

Reconstructing Henry S. Lane: Redefining Political Legacy Amidst Reconstruction Ambiguity

Welcoming

Good afternoon, everyone. For those who may not know me, my name is Owen Bennett and I am a Senior, History Major and Political Science Minor from Crawfordsville, Indiana. Before I begin, I want to thank my fellow presenters for their great research that makes this day so special. I also would like to thank Dr. Noe Pliego Campos for his continued support and encouragement throughout this process. Lastly, I want to thank the audience for attending my presentation. Now I will begin.

Slide 1: A Story Hidden in the Shadows of Recollection (Hook)

The Historic Lane Place Museum in Crawfordsville, Indiana, provides the public a glance into the lives of Sen. Henry S. Lane and his wife Joanna, through guided tours that recall the memories of national crisis and reconciliation during the American Civil War Era. As I investigated the objects displayed within Lane's personal library, I stumbled across a congressional speech titled "Reconstruction and Amendments of the Constitution"¹ given by Sen. Lane on February 8, 1866. This seemingly forgotten speech contained Lane's vision for Congressional Reconstruction to redirect the United States toward its founding promises of *life, liberty, and pursuit of happiness* for all Americans regardless of race or previous history of involuntary servitude.

Through my research, I used this speech as a catalyst to further investigate Henry S. Lane's involvement in Reconstruction politics.² Though no documentation signals a direct link between Lane's speech and the passage of the 14th and 15th amendments, it provides a framework

¹ Henry S. Lane, "Reconstruction and Amendments to the Constitution," (Washington D.C.: H. Polkinhorn & Son, Printers), February 8, 1866.

² See Owen M. Bennett's article titled "Reconstructing Henry S. Lane: Redefining Political Legacy Amidst Historical Ambiguity," 2023.

to contextualize the complex congressional uphill battle to pass the Reconstruction Amendments, amid opposition from President Andrew Johnson, a staunch White supremacist who led the country from 1865-1869. So, who is Henry S. Lane, and what is his significance?

Slide 2: Who is Henry S. Lane?

During the winter of 1834, Henry Smith Lane, a lawyer from Montgomery County, Kentucky vacated the land of slavery and headed North to Crawfordsville, Indiana to **QUOTE** “live among a people who had free institutions.” **ENDQUOTE**. Lane’s relocation to the North from the South, reflected his anti-slavery stance, which, ultimately shaped his politics. Throughout the 1830s, Lane served as a lawyer and avid community man, as he established moot-legislation to educate the Crawfordsville community on the innerworkings of government and taught students the Constitution at Wabash College. In 1837, Lane briefly served as an Indiana State Representative before having assumed a seat in the United States House of Representatives in 1840, which he remained until 1843. Lastly, in 1860, Lane was elected as the 13th governor of Indiana, which he remained for only 3 days. Henry’s decision to depart from governorship lied in the fact that he truly wanted to serve in the United States Senate. He only ran for governor to ensure that Indiana remained under Republican leadership. Therefore, Oliver P. Morton, Lane’s Lieutenant Gov. took over the governorship, and later became known as Indiana’s Civil War Governor.

On January 16, 1861, the Indiana State Legislature elected Hon. Henry S. Lane to the United States Senate. Throughout the Civil War Era, he supported Lincoln’s *writ of habeas corpus*, approved the Emancipation Proclamation, and voted in support of the 13th Amendment, which ended chattel slavery. Lane’s support and appreciation of Abraham Lincoln continued after his assassination in April 1865. To honor his life, Lane served as a pallbearer for Lincoln’s

funeral. While he carried the president's body to its final resting place in Springfield, Illinois, he also carried his own legacy to the grave. At least, that is what the current scholarship on Lane establishes.

Slide 3: Historiographical Analysis: Unveiling Historical Ambiguities

Throughout the late-19th and 20th centuries, Lane scholars Julius A. Coleman, William Wesley Woollen, Theodore G. Gronert, and Robert F. Wernle delved into the life and political contributions of Sen. Lane through incomplete narratives that generate more questions than concrete answers. In particular, this scholarship simplifies Lane's political career to him simply being an ally to Lincoln, and fails to consider his political service from 1865 to 1867. As such, I argue that Henry S. Lane was an integral politician during Reconstruction due to his active participation in the political battle to establish a legal framework for Black Suffrage and reinstate Southern states based on their loyalty to the Union. Considering the Reconstruction Era through the eyes of an individual senator, such as Henry S. Lane, reveals a more nuanced reality of the struggle to restore the broken post-Civil War United States.

Slide 4: Source Sample

For this presentation, I chose three sources that display Lane's active participation in Reconstruction politics. First, I will investigate Lane's involvement in the establishment of the Freedmen's Bureau, which took place from 1865 to 1868. Next, his participation in the uphill battle to pass the Civil Rights Bill of 1866, amid President Andrew Johnson's use of the presidential veto. Lastly, I want to dive into the document that led me to research this topic: Lane's "Reconstruction and Amendments of the Constitution" speech. Now that I have established a layout for my presentation; Here are my findings.

Slide 5: Freedmen's Bureau Bill (1865)

On January 6, 1865, Sen. Charles Sumner of Massachusetts presented a bill to the United States Senate that regarded the formation of “The Bureau of Refugees, Freedmen, and Abandoned Lands,” better known as the Freedmen’s Bureau.³ If passed through legislation, the Freedmen’s Bureau would serve as an extension of the War Department, where the Secretary of War would supervise and manage **QUOTE** “all abandoned lands, and the control of all subjects relating to refugees and freedmen from rebel states”⁴ **ENDQUOTE**. Under the Freedmen’s Bureau, the United States Government assigned freedmen a maximum forty acres of abandoned Southern land for the purpose of **QUOTE** “enjoyment of the land for the term of three years at an annual rent not exceeding six per centum upon the value of such land”⁵ **ENDQUOTE**. Failure to fulfill the government labor contract resulted in government intervention and eviction from the rented property. Therefore, though freedmen and loyal Southern Whites rented and cultivated land, they never received the fruits of labor; thus, reinforcing plantation culture.

On February 22, 1865, Sen. Lane argued against the Freedmen’s Bureau Bill as he believed it stripped Black Americans of their freedoms, due to the reimplementation of plantation hierarchy. Morally, Lane opposed “the theory of a Freedman’s Bureau” because **QUOTE** “broken down politicians,” “adventurers,” and “decayed ministers of the gospel” **ENDQUOTE** would be responsible for the protection of freedmen.⁶ In opposition to Sumner, Lane insisted that liberation existed through freedom under the law, where freedmen could receive protection in the

³ Richard Fleischman, Thomas Tyson, and David Oldroyd, “The U.S. Freedman’s Bureau in Post-Civil War Reconstruction,” *The Accounting Historians Journal*, Vol. 41, No. 2, 75-109, 2014. <https://www.jstor.org/stable/43487011>.

⁴ U.S. Congress, U.S. Statues at Large, Vol. 13, 1865, 38th Congress. United States 1864-1865, Periodical. <https://www.loc.gov/item/lsl-v13/>. 507.

⁵ U.S. Congress, U.S. Statues at Large, Vol. 13, 1865, 38th Congress. United States 1864-1865, Periodical. <https://www.loc.gov/item/lsl-v13/>. 507.

⁶ Lane, Remarks in the Senate on the Freedmen’s Bureau Bill, February 22, 1865. Lane, H.S. mss., Lilly Library Indiana University, Bloomington, Indiana. 2.

courts, the right of suffrage, and the ability to **QUOTE** “vote their rebel masters down and reconstruct the seceded States”⁷ **ENDQUOTE**.

After the Freedmen’s Bureau passed through both Congressional chambers in March 1865, Sen. Lyman Trumbull, of Illinois, proposed a revised Freedmen’s Bureau Bill that promised to ensure Black Americans the freedoms of person and property. Though having initially disagreed with Sumner’s version of the Freedmen’s Bureau Bill, Lane voted in favor of the new legislation, as the policy sought to provide Black Americans the ability to own land and seek education for their children. On July 3, 1866, Trumbull’s Freedmen’s Bureau Bill became law after two-thirds majorities of chambers of Congress voted to override President Johnson’s veto. Next, the Civil Rights Bill of 1866.

Slide 6: Civil Rights Bill (1866)

Seven months prior to the passage of revised Freedmen’s Bureau Bill, Trumbull introduced the Civil Rights Bill of 1866 to the Senate, which proposed to protect the civil rights of all persons in the United States and bar state **QUOTE** “discrimination in civil rights or immunities... on account of race, color, or previous condition of slavery.”⁸ **ENDQUOTE**. The Civil Rights Bill sought to provide meaning to the 13th amendment by recognizing Black Americans as United States citizens. Sen. Lane approved this proposal, as he argued **QUOTE** “the provisions of this bill are admirably calculated to secure to these colored persons their rights under the constitutional amendment,” **ENDQUOTE** and felt comfortable in passing the legislation due to the President’s right to exercise the military to carry out its provisions.⁹

⁷ Lane, Remarks in the Senate on the Freedmen’s Bureau Bill, February 22, 1865. Lane, H.S. mss., Lilly Library Indiana University, Bloomington, Indiana. 2.

⁸ Barnes, *History of the Thirty-Ninth Congress of the United States*, (New York: Negro University Press, 1969). 189.

⁹ Henry S. Lane, Remarks in the Senate Regarding the Civil Rights Bill, February 2, 1866. Lane, H.S. mss., Lilly Library Indiana University, Bloomington, Indiana. 4.

Though Trumbull's Civil Rights Bill sought to protect freedmen under the law, Congress undermined its close parallel to the Fugitive Slave Act of 1850, which denied legal protection of escaped slaves, as legislation saw all Black men as property.

According to Lane, the beauty of the Civil Rights Bill of 1866 is that its **QUOTE** “provisions are in the interest of freemen and of freedom, and what was odious in one case becomes highly meritorious in the other.”¹⁰ **ENDQUOTE**. Though enthusiastic about Trumbull's proposal, Lane's speculation of Johnson's Presidential authority to protect freedmen appeared as a mirage, as Johnson's pen struck the bill down with a presidential veto. President Johnson argued against the provision's inclusion of birthright citizenship, as the provision included **QUOTE** “the entire race designated as blacks, people of color, negroes, mulattos, and persons of African blood.”¹¹ **ENDQUOTE**. In Johnson's eyes, citizenship remained to the Caucasian race, and did not belong to Black Americans.

Civilian responses to Johnson's veto reached Sen. Lane's desk as Hoosiers such as R.W. Hudson, a concerned citizen of Terre Haute, Indiana, argued against the veto and encouraged the senator to rally Congress to override Johnson's decision. In April 1866, the Civil Rights Bill was reintroduced to the United States Senate where it passed with a 33-15 vote. Lane stuck to his word and voted in favor of the Civil Rights Bill. After having passed through both Congressional Chambers the bill officially became law on April 9, 1866. The passage of the Civil Rights Bill of 1866 provided meaning to the 13th amendment, as it severed citizenship and race to give birthright citizenship to Black Americans. Although the bill granted freedmen birthright citizenship, it did not guarantee equal protection under the law.

¹⁰ Barnes, *History of the Thirty-Ninth Congress of the United States*, (New York: Negro University Press, 1969). 213.

¹¹ Barnes, *History of the Thirty-Ninth Congress of the United States*, (New York: Negro University Press, 1969). 246.

Slide 7: Reconstruction and Amendments of the Constitution (February 8, 1866)

Lastly, I would like to take some time to discuss the document that inspired me to research Lane's position within the Reconstruction Era. In his "Reconstruction and Amendments of the Constitution" speech, Henry S. Lane proposed a plan for Congressional Reconstruction that aimed to protect and enfranchise Black Americans through the passage of supplementary Constitutional Amendments aimed to **QUOTE** "do away with much of the inequality" and "carry out and give effect to every guarantee of the Constitution [*sic.*]"¹² **ENDQUOTE**. In addition, Lane imposed a fire and brimstone perspective on the potential dangers of allowing citizens who resided in the former Confederacy to vote in federal elections and participate in state and federal legislation. According to Lane, the Southern states shall be restored when (ONE) all constitutional guarantees are in place for all people, and (TWO) the leading traitors of the rebellion faced punishment, and have met the **QUOTE** "felons doom."¹³ **ENDQUOTE**. Henry S. Lane's senatorial speech grasped the attention of citizens throughout the nation, who wrote him letters in response to his call for congressional action in the constitutional protection of freedmen and strict punishment for Southern traitors.

This includes a letter for one individual who Wabash College holds dear. Wabash College's Caleb Mills wrote that he preferred **QUOTE** "to go to the polls with a legal black than a rebel white"¹⁴ **ENDQUOTE**. In addition, Mills argued that the Southern states shall not be readmitted into the Union until him and Lane could freely express their opinions and spread

¹² Lane, "Reconstruction and Amendments of the Constitution," (Washington D.C.: H. Polkinhorn & Son), February 8, 1866. 11-12.

¹³ Lane, "Reconstruction and Amendments of the Constitution," (Washington D.C.: H. Polkinhorn & Son), February 8, 1866. 14.

¹⁴ Caleb Mills, Letter to Hon. Henry S. Lane Regarding the Veto of the Freedmen's Bureau Bill and Loyalty to the Union Speech. Lane, H.S. mss., Lilly Library Indiana University, Bloomington, Indiana. 2.

media without disruption.¹⁵ After having presented a snapshot of Lane's idea for Congressional Reconstruction and a response from our beloved Caleb Mills. I must conclude.

Slide 8: Conclusion

A close investigation of Sen. Lane's rhetoric in congressional dialogue allows for the historical reinterpretation of the senator as an active member of post-Civil War legislation. My research not only attempted to narrow the gap between the known and unknown aspects of Lane's life, but to provide a new framework for interpreting the Reconstruction Era. Sen. Lane's continued effort to guide legislation to enact proactive provisions that attempted to restructure American society to successfully carry out its founding principles not only display his determination to right historical wrongs but to guide legislation to achieve his end goal of securing citizenship and suffrage for freedmen. Considering the Reconstruction Era, at large, along with its many biased narratives, disrupts our collective understanding of the political and cultural battle congressmen, and the nation, endured to mend the ideologically broken Union. However, by limiting our scope to a singular politician, such as Sen. Henry S. Lane, we are provided a more nuanced reality of the post-1860s and the complexity of the Second Founding of the United States.

Thank you.

¹⁵ Mills, Letter to Hon. Henry S. Lane Regarding the Veto of the Freedmen's Bureau Bill and Loyalty to the Union Speech. Lane, H.S. mss., Lilly Library Indiana University, Bloomington, Indiana. 2.