bigelow and Benjamin. He acted as cashier, made most of the loans, handled all the cash and took a leading part in the business. He continued to complain about being unfairly taxed back home. He did not think it was right for him to pay so much school tax when he had no children. And, the City of Shelbina had not been forgiven for making him pay for a sidewalk from Benjamin House to connect with a city sidewalk.

Benjamin was much disturbed about a fraud perpetrated upon him by one Keebaugh, whom Benjamin had befriended as a youth and helped make him a business success as an adult. Benjamin loaned Keebaugh money on the security of forged Howard County bonds. Benjamin had been very proud of Keebaugh, trusted him as a son, procured a wife for him and spoke of him often. Benjamin wrote Guy Allen that he had had several unkind cuts inflicted on him, but this was the unkindest of all. He had lost all faith in humankind, and felt he could trust no one in the future. While the loss did not cripple him, it was an investment made upon personal friendship.

Keebaugh was not alone in taking advantage of Benjamin. On April 26, 1876, the Shelby County Herald reported Benjamin had sent home \$1,200 to \$1,400 worth of fine oil paintings. While Benjamin was home in the spring of 1876, he helped hang these paintings in the Benjamin House, along with a portrait of Diana. It was later discovered the paintings were almost worthless. One of these not too valuable oil paintings adorns a wall of the Benjamin House at the present time.

Indications were that Benjamin intended to return to Shelbina soon. He subscribed the sum of \$5,000 toward the building of a courthouse in Shelbina, stating it would be close to his business office. On July 9, 1876, Benjamin wrote Charles King he was returning to Shelbina after winding up his Washington, D.C. business. He would be in the same office with King, or at least close by. On July 16, 1876, he wrote to his good friend John Miller that he was returning to Shelbina. He talked to his carpenter about building a pavilion and arbor, much like one he had seen in Washington, D.C. He told Virginia Miller he was coming back to stay. His relationship with his "daughter" was not to his liking. On March 5, 1876, he wrote her he was ill, could not sleep nor eat because of the possibility of their relationship. He asked her to come to Washington, D.C., at once, to see him, stating, "Come to the arms outstretched to caress you. Come to the heart that is throbbing to press you." On May 5, 1876, he wrote a letter to Bonnie of being very troubled because she

was not on a certain train and had not written nor telegraphed him about her absence. On September 13, 1876 he wrote her a letter stating, "My Darling Bonnie, my heart goes out to you. I miss you even more. . . . My Darling accept assurance of my warmest love." On October 21, 1876, he wrote Bonnie he would go to Cumberland to see her stating, "I want to see you ever so much--never mine."

Benjamin wrote his old friend, John Miller, to "let politics alone. It is more uncertain than a lottery, and much more annoying." On October 18, 1876, the Shelby County Herald reported the Republican meeting at Liberty Hall was a success, with a goodly number of Democrats being present. The speakers were General Benjamin and Colonel Hayward, candidates for Congress. Hayward stated more citizens had been murdered in cold blood in the South since the war, for the crime of being Republican, than had fallen at any two of the great battles of the Civil War. Benjamin impressed the crowd with the magnitude of the Democrat rebel war debt. He stated the largest defalcation known in our political history had been perpetrated by a Democrat. The Hanley trial cooled his political ardor.

On November 1, 1876, the Shelby County Herald reported the case of State vs. James Hanley had concluded on October 25, 1876 with a jury verdict of not guilty of assault with intent to kill Benjamin. The jury was out only long enough to elect a foreman and vote once. There was tumultuous applause in the courtroom when the verdict of acquittal was announced. The

circuit judge had permitted Colonel Hatch, lawyer for Hanley, in closing argument, to refer to Benjamin as a bloody-handed tyrant and monster who had but recently ceased his slaughter of innocent citizens. The fact of acquittal was expected in this rebel county, but the verbal slaughter of Benjamin along with the quick verdict of the jury to the delight of the spectators shook Benjamin like he had never been shaken before. The editor of the Shelby County Herald stated the law should know no North or South, no politics or social standing, and the acquittal was an outrage on justice and a precedent that a Republican had no rights that a Democrat is bound to respect. Benjamin returned to Washington, D.C. a beaten man. He wrote a poem of six verses alluding to justice betrayed by public will and resulting in treason. His next Missouri visit would be as a corpse.

After the Hanley trial, Benjamin changed his mind about running for Congress. He avoided talking about it, and seemed disgusted with politics. He said things had changed. His district was now Democratic and not Republican. He had had it as a politician.

On February 18, 1877, Benjamin wrote his wife about his happiness at Hayes being elected President. He stated the Democrats were in a great rage in Washington, D.C., but since they were used to crow, they would take their defeat as the "most nauseating of all the doses they have ever taken." He hoped to collect more rapidly that the election was settled.

He expressed hope Diana was feeling better and would soon recover. He closed the letter with "Love" "John" and not in the popsey style of his letters to Bonnie.

On the last day of February 1877, Benjamin told George Rowan, a clerk of Bigelow and Benjamin, he was going to leave the following day for Shelbina. He was going to visit his wife who was very sick. He wrote a letter that he was delayed because his doctor had told him if he made the trip, he might die en route. He said it was very bad for each of them to be so sick and to be so far apart.

Benjamin became ill on March 1, 1877, and became progressively worse. On March 7, 1877 he changed his will to give Bonnie a larger share. On March 8, 1877, he died in a house on the south side of D Street between Second and Third N.W., Washington, D.C. The March 14, 1877 issue of the Shelbina Democrat and Shelby County Herald reported his death. His body was sent back to Shelbina, where he lay in state at his "Vesper" House. The funeral was conducted in his home, and he was buried in the southeast corner of his yard. His body was later removed to a cemetery in Shelbyville, Missouri and buried at the side of Diana.

On the 9th day of May 1877, Joshua M. Ennis was appointed Executor of the Estate of John Forbes Benjamin in Shelby County, Missouri in accordance with his will dated March 7, 1877. The contest was further complicated by the death of Diana Benjamin on June 6, 1877, leaving relatives to fight against the alleged

adopted daughter of Benjamin.

Thus began the most celebrated case in the annals of northeast Missouri jurisprudence, lasting about ten years, and finally being terminated by another proceeding in Washington, D.C., which was appealed to, and decided in favor of the alleged adopted daughter, Guy Allen, by the Supreme Court of the United States.

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