

MURDER IN DAYTON

The Death of Lieutenant Waterman

By Timothy R. Brookes



Lieutenants George Waterman (right) and John Eadie posed for a Cincinnati photographer in early 1863. In a letter to his parents, Waterman described the portrait as that of “two Home Guards,” a wry comment on their regiment’s rear-area assignment. The events of the following September would infuse the remark with grim irony.

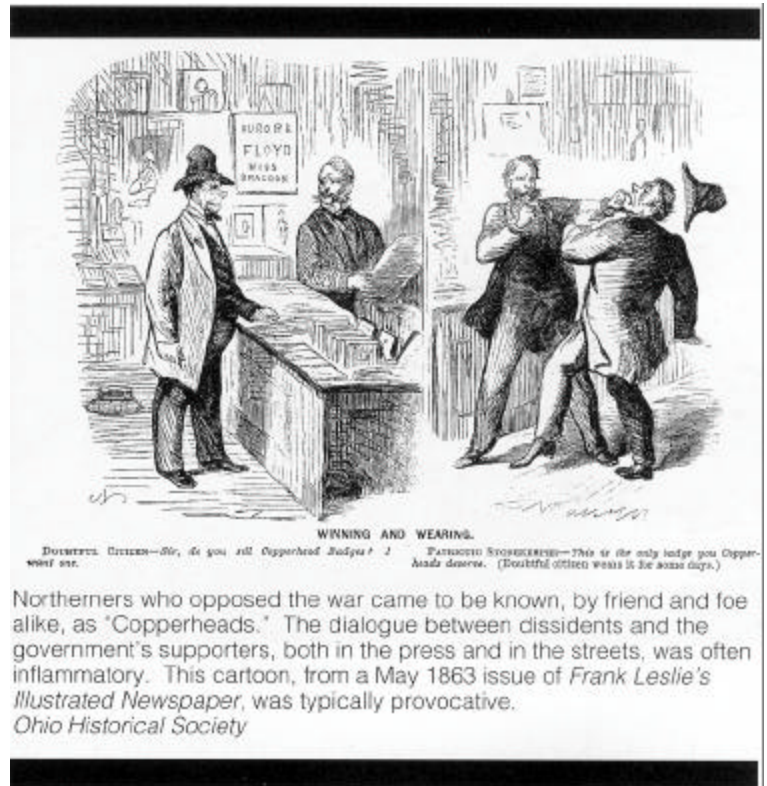
Private Collection

All too frequently, “Killed in Action” is the official epitaph for Ohio’s Civil War volunteers. Perhaps even more tragic than lives cut short in battle is the singular fate of a promising young officer slain by the hand of a fellow Ohioan. The young man was sacrificed in a drama played out against the backdrop of bitter political controversies that threatened to divide the state as they had already divided the nation.

George Lawson Waterman was the nineteen-year-old son of a prominent businessman and boat builder of Peninsula, a town on the Ohio and Erie Canal, when the guns fired on Fort Sumter. Waterman, a business student in nearby Cleveland, had joined the Cleveland Grays and volunteered with his company for ninety days’ service when the president called for troops to suppress the rebellion. Some sources credit Waterman as being the first man to enlist from Summit County. Private Waterman participated in the battle of First Bull Run, but at his mother’s urging, returned to Peninsula when his time expired.

For the next year, Waterman remained at home. Then, in August 1862, he obtained a commission as a second lieutenant in Company C, 115th Ohio Volunteer Infantry, a regiment then forming.

The 115th was assigned to guard duty in Cincinnati, no doubt disappointing some of its bolder spirits who looked forward to more active service. While the regiment escaped combat with Confederates, its existence was frequently made exciting by clashes with citizens, usually Democrats who opposed the war, the measures of the Lincoln administration, and any elevation of the status of blacks. “In respect of fighting,” Waterman wrote in a letter home, “I sometimes wonder whether those who went from this place [to East Tennessee] with





Canal-side entrepot of a rich agricultural region and home to a nascent industrial economy, 1860s Dayton did not weather unscathed the unrest triggered by wartime political cleavages. Arson, mob violence, and assassination were home front counterparts to the clash of the armies. This 1854 view shows Public Square (right-center), where Lieutenant Waterman's company was encamped, as a fence-ringed grove of trees beside the Miami-Erie Canal. *Ohio Historical Society*

General Burnside* have done as much fighting with the Rebels as the 115th has done with the Vallandigham Copperheads and Butternuts.” One private of the regiment later recalled regular donnybrooks that occurred outside their barracks as the soldiers responded to taunts and challenges from civilians incited by drink, Democratic club meetings, or both.

These antiwar activities were disturbing to Waterman, whose relatives were lifelong

Democrats. Writing his parents, he affirmed his centrist political views:

Father, I do not wish to have you think me an Abolitionist, far from it, I am a Douglas Democrat and go in for the Union right or wrong and cannot recognize such men as the Editor of the *Cincinnati Enquirer as Democrats*, nor any men that endorse their principles. They are snakes in the grass, real Copperheads, cowardly traitors, not fit to be hung.

Cincinnati was not alone in experiencing civil disturbances in 1863. Dayton was considered a hotbed of Copperhead activity, especially since it was the adopted hometown of Former Congressman Clement L. Vallandigham, a leader of the anti-Lincoln, antiwar movement.* Dayton's Democrats controlled the mayor's and other city offices, and local Democratic opinion was represented by the *Dayton Empire*, a newspaper

* See TIMELINE, December 1990

* See TIMELINE, February 1986

once owned and edited by Vallandigham and still strongly supportive of his viewpoints.

In the Autumn of 1862, J. Frederick Bollmeyer, an owner of the *Empire*, was shot and killed by Dayton hatter Henry M. Brown during a street altercation. In the press and on the streets, Democrats trumpeted their suspicions that the murder was politically motivated, and Brown was threatened by a lynch mob. The hanging was narrowly averted, and Brown was eventually acquitted on the grounds of self-defense.

Violence flared again in May 1863, when Dayton mobs responded to the arrest of Vallandigham for making anti-administration speeches contrary to the orders of General Burnside, military commander of the Department of the Ohio.

The differences between Dayton's prowar and antiwar factions were still nonviolent in 1861 when this military band stood in the mud of Main Street at the foot of the courthouse steps. *Lloyd Ostendorf Collection*

Soldiers arrived at Vallandigham's home in the middle of the night and, after battering down his doors and terrorizing the household's inhabitants, arrested him. The next day an impassioned editorial in the *Empire* encouraged Democrats to resort to "blood and carnage" to protect their constitutional rights. In a short time, mobs had fire-bombed the offices of the *Dayton Journal*, the Republican newspaper, and attempted to stop the work of responding firemen. Only the arrival of troops and a declaration of martial law in Dayton put an end to the rioting. Publication of the *Empire* was suspended, and its editor was arrested.





A few doors up main Street from the courthouse, next to the Phillips House hotel, a gap in the street-side façade marks the site of the burned *Dayton Journal* office. Waterman's company was sent to Dayton shortly after rioters torched the building in May 1863.
Lloyd Ostendorf Collection

Lieutenant John Eadie, Waterman, and forty men of Company C were among the troops sent to quell the riot, which Waterman described as having been caused by "poor whiskey, and the arrest of C.L. Vallandigham." On May 8 he reported, "the City is very quiet now, and there is no interference in our proceedings, though there was at first, but the populace soon found that bayonets were not to be trifled with."

Even after Vallandigham's trial before a military commission and subsequent banishment to the Confederacy, Burnside kept troops in downtown Dayton. Waterman's letters during the summer of 1863 reveal much about the degree of political dissention against the war, and even more about the young men serving their country who could not understand the politics of their fellow Ohioans.

On May 24 Waterman wrote home from Hamilton where there had been the "prospect of a Row" and again disagreement with his father concerning the arrest of Vallandigham, saying "it should have been done long ago," and he objected to the leniency of the sentence. Like many soldiers, he was untroubled by the suspension of First Amendment and other constitutional guarantees when the government was fighting for its very

existence. In late June he told of the sentences given to some of his "caged birds." Expressing sympathy for the South caused one civilian to receive six months' hard labor with ball and chain. Another made the mistake of singing a Rebel song and hurrahing for Jeff Davis and was serving a sentence of three months. "Sympathy with Jeff," summarized Waterman, "cannot be expressed with safety."

During a single week in August, Waterman arrested one deserter, two men for hurrahing for Confederate generals John Hunt Morgan and P.G.T. Beauregard, and another for cheering Jeff Davis, and one for "trampling on and burning the 'Stripes and Stars.'" This latter miscreant particularly offended Waterman, who expressed his preference for resolving such matters "from the barrel of my 6 shooter. Oh for shame, shame that such an act should be perpetrated here in my own native state." Perhaps realizing how extreme his own sentiments had become, Waterman later conceded a partial apology, "You must excuse me, father, for I get rather angry whenever I get to thinking of this false party who style themselves Democrats and call this a political war."



*The Consecration – 1861 by George Cochran Lambdin
Oil on canvas, 24 x 18 ¼ inches, 1865.
Indianapolis Museum of Art, James E. Roberts Fund.*

When he returned to military service in 1862, Lieutenant George Waterman was presented with a sword by the ladies of Peninsula, Ohio. The ceremony was presumably less saturated with nineteenth-century romanticism than the more-private exchange sentimentalized in Lambdin's painting. Indeed, a fellow officer in Waterman's 115th Ohio received a presentation blade accompanied by the wish of the donors' fair spokesperson to see it "dripping with blood."

Thus was the stage set for further trouble when the men of Company C, bivouacked on Dayton's Public Square, prepared to turn in on the evening of September 2, 1863. Lieutenant Eadie commanded the company and had been named provost marshal of Dayton. He and Waterman

were in their tents, Waterman waiting to take a 1:00 A.M. train home to Peninsula for a brief furlough. On several recent occasions, passersby had taunted the sleeping camp and made nuisances of themselves without any corresponding reaction from the soldiers.



Lieutenant Waterman's insignia of rank and commission, the latter issued in "the eighty-seventh year of the independence of the United States," have been preserved.
 Private Collection

When loud voices were being heard cheering for Vallandigham, Eadie and Waterman rushed outside. They approached the tow men believed to be the source of the cheering. Eadie's suggestion that the pair go home was met with a profane response. He and Waterman, in turn, leaped the fence surrounding the park and ran towards the civilians. Waterman had barely cleared the fence when a pistol shot rang out, and he fell with a cry: "My god! I'm shot!"

Eadie, described in the next morning's *Journal* as "an athletic, powerful man," knocked one man to the street and pursued the other toward a nearby

saloon. A pistol ball grazed the lieutenant's face but did not stop him from dashing through the door of Markgraff's saloon and seizing his supposed assailant, who had already been disarmed by a Union officer at the bar.

The captive, Tom Spielman, was taken to Eadie's headquarters. The man who had been knocked to the pavement was long gone, but Spielman was encouraged to identify his companion and soon did so. A squad of men from Company C apprehended the man, William S. Huber, at his home. He was unarmed and appeared intoxicated. Although Spielman denied firing at the officers,

Eadie was positive that he had the man responsible.



Clement W. Vallandigham was the darling of antiwar Democrats, constitutional conservatives, and Negrophobes in Dayton and throughout the North. A spellbinding stump speaker, the former congressman was arrested after a controversial speech at Mt. Vernon, Ohio, an action that sent outraged sympathizers in the streets of Dayton. *Ohio Historical Society*

Waterman had been shot through the thick part of the left thigh, a wound described in the next day's *Journal* as severe, but not life-threatening. The same article reported that both suspects were members of the "Vallandigham party" and that Spielman was "rather fast." His occupation as a carrier for both the *Empire* and the similarly oriented *Cincinnati Enquirer* left little question as to his politics.

No doubt concerned for his parent's feelings, Waterman penned a quick letter the next morning

telling of his wounding by "some confounded Copperheads." Waterman minimized his wound, which he said would "commence healing immediately." He promised to be home for an extended stay as soon as he could travel.

Captain John A. Means of Company C, on duty in Cincinnati, also wrote to Lawson Waterman about the attempt on his son "by a cowardly assassin, a black-hearted Copperhead." Means related the prevailing sentiment in the regiment as "almost frantic." He promised that the outrage would be avenged and that, "if the authorities neglect or refuse to administer Justice, there is a power in Company C that can do it."

Back in Dayton, Eadie was holding the two civilian prisoners in military custody pending a decision by Brigadier General Jacob D. Cox, commander of the District of Ohio, as to the proper venue for their prosecution.

The *Empire*, which had resumed publishing in early August, painted its own picture of the affair. After describing Republican attempts to disrupt a Democratic meeting by throwing stones and rotten eggs, the *Empire* disparaged the *Journal's* "bigoted and partisan report of the shooting affray last night." The Democratic version of the incident held that Huber and Spielman were set upon and assaulted by several soldiers, including Waterman. After defending themselves but "having heavy odds against them," one of the two fired a pistol and retreated, only to be pursued and captured.

Not surprisingly, the Waterman shooting caused considerable turmoil in Dayton the next day. Rumors flew, and crowds assembled. At the request of Spielman's father, two attorneys sought a writ of habeas corpus, alleging the illegal detention of the prisoners. The judge granted the writ, but its attempted execution failed when Eadie declined to obey it, stating that the prisoners were in United States custody, that he had not yet received instructions from General Cox, and that he had been ordered to hold the prisoners until those instructions were forthcoming.

Resolutions

W. B. Barock, Secy. Co.
Sept 20th 1862

At a meeting of the members of Company B 115th Regt I. O. V. called for the purpose of expressing their deep regret and sorrow for the death of Lieutenant Geo. L. Waterman who died at Dayton on the 19th from the effects of a wound inflicted some days previous the following preamble and resolutions were unanimously adopted.

Whereas we have just received the painful intelligence that our Lieutenant Geo. L. Waterman has been removed from our midst by death. be it

Resolved, - That in the death of Lieut Waterman, his country makes a loss which we are engaged, as true and able officers, to mourn and regret, and whose abilities and unswerving devotion to the cause of the Union, and bright promise of a future even more honorable to his country and himself, than his past has been.

Resolved, - That we, the members of his company, lament the loss of one who was both officer and friend, ever faithful to the interests of those who were and constant in his endeavors to contribute to our comfort.

Resolved, - That on all the various relations of life he conducted himself as a son to his father, as a brother to his friends, as a friend to his comrades, as a faithful to all the obligations of friendship.

Resolved, - That we tender to the afflicted parents our sincere sympathies in this sad bereavement.

Resolved, - That a copy of these preamble and resolutions be published in the Cincinnati Commercial and Gazette, the Summit Review and Cleveland Herald and that a copy be forwarded to the parents of the deceased.

The unusual circumstances of Waterman's death called forth formal resolutions of tribute and regret from both the members of Company C and the officers of the regiment.
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HEAD-QUARTERS 115th REG'T O. V. I.
CINCINNATI, OHIO, Sept. 19th, 1862.

At a meeting of the Commissioned Officers of the 115th Regiment, of Ohio Volunteer Infantry, of which Colonel J. A. LUCY, was President, and Captain JOHN A. MEANS, Secretary, the following resolutions, prepared by a Committee, consisting of Lieutenant Colonel T. C. BOONE, Captain H. R. HILL, and Captain B. BUCKINGHAM, were unanimously adopted:

RESOLVED, That we, the officers of the 115th Regiment of Ohio Volunteer Infantry, have just heard, with the deepest sorrow and regret, of the cruel and untimely death, at Dayton, Ohio, of Lieutenant **GEORGE L. WATERMAN**, of Company C, of this Regiment.

RESOLVED, That Lieutenant WATERMAN, by his amiable and exemplary conduct, his constant and careful attention to duty, his pure and earnest patriotism had won for himself, the highest place in our affections and esteem.

RESOLVED, That we recognize his assassination and death as the direct result of, and wholly occasioned by, the pernicious influence of those in our midst, who are so clearly and openly arrayed against the cause in which the Soldiers of the Union are engaged.

RESOLVED, That we deeply sympathize with the parents of our departed brother, who are so suddenly called to mourn the loss of an only child, their present pride and future hope, whose life has been sacrificed for no other reason than because he was an officer in the service of his country. Nature compels to weep but Faith rejoices in knowing that he, as well as his bright example, will live.

J. C. LUCY, President.
J. A. MEANS, Secretary.

Calm and considered reflection was not to be the order of the day. Deputy Sheriff James Kelly, in the absence of the sheriff, called on the local militia for assistance in executing the writ. Militiamen, mostly Democrats, had begun to assemble at their armories, and serious bloodshed was feared until Cox sent word that a decision would be made by the next day. After reviewing Eadie's statement, General Cox ordered the provost marshal to surrender Spielman to the civil authorities, which was immediately done, and Spielman placed in the county jail. Huber was simply released. On September 5 the *Journal*

praised Edie's devotion to duty in refusing to relinquish "custody of a prisoner who had shot one of his subordinates, when in the discharge of his professional duty. Under the circumstances, he felt bound to await the orders of his superiors." As expected, Deputy Kelly's call for armed assistance was described as "precipitate" and "exhibited extraordinary zeal...when milder measures would have been certainly wiser, if not more effectual."

Two days later the *Journal* published a lengthy editorial entitled "Copperheadism in Dayton" in

which the city's frequent mob difficulties were plainly blamed upon municipal officials, described as 'all Copperhead, from the Mayor down to the smallest police officer appointed by him.'" Offended by both the failure to prosecute any of the leaders of the May rioting and the *Empire's* pronouncement that Vallandigham's arrest "justified the mob," the *Journal's* editors demanded that the civil courts do their duty and that the Democratic press condemn mobs rather than apologize for them.

On the ninth a lengthy hearing was conducted before the mayor. Eadie, several enlisted men, and a number of civilians testified as to the occurrences of September 2. The soldier-witnesses were generally consistent in their version of the incident, while the civilians claimed to have heard anywhere from two to eight gunshots.

Waterman wrote again to his parents on the tenth, reporting that his wound was doing well, though painful. According to the attending physician, the prognosis was hopeful.

The revenge first threatened in Captain Means's letter was not long in coming. On Thursday, September 17, Eadie was present in the Montgomery House, where Waterman was being treated, when one Frederick Brown entered the building and gave a hurrah for Vallandigham. Immediately confronted by Eadie, Brown replied, "Vallandigham is no more a traitor than you are." Eadie seized Brown, pushed him out the door, and knocked him to the pavement. Brown twice fired his pistol at Eadie – missing both times. The officer then drew his own revolver and fired five or six times at Brown, still lying on the sidewalk. The *Empire* characterized this incident as a "most cowardly act on the part of Lt. Eadie." Eadie's marksmanship was apparently not much better than Brown's, despite the closeness of the encounter. Although hit three times, twice in the head, Brown was not seriously wounded.

Waterman's condition, rather than improving as expected, took a decided turn for the worse. Severe bleeding caused the attending physician to re-examine the wound, which was found to be in a state of "partial mortification." Amputation,

considered the only hope for saving Waterman's life, was performed on September 19; but, weakened by the extensive loss of blood, the young lieutenant was unable to rally from the trauma of the surgery. He died shortly thereafter.

Waterman's mother, notified previously of her son's failing condition, was present at his death; his father arrived shortly afterwards. A funeral was held in Dayton on Sunday, after which the grief-stricken parents returned to Peninsula with their son's body. The burial service on September 22 was heavily attended. Resolutions as to Waterman's qualities in life and the tragic circumstances of his death were quickly adopted by the men of Company C and the officers of the 115th O.V.I.

The spirit of partisanship that led to Waterman's death did not abate with his passing. Lieutenant Eadie was court-martialed for the shooting of Brown. The court, made up of other federal officers, quickly found him not guilty and held that he had acted "in no way unbecoming to an officer and gentleman."

In October 1863 the 115th O.V.I. was transferred to the vicinity of Murfreesboro, Tennessee. While guarding the railroads that constituted the lifelines of the Union armies, nearly two hundred men of the regiment, including Eadie and almost all of Company C, were captured in December 1864. Incarcerated until the end of the war, Eadie and the men of Company C probably felt that they had overcome a harsh fate. Ironically, they were among the more than two thousand weakened ex-prisoners packed into an overloaded steamboat, the *Sultana*, which exploded near Memphis on the night of April 27, 1865. More than fifteen hundred died, including Eadie and most of his comrades.

Years later, the organizers of the Peninsula plst of the Grand Army of the Republic paid tribute to the boyish lieutenant by naming themselves the George L. Waterman Post. Their meeting hall stands today as a reminder of a time when Americans killed Americans and Ohioans killed Ohioans. TL



Grave of George Waterman in Peninsula, Ohio.

(This photo was taken from the same article published in the May-June issue of *MI – Military Images* magazine, Vol XVI, #6)