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“In Protection of the President: The Threats Against the President Act”

A thesis submitted in partial fulfillment of the

Requirements for the degree of

MASTER OF ARTS

in

American History

By

Robinlynn Stewart

Submitted to the Department of History and Military Studies

April 12, 2015

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DEDICATION

I dedicate this thesis to my husband David. You have always been my sounding board and my biggest supporter. Without your patience and understanding, I never would have gotten through these past two years. I am forever grateful for your love and support.

To my sons Ethan and Tyler, you are my greatest inspirations and my strongest motivations for success.
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ABSTRACT OF THE THESIS

“In Protection of the President: The Creation of the 1917 Threats Against the President Act”

by

Robinlynn Stewart

American Public University System, Approval Date Here

Charles Town, West Virginia

Professor Anne Venzon, Thesis Professor

The following is a comprehensive study of the creation of the 1917 Threats Against the President Act. This study investigates the necessity of the legislation in the months preceding America’s entrance into the Great War, its introduction and rapid passage through both Houses of Congress, its role in quelling potential dissent in the hyper-patriotic American home front, and the measure’s effects upon a series of wartime infringements of civil liberties. By noting the social and political factors that influenced growing threats against the President in the pre-war period, to include Wilson’s Americanism campaign and anti-war movement, this measure’s creation and varied interpretation in the Federal court system can be more clearly ascertained.
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Introduction:

The freedoms guaranteed in the United States Constitution are the bedrock of this nation’s long cherished ideal of democracy. Yet, during the United States’ involvement in the Great War, President Woodrow Wilson’s Administration sought to solidify the nation under a guise of "Americanism" at the expense of one of its most valued and staunchly protected liberties, freedom of speech. As events in Europe began to encroach upon the isolationist sentiment held throughout much of the United States, divisions appeared within the American population regarding loyalty and support for the Allied and Central Powers, frequently based upon personal ethnic ties. While the United States moved closer to armed intervention in Europe, anti-war protesters, radicals, socialists, and many within the nation’s German-American population emerged as voices of dissent against intervention, advocating a policy of absolute American neutrality.

In an attempt to curtail this dissent, Congress and the Wilson Administration enacted several measures, heightening existing American social conflicts and infringing upon civil liberties. It is the purpose of this paper to examine the causes and implementation of the first Act of this nature, the Threats Against the President Act, and trace its rapid evolution into the 1917 Espionage Act. By examining this Act’s purpose, intent, and implementation, it can be more clearly determined whether it emerged from a true necessity to ensure the safety of the nation’s Chief Executive, or was intended as a means to curb dissent against Presidential policies in the pre-war period. A comprehensive study of the Threats Against the President Act’s origins and implementation has been neglected in contemporary historical narratives. By providing a comprehensive analysis of this Act, historians and scholars can better understand its role
in curbing American’s free speech and stifling dissent directed against President Wilson from 1917-1918.

From March 1915 to March 1917, the Sixty-Fourth Congress introduced several legislative measures which sought to identify and prosecute individuals the Federal Government perceived to be harboring sentiments subversive to national unity, often at the behest of those within President Woodrow Wilson’s Administration. For a public that prided itself on its adherence to and protection of democratic principles, many of these measures, to include a revival of the 1798 Alien Enemies Act, were viewed as an infringement on their deeply cherished Constitutional freedoms. ¹

While most of these acts failed in committee, Congress’ passage of the Threats Against the President Act, under the premise of ensuring the safety of the President, became a tool for the Wilson Administration to suppress criticism against its Chief Executive. Located in the United States Code book as 18 U.S.C. Statute 871, this measure, states:

Any person who knowingly and willfully deposits or causes to be deposited for conveyance in the mail or for delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or inflict bodily harm upon the President of the United States or who knowingly and willfully makes any such threat against the President, shall upon

¹ Letters to President Wilson from Lillian Wald, Arthur Brisbane, and Joseph Tumulty found within Arthur S. Link’s edited text, The Public Papers of Woodrow Wilson Volume 42, indicate popular sentiment regarding the introduction of measures designed to monitor and prosecute segments of potential criticism and disloyalty following America’s entrance into the Great War. These sources remark upon the rising public perceptions that these bills sought to curb essential personal freedoms of speech and the press. Furthermore, these letters reveal sentiment by opposition Congressmen that several acts introduced in regards to the curtailment of civil liberties could be considered as a shield against Presidential criticisms. See Link’s, The Public Papers of Woodrow Wilson Vol. 42, (Princeton, N): Princeton University Press, 1983), 107-119.
conviction be fined not exceeding $1,000 or imprisoned not exceeding five years, or both.\(^2\)

This Act’s seemingly straight-forward language and intent, as well as its implementation throughout 1917-1919, is often overlooked by historians in favor of more comprehensive legislative measures enacted during the opening months of armed conflict such as the 1917 Espionage Act.\(^3\) Despite the historical inattention of this little-known law, its purpose and resulting prosecution of alleged offenders reflects not only an example of the Federal Government’s early efforts to compromise civil liberties in wartime, but also indicates the manner in which the rampant ultra-patriotism and xenophobia of the period influenced wartime ideals of loyalty and dissent. By analyzing the expansion of Presidential protections throughout the nineteenth and early twentieth centuries, an increasingly hyper-patriotic social climate of pre-war America, and its inconsistent implementation within Federal Courts, this measure’s significance as a litmus test in the subjugation of civil rights during wartime can be fully ascertained.

Locating research materials pertaining to the creation of the Threats Against the President Act can prove challenging for modern researchers.\(^4\) In order to provide a

\(^{2}\) James Wells Goodwin, Robert Desty, Peyton Boyle, *The Federal Reporter: Cases Argued and Determined in the Circuit Court of Appeals and the District Courts of the United States Volume 252*, (St. Paul: West Publishing, 1918), 932. The law's original format is noted in US Congress House, Threats Against the President of the United States. 64th Cong., 1st sess., 1916, Report No. 652. This Act can also be located under the title Ch. 64, 39 Stat. 919 in *United States Federal Code*.


\(^{4}\) Official documents, pertaining to the creations of the Threats Against the President Act, are located at the National Archives in Washington D.C. During the pre-war period, issues concerning neutrality, evidence of German espionage, and attempts to pass more restrictive measures, to include an early form of the Espionage Act garnered more attention by both the press and historical analysis. See Scheiber’s *The Wilson Administration and Civil Liberties*. 
complete understanding of the necessity, creation, and implementation of this measure, numerous primary and secondary materials will provide a significant basis for defining the purpose and impact this Act had upon dissent and civil liberties during World War I. While existing literature on this topic is relegated to analysis highlighting the Wilson Administration’s infringements upon civil liberties, there are numerous primary sources, which detail various facets of this topic.

Through the utilization of articles found within the New York Times, Washington Post, Fort Wayne Gazette, and San Francisco Chronicle, the role of public sentiment and its potential to influence political policy is noted. Articles outlining German atrocities in Belgium and threats against Woodrow Wilson by alleged radical and hyphenated elements of American dissenters indicate growing notions of ultra-patriotism and hysteria, characteristic of the period. In addition, by examining articles from regions of the Eastern, Western, and Midwestern United States, we can ascertain varying public sentiment.

The legislative component of this research utilizes The Journal of the House of Representatives of the United States 64,th Congress, 1st Session. This source presents the complete, albeit brief, history of the introduction, discourse, and passage of the Threats Against the President Act. While including no analysis of the necessity of this measure’s introduction for Congressional debate in the pre-war period, these records allow for accurate identification of pertinent dates of the bill’s introduction, assignment to Congress’ House calendar, designated subcommittee, and February 1917 Senate passage. The Journal of the House of Representatives indicates that an earlier failed House
Resolution addressing only mailed threats against the President preceded a final version of the Threats Against the President Act.⁵

Arthur Link’s edited volumes of The Papers of Woodrow Wilson provide insight into elements of growing distrust and anti-hyphenism within the Wilson administration from 1916-1917. While the documents do not detail any explicit threats to Wilson, they do discuss concerns for his safety and increasing measures to expand Secret Service protection. Of particular import were growing concerns regarding the suppression of free speech and censorship of various press outlets during debates on the Espionage Act.⁶

Although limited primary materials exist describing the role of Wilson’s Secret Service detachment during this period, narratives authored by agent Edward Starling and bureau chief, William J. Flynn, provide first-hand accounts outlining evolving increases in security and viability of threats against the President from 1914-1917.⁷ While both works are highly favorable towards Woodrow Wilson, providing a declassified version of threats against the President during this period, they address the changing role of the Secret Service and internal battles between the Departments of Justice and Treasury over the responsibility of protecting the President and investigating national security threats during wartime. Flynn’s The Eagles Eye: The True Story of the Imperial German Governments Spies and Intrigues in America provides a colorful account of Secret

Service activities in the period leading up to April 1917. This text contains an outline of
events pertaining to the growing threats surrounding President Wilson between 1915 and
1917 that correlate to existing secondary and primary literature on the topic. Starling at
the White House is perhaps the most valuable resource in regards to increasing Secret
Service protection of Wilson from 1915-1917, as Starling’s position in the President’s
daily detail afforded him an intimate account of White House events.8

As most prosecuted cases concerned spoken, rather than verbal threats, relevant
court cases help us to understand both the intent and context of threats aimed against
Wilson. The multivolume, edited series by James Wells Goodwin, Robert Desty, and
Peyton Boyle entitled, The Federal Reporter: Cases Argued and Determined in the
Circuit Court of Appeals and the District Courts of the United States, and Department of
Justice’s, Interpretation of War Statutes Bulletins Volumes 5, 101-120, and 189, are
invaluable in ascertaining the basic facts of alleged offenses, relevant indictments, and
varied judicial interpretations of this legislation.9 These multivolume texts allow
researchers to view several of these minor court cases within the context of their
contemporaries and include court-recorded accounts of alleged threats, the accused’s
defense, verdicts, and result of any appeals.

The lack of uniformity in both federal and district courts in prosecutions of
suspected violations of 18 U.S.C. Statute 871, as well as and those challenges regarding

8 Edmund W. Starling, Starling of the White House: The Story of the Man Whose
9 James Wells Goodwin, Robert Desty, Peyton Boyle, The Federal Reporter:
Cases Argued and Determined in the Circuit Court of Appeals and the District Courts of
the United States Volumes 241-242, 251, 253-254 (St. Paul: West Publishing, 1918); US
Department of Justice, Interpretation of War Statutes Bulletin Issues 101-120, 181-204
the Act’s infringement upon the First Amendment are discussed at length within The Federal Reporter. Court rulings and trial testimony throughout The Federal Reporter and Interpretation of War Statutes Bulletin series reflect the often-arbitrary nature of this measure’s enforcement, as well as Statute 871’s role in increasing existing wartime hysteria against an expanding group of American’s opposing participation in the Great War. While over one hundred cases were prosecuted under this law between 1917-1919, this thesis will primarily focus on the trials and judicial interpretations of United States v. Ragansky 253 F. 643, 645 (CA 7111 1918), United States v. Stobo 251 F. 689 (DC Del. 1918), United States v. Stickrath 242 F. 151, 153 (SD Ohio 1917), United States v. Metzdorf 252 F. 933 (DC Mont. 1918,) and United States v. Jasick 252 F. 931 (DC Mich. 1918).

Numerous secondary narratives also provide invaluable analysis pertaining to the legitimacy of the Wilson Administration’s infringements upon civil liberties or necessity of the Threats Against the President Act in pre-World War I America.. One of the most frequently cited examinations regarding the the topic of civil liberties during the Great War is found in Harry N. Scheiber’s, The Wilson Administration and Civil Liberties. Scheiber aptly breaks down aspects of the Federal Government’s efforts to unite the nation against a common German enemy, with the purpose of effectively garnering support to fight on the side of the Allied Powers. By quelling discontent, to include threats and later criticism against the President in his public capacity, Scheiber argues that with the creation of the Threats Against the President Act, the government established a precedent for additional restrictions upon civil liberties measures throughout the war.
The article “Threatening the President: Protected Dissenter or Political Assassin,” in the *Georgetown Law Journal* provides significant analysis pertaining to the creation and evolution of the Threats Against the President Act.\(^{10}\) Although this work devotes more attention to threats against later Chief Executives, its examination of the changing nature of this measure’s implementation provides an excellent basis for understanding its basic precepts and continuing relevance within the American legal system.

Of invaluable use will be the *American University Criminal Law Brief* article entitled, “What Were they Thinking: Competing Culpability Standards for Punishing Threats Against the President,” by Craig Principe.\(^{11}\) This article provides a detailed analysis of debates resulting in the creation of this legal measure. Its extensive reference section, providing a plethora of resource material on a topic that is frequently neglected in related texts, is significant to this thesis. In addition, this article provides a current evaluation of the significance regarding the legal implications of this measure.

To understand the social factors, which played a role in the creation of Statute 871, several texts provide an array of useful analysis pertaining to growing sentiment against factional groups accused of disloyalty and dissent in the pre-war period. Howard Blum’s monograph, *Dark Invasion: 1915, Germany’s Secret War and the Hunt of the First Terrorist Cell in America*, provides insight regarding several credible threats made against the United States in the pre-war period.\(^{12}\) While Blum’s work primarily examines

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\(^{11}\) Craig Matthew Principe, “What Were They Thinking: Competing Culpability Standards in the Punishment of Threats Against the President,” *American University Criminal Law Brief* 7, no. 2 (2012): 39- 54

acts of sabotage and espionage by German and German-American agents against the United States, which occurred in 1915, this text provides the basis for heightened feelings of anti-hyphenism, increased existing xenophobia, and provided the government with a legitimate threat on which to base their anti-German policies in 1916 to 1918. Of particular importance within Blum’s narrative is the account of the 1915 Capitol bombing. By noting the explosive’s proximity to the office of the Vice-President and a series of residual effects stemming this action, an emerging perception of vulnerability for government officials and the President are noted.

John Nichols’, *A Short History of An American Tradition…Socialism*, delivers a thorough analysis of the American Socialist Party’s role throughout World War I. It’s attention on the Party’s positive national contribution and its role in advocating pacifism throughout the early 1900s provide a useful source for ascertaining anti-intervention sentiment during this period. In addition, Nichol’s discussion pertaining to the frequently misconstrued connection between Socialists and more militant or radical groups, to include anarchists and International Workers of the World, address several organizations that were subjected to scrutiny by the Wilson Administration from 1914-1920.

H.C. Peterson and Gilbert Fite’s *Opponents of War, 1917-1919* provides additional analysis pertaining to the legal prosecution of the Threats Against the President Act and has proven highly useful in expanding research parameters for this thesis. Peterson and Fite’s narrative examines several cases, unmentioned in other works, in

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which this Act acted to stem suspected dissent during the Great War. It also provides a brief outline pertaining to the measure’s passage and compares it’s implementation to the lese majesty acts employed by those European nations Wilson spoke so avidly against, citing their purported autocratic infringement of civil liberties. While Fite and Peterson utilize many rarely studied prosecutions of Statute 871, Opponents of War’s most valuable component is its bibliography, documenting several out of print works, or obscure journal articles highlighting this often neglected piece of World War I legislature.

These sources provide an excellent foundation for a fuller examination of the 1917 Threats Against the President Act than currently exists in historical literature. The purpose of this paper is twofold. First, it seeks to establish the necessity of this measure, as it relates to the expanding requirements of Presidential protection and his abilities to govern without fear for his safety, by addressing the growing awareness of Presidential protection following the loss of President’s Lincoln, Garfield, and McKinley and increasing threats by disillusioned sects of American society. In identifying this measure’s importance, an examination of the existing social factors, influencing Edwin Webb’s introduction of the Act in the House on May 3, 1916 is determined. Once a thorough reasoning for the law’s necessity is ascertained, it’s secondary purpose is to identify and discern the manner in which this measure, originally intended to prevent threats that “willingly” and knowingly” threatened the President’s life, became distorted and abused by the Wilson Administration and Federal Courts to curb government criticism and dissent. In further discerning this measure’s dual purposes in pre-war
Chapter I
"The truth is, I suppose I am now public property..."
-Abraham Lincoln (1861)

The Evolution of Presidential Protection

Prior to the First World War, 28 men served as Chief Executive of the United States. Of these, three ultimately lost their lives from an assassin’s bullet. To understand the February 1917 passage of the Threats Against the President Act we will briefly examine those assaults. These events, as well as any resulting measures enacted to protect the President, provide context for motivating factors of the Sixty-Fourth Congress’ introduction of this Act. We will also trace the Federal Government’s growing awareness of the need to initiate Congressionally sanctioned protection for the President.

The topic of Presidential threats and assassination has been the focus of a series of historical, criminal, psychological, and fictional narratives, often resulting in the creation of myths and controversy. In order to provide a balanced assessment of the subject matter, several scholarly articles, and comprehensive historical narratives remove much of the bias imposed upon these tragic events and discuss the early failures of security for the nation’s Chief Executive. Howard Zonana’s article “The First Presidential Assassination Attempt,” examines the lack of Federal legislation in place during the first attack upon a sitting President during Andrew Jackson’s Administration in 1835. This

article not only establishes the baseline to follow the evolution of Executive protection, it also documents the failings of the court system to properly prosecute these offenders.

James W. Clarke’s narrative *American Assassins: The Darker Side of Politics* provides analysis concerning several noted Presidential assassins, their intended targets, and eventual prosecution. Of particular import within this narrative is his examination of the growing responsibility of the Secret Service in protecting the President. Clarke’s *British Journal of Political Science* article entitled, “American Assassins: An Alternative Typology,” devotes itself to removing many early generalizations of these assailants as “lunatics” and describes the deeper motivations and proclivities of these individuals. Of particular import is Clarke’s inclusion of analysis addressing an increase in written threats, directed at sitting President’s, in the early twentieth century.

Joseph McCann’s work, *Terrorism on American Soil: A Concise History of Plots and Perpetrators from the Famous to the Forgotten* builds upon Clarke’s analysis and delves into the motivating factors for political assassination attempts. This work seeks to explain the role of sentiments evoked by assaults against the Executive and their effect on perceptions of national security. This work delivers an informative evaluation of the psychological and legislative factors, which influenced the evolution of security measures for the President in the late nineteenth and early twentieth centuries, and lays the

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19 Ibid., 93

groundwork for better understanding the motivations for the first assault against a sitting President on the steps of the nation’s Capital.

On January 30, 1835, Andrew Jackson stepped out on the Capital portico after the funeral of South Carolina Representative, Warren B. Davis. Still recovering from a recent illness, unemployed house painter Richard Lawrence approached a weakened Jackson. The British expatriate, often claiming to be royalty, carried two fully loaded pistols in his jacket as he neared the President. Lawrence leveled the first pistol at Jackson’s chest and fired. For reasons still unknown to investigators and modern historians, the housepainter’s fully operational weapon failed to discharge. Jackson’s assassin then pulled his second pistol and fired a second time. This pistol also inexplicably misfired, thereby preventing the first assassination of an American President. 21

Jackson responded to the assault by pursuing his attacker, despite his weakened condition, attempting to strike Lawrence with a cane several times before members of the crowd assembled near the entryway captured his attacker. 22 Once Lawrence was subdued, he was promptly arrested and charged with a misdemeanor assault. Due to the lack of comprehensive federal legislation in the 1800s regarding capital crimes, Jackson’s would-be assassin’s actions did not fall under the 1831 Federal guidelines, which included assault and battery with the intent to kill as a punishable offense. Howard Zonana’s examination of the Richard Lawrence trial argued that in the eyes of the courts as Lawrence missed his intended target, the “miss was as good as a mile,” even if the

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President of the United States was his intended target. As Lawrence was charged with misdemeanor assault, the presiding Judge set bail at one thousand five hundred dollars, and the defendant was remanded to a series of evaluations as to his state of mind. During Lawrence’s trial, the ambiguous interpretation of existing laws and lack of Federal regulations protecting the safety of the Chief Executive, combined with testimony arguing the defendant’s mental instability, resulted in a verdict of not guilty by reason of insanity. The court remanded Lawrence to a mental institution, where he resided until his death in 1881.

Although the attempted assassination of Andrew Jackson evoked momentary outrage across the young nation, neither Congress nor the American public expressed any urgent call to enact legislation to protect the President. The lack of precedent for an attack against the nation’s leader further hindered any call for a Federal solution to this matter. As the assailant was declared a lunatic and lacked any political or radical agenda,


24 Zonana cites the Acts of Congress in Relation to the District of Columbia approved on March 2, 1831 and published by William A. Davis in 1831. These measures specifically outlined that the combined offense of battery and assault with intent to kill was punishable by a sentence of punishment and labor of no less than six and no more than fifteen years. As Lawrence’s pistols misfired and no physical assault occurred the Judge William Cranch placed bail at one thousand dollars, however, due to public outcry, the sum was raised to one thousand five hundred dollars, despite Cranch’s fears that this amount qualified as excessive bail, a violation of the Constitution. See Howard Zonana, “The First Presidential Assassination Attempt,” 309-310, 320.

25 Ibid., 314.


government official could argue against the likelihood of a second attack upon the
President. Jackson’s own response to the situation may also have resulted in a hesitancy
to enact Federal protections for the Executive. Newspaper articles detailing an ailing Old
Hickory’s pursuit of Lawrence and his attempts to strike the man with his cane, likely
promoted an idea the nation’s leader could ensure his own protection. Furthermore, in
the early years of the Republic, its national leader was deemed to be a representative of
the people, governed by the same laws and protections as any other common citizen. To
have provided extra security measures established for a man styled, “King Andrew,” by
critics, would have invited harsh criticism of its national government.

Daniel Walker Howe’s, *What Hath God Wrought: The Transformation of
America 1815-1848* presents another potential theory for the failure to institute any
Federal Act’s protecting the Executive office, following Jackson’s attack. While Howe
makes no mention of the assassination attempt, his examination addressing the growing
debates between proponents of states-rights and those supporting an expansion of the
Federal government likely played a role in the lack of legislative action in 1835. Advocates of states-rights frequently balked at any extension of Federal powers during
this period. Jackson’s presidency is characterized by a series of conflicts between
advocates of national and popular sovereignty. Amid rising tensions between the
Executive and Legislative branches, Jackson frequently found himself in conflict with
Congress over issues concerning economic and Constitutional authority. With this

28 “Attempt on General Jackson’s Life,” 1835, Tennessee State Library and
Archives, Library Digital Collection, accessed January 23, 2015,
February 10, 2015).

29 Daniel Walker Howe, *What Hath God Wrought: The Transformation of
dynamic between Jackson and his Congress, critics could argue that any Federally
designated protection could further insulate the President from his constituents and
potentially empower an Executive branch designed by the Framer’s to be weaker than its
counterparts. Furthermore, legislation to this effect held parallels to British monarchical
protections and infringed on deeply cherished elements of American popular sovereignty.
This action would impact debates on this subject in resulting years.  

With no precedent requiring the expenditure of government funds, or legislative
acts, to protect the nation’s leader, Congress likely saw no necessity to expend precious
revenue in the protection of its Chief Executive. The United States government during
this period was experiencing the growing pains of Federal responsibility. With a strong
focus upon states’ rights, rather than expansion of the national powers, its people saw no
need to establish laws for the security of its President.

The inability for the Federal government to establish specific guidelines to ensure
the safety of the President sidelined the issue, as more pressing matters dominated the
national stage. Yet, as the nation began to experience the pains of adolescence, in the
form of a Civil War, its lack of protection for it leader would have tragic consequences.
Before his assassination at the hands of John Wilkes Booth on April 14, 1865, Abraham
Lincoln had been the focus of a series of kidnapping and assassination plots. The first
occurred soon after his 1860 election following the discovery of a plot by Southern
sympathizers in Baltimore to murder the President-elect as he travelled to his

30 Frederick Kaiser, “Origins of the Secret Service Protection of the President:
A Personal Interagency and Institutional Conflict,” *Presidential Studies Quarterly* 18,
inauguration.\textsuperscript{31} Despite a desire to make a public stop in the city, Lincoln allowed himself to be secreted to the Capitol by rail in the middle of the night.\textsuperscript{32}

Continued threat of assassination followed throughout the Secession Winter of 1860-1861. In response to these growing threats against Lincoln, the Commander in Chief of the United States Army, General Winfield Scott directed a contingent of Federal troops in the protection of the President at his inauguration.\textsuperscript{33} While the 150th Pennsylvania Volunteer Regiment’s Company K, known as the “Bucktails” provided some measure of security for Lincoln at his retreat, the Soldiers Home, he frequently dismissed their protection within the Capitol.\textsuperscript{34}

Following his arrival in the Capitol, Lincoln remarked to intimates advocating his use of a private home following the Baltimore plot that he should remain at public lodgings and remain accessible to the public. In arguing, “The truth is, I suppose I am now public property…,” Abraham Lincoln, never forgot his responsibility to the nation, or the necessity of maintaining a connection with the public, even as segments of the country openly disagreed with his policies through four long years of war.\textsuperscript{35} This sentiment, while similar to Constitutional constructs for this role, placed the Executive in a precarious position. As the nation experienced the growing pains of expansion, war, and industrialization, seeds of disaffection rose amongst the American public, most acutely

\begin{thebibliography}{99}
\bibitem{33} Goodwin, \textit{Team of Rivals}, 328-329.
\bibitem{35} Goodwin, \textit{Team of Rivals}, 327-328.
\end{thebibliography}
during the heated and bloody Civil War. At Ford’s Theater, historian Doris Kearns Goodwin’s narrative, *Team of Rivals: The Political Genius of Abraham Lincoln* remarks upon the presence of a single footman at the door to the Presidential box at Ford’s Theater.36 While the President did not have a government-appointed bodyguard, his former law partner and Marshall of the District of Columbia, Ward Lamon served, unofficially, in this capacity from 1861-1865. In addition to Lamon’s protection, contingents of soldiers guarded the White House, although Lincoln quickly discontinued their duty soon after taking office.37 On the night of the President’s assassination, his bodyguard was in Richmond on an official mission.38 His replacement, officer John Frederick Parker, a member of the Washington police force detail created to protect the President had removed himself to a local tavern for a drink once Lincoln was seated at the theater.39

Lincoln’s assassination, the first of its kind in the history of the Republic, altered the public perception of the President, seemingly overnight. In his efforts to preserve the Union, many of Lincoln's actions infringed upon civil liberties, leading critics to claim he “usurped and daily exercised an arbitrary power.”40 Lincoln’s unprecedented use of Presidential powers in wartime, to include the introduction of martial law, suspension of habeas corpus, and expansion of the military, without Congressional approval had given


the President a less than stellar reputation throughout the long Civil War. Had Lincoln not been the victim of assassin’s bullet, many of his wartime decisions held the potential to render his legacy as more controversial than revered. Yet, his death at the hands of a Southern zealot transformed Lincoln into a national martyr, a heroic figure, whose numerous missteps and infringements of American civil liberties in wartime were overlooked in favor of his dedication to the Union cause and the circumstances of his tragic death.

Despite the public outpouring of grief over Lincoln, years passed without any significant Congressional legislation establishing Federal safeguards for the President. These years were characterized by a growing number of threats against the Chief Executive and the assassinations of James Garfield in 1881 and William McKinley just twenty years later. Although these attacks upon two sitting President’s within thirty-seven years of Lincoln’s assassination did not elevate these men to the legendary status of their predecessor, their death’s led to significant changes in the nature of Presidential Protection, and laid the groundwork for the passage of the Threats Against the President Act in 1917.

James Garfield, a general during the Civil War was elected in 1880 and held office for just four months when a delusional member of Garfield’s rival Stalwart Republican faction, Charles Guiteau, approached the President at a Washington D.C. train station. Guiteau discharged two shots from his silver-mounted English revolver into Garfield’s back as he waited for a train to take to him to Massachusetts for a vacation.

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Guiteau, believing God called upon him to kill the President, had anticipated his capture, stating in a letter to the White House on the day of the assassination, “I have no ill-will towards the President. His death was a political necessity… I am going to jail.”

Contemporary investigations of Garfield’s assassination argue that Guiteau’s bullet lodged within the President’s back muscle those injuries sustained during the assault were survivable. However, his life slowly ebbed away, following an infection caused by several unsuccessful attempts by physicians to retrieve the bullet, using improperly sterilized surgical tools and unwashed hands to probe the President’s body. Guiteau, believing divine intervention called him to kill Garfield, was arrested and charged with attempted murder. It was not until Garfield’s death on September 19, 1881 that the mentally ill assassin received a charge of first-degree murder.

In spite of the testimony of numerous doctors, attesting to Guiteau’s mental instability and history of mental illness, public outcry over the death of its President dictated that Guiteau’s act be deemed as premeditated and therefore fall within the guidelines of a First Degree murder charge. As the study of psychiatry was in its infancy, and with the national sentiment marked by grief and disbelief, Guiteau’s courtroom antics of “impudent interruptions…ribald and vulgar epithets” the mentally unstable defendant’s behavior smacked of insolence, rather than mental illness. Guiteau rebuked the efforts of his counsel and presented his own defense, complete with songs and

45 Ibid., 647
rhetorical outbursts regarding an imagined friendship between himself and President Chester A. Arthur. Following his conviction, Guiteau was hanged in 1882.

This failure by the Federal government to protect the President did not result in any significant advances in executive security. The only significant action to come out of this event was the growing unofficial association between the Secret Service and the President. Due to increasing public anxieties and an increase in threats against the safety of the President, members of several administrations began to occasionally request security details during periods of heightened political tension, to include foreign conflicts or following the initiation of unpopular domestic policies. 47

Following the Garfield assassination, a growing desire for security emerged from within the Executive Branch. Worried by an increased number of threats to Grover Cleveland from Western gamblers and anarchists in 1894, a private request from First Lady Frances Cleveland and the President’s personal secretary, Henry T. Thurber, resulted in the first documented use of a temporary Secret Service detail for a President, or his family. 48 However, critics challenged this use of a government agency, arguing it was outside the Secret Service’s designated purpose of investigating financial crimes. 49 Although this part-time protection of the President was acquired without Congressional

48 Threats originating from an association of Western Gamblers under investigation by the Secret Service enabled the entity to obtain permission and compensation for their protection of Cleveland’s family. Secret Service Chief John E. Wilkie, admitted the agency was often forced to resort to “technical perjury” to utilize Federally allocated funds for the protection of the President. This admission, made during the Senate Judicial Hearings on the McKinley assassination and President Theodore Roosevelt later commended Wilkie’s actions. See Kaiser, “Origins of the Secret Service Protection of the President,” 103.
49 Ibid., 106.
authority or funding, this instance demonstrates that fears for the President’s safety were rapidly becoming a serious concern for the national government.\(^{50}\)

Although the Secret Service’s limited use in Presidential protection before the twentieth century prevented any significant physical threats against the life of the President, Congress’s failure to designate and empower the entity as a permanent detail to protect the nation’s Chief Executive resulted in its inability ensure the safety of the President outside the White House. This shortcoming is evidenced in the death of William McKinley, who fell victim to an assassin’s bullet at the Buffalo, Pan-American Exposition on September 6, 1901.\(^{51}\) Despite the presence of a three-man Secret Service detail at the convention center, Polish anarchist Leon Czolgosz was able to enter a receiving line to meet the President at a public reception. Once Czolgosz faced McKinley, he extended his hand to reveal a gun hidden within the folds of a handkerchief.\(^{52}\) The Secret Service detail, which accompanied McKinley to Buffalo without Congressional authorization, later testified at a Senate hearing addressing the assassination that it was hampered in conducting a thorough security screening by the Exposition center’s security team. This placed the security detachment too far from McKinley’s person as a grinning Czolgosz raised his gun and discharged it at point blank range into the President’s portly chest.\(^{53}\)


\(^{52}\) Clarke, *American Assassins*, 58.

The motivating factors for Czogolz’s actions centered on his strong feelings of disillusionment with the government’s seeming neglect of America’s working poor in the early twentieth century. This sentiment was strongly influenced by the Polish-American assassin’s overly idealized view of the anarchist movement. Affected by the government’s failure to address calls for labor reform, Czolgosz rationalized his actions to investigators that “no one man [McKinley] should have “so much service and another man should have none.” In his open discussions outside of the courtroom, he freely admitted his preparation and concealment of the weapon. He further stated to detectives his belief that McKinley’s assassination was a “duty.” Like Guiteau, Czolgosz was convicted and sentenced to death. He faced his execution by electric chair at 7:12am on October 28, 1901 with solemnity, unlike Guiteau's request for a string orchestra and theatrical proclamations.

These attacks upon sitting Presidents in the period leading up to the election of Woodrow Wilson did not result in any significant Congressional legislative intervention to increase protection of its Chief Executive. Joseph McCann’s narrative, Terrorism on American Soil and Frederick Kaiser’s article “Origins of the Secret Service Protection of the President: A Personal Interagency and Institutional Conflict,” address the growing

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56 Ibid., 84-85.

57 San Francisco Chronicle, “McKinley’s Murderer Executed at Auburn Early This Morning,” San Francisco Chronicle, October 29, 1901.
awareness by the Federal government of a need to protect the President, in the late nineteenth century. These texts outline the growing use of Secret Service agents for security and the manner in which these changes affected the Wilson Administration. Of particular import within Kaiser’s research is his claim that the failures in the expansion of Presidential protection did not stem from neglect, but rather from internal debates within Congress on what extensions of Executive safeguards would mean to a nation fiercely protective of its democratic principles.  

Kaiser’s work provides the most extensive, and highly regarded, examination of the origins of Executive protection from 1884 to 1909. As the nation matured through its experiences with the loss of its national leaders, a series of armed conflicts, exponential economic growth, and the closure of its revered frontier, the nation at last seemed ready for Congress to propose comprehensive legislative protections for their national leader. Yet, it was divided on how best to achieve the goal. Congress debated this issue fiercely throughout the late nineteenth and early twentieth centuries, with little initial success. Concerns ranged from the appearance and experience of these defenders, to their overall purpose in ensuring the Chief Executive’s safety. Judiciary Committees in both the House and Senate debated the benefits of a designated military detail for the President, arguing that a soldier’s physical skills were an effective deterrent for direct attack upon the Executive’s person. Arguments advocating the use of military personnel faded, as critics noted that several responsibilities of a potential security unit, to include investigation and surveillance of civilian suspects, were outside the army’s purview at this time. In addition to the high visibility of a soldier in full military regalia, the limited

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abilities of the Army would prevent the full execution of duties necessary for Executive protection.

With the military discounted as a viable agency for this endeavor, attention focused upon the Secret Service. It’s investigative and surveillance techniques, used in the pursuit of counterfeit activities for the Department of the Treasury were unparalleled by any other government agency at this time.\(^{59}\) Furthermore, the agency’s unobtrusive presence and experience in privately guarding Federal locations and government officials when necessary, provided an inconspicuous approach in order to allow the President to conduct his duties and not appear to need the pomp and circumstance of a private detachment of personal guards typically associated with a monarch, an important factor for a nation priding itself on an adherence to democratic principles.\(^{60}\)

Jeffery Bumgarner’s, *Federal Agents: The Growth of Federal Law Enforcement in America* further addresses fears expressed by critics of designated private guards for the Executive office. Opponents argued that the provision of a protective detail at the beck and call of the President could empower him with the ability to create a military state, in excess of his designated powers of authority and remove individual liberties.\(^{61}\) While Wilson would not use Secret Service agents to create a military state in 1917, his Administration’s use of the agency to conduct investigation and surveillance of suspected dissidents, abuse of legislation designed to protect the safety of the President to prosecute critics, and infringement of civil liberties during the Great War. This fear held some


justification, as the Wilson Administration used legislative measures adopted in February 1917 to infringe upon aspects of the First Amendment throughout the Great War, although not with the intention to create a military state, but to curb supposed ideals of dissent or disloyalty.

Debates within Congress pertaining the establishment of legislative Executive protections, acceptable to local and state courts, the expansion of legal guidelines and Federal funding for the Secret Service emerged in the 1907 Sundry Civil Expenses Act.62 However, Presidents Roosevelt, Taft, and Wilson used these bodyguards infrequently in the period leading up to America’s entrance into the Great War. Each noted the necessity of Executive protection, as evidenced in a letter written by Theodore Roosevelt to Henry Cabot Lodge stating his bodyguards were a “very small, but necessary thorn in the flesh.”63

As the Great War erupted in Europe, concerns for President Woodrow Wilson’s safety resulted in the expansion of his personal Secret Service detachment. A member of Wilson’s personal detail, Edward Starling, notes the increased security measures for the President in his narrative, Starling at the White House. This resource provides a first-hand account of the gradual expansion of Presidential security throughout Wilson’s time in office. Starling’s narrative traces the evolution of White House protection from a small detachment of bodyguards in Wilson’s first term, to the extensive coordination of Secret Service, military, and White House police to ensure his safety following the 1916

63 Edmund W. Starling, Starling of the White House, 31; United States Congress, Report of the President’s Commission on the Assassination of President John F. Kennedy, 511.
election and Congress’s April 4, 1917 declaration of war on Germany.\textsuperscript{64} By 1915, no facet of Wilson’s personal life remained unguarded. John Milton Cooper’s extensive biography of Wilson addresses this issue, noting an increased presence by the Secret Service for the President during his courtship of the widowed Edith Bolling. The future Mrs. Wilson would recollect in later years the constant presence of the Presidential taskforce “lurking behind every tree” during a family retreat in New Hampshire.\textsuperscript{65}

Although examinations by McCann and Clarke focus on the assassination and significant threats posed against the lives of various American Presidents, to include Lincoln, Jackson, McKinley, Garfield, and Theodore Roosevelt, no text has specifically addressed any direct attempt upon the life of Woodrow Wilson. While this may lead scholars to discount the potential threat to Wilson as non-existent, documents by his contemporaries outline valid fears pertaining to attempts to harm the life of the President. Documents, which provide some indication of the sentiments originating from Woodrow Wilson’s inner circle concerning his personal safety are located in the Yale Library’s collection of Colonel Edward House’s personal papers. Excerpts within these manuscripts outline the growing necessity of a measure to protect President Wilson in the pre-war period. House’s discussion of the topic addresses a specific instance of a threat against the President and its resolution in February 1917. House’s diaries corroborate accounts found in the papers of Wilson’s personal physician, Dr. Cary T. Grayson, located at the Wilson Presidential Library, which claim over a thousand threats to the President’s safety were received by the physician and delivered to the Department of

\textsuperscript{64} Starling, \textit{Starling at the White House}, 31, 81-84.

Justice for preservation following Wilson’s death. Grayson’s acquisition of the crank letters purportedly addressed to Wilson is unclear. However, as the chronically ill President’s personal physician was a constant presence in the White House throughout Wilson’s two terms in office, it is likely that Grayson was entrusted with these papers by the fiercely private Chief Executive, or his wife Edith, following her husband’s death in 1924.

In addition to documents found within the House and Grayson papers, correspondence between Wilson’s Attorney General, Thomas Gregory, and the author of the Threats Against the President Act, South Carolina Representative Edwin Y. Webb, further addresses the necessity of passing this legislation rapidly and its constitutionality. The missives describe an increase in virulent letters intended for Wilson and suggest some alterations in the phrasing of the law. As most original documents that were deemed threatening are no longer available or accessible to the public, several newspaper articles, to include “Pro-German Crank Held in Washington,” and “Arrest Wilson Annoyers: Two Denver Youths Wrote Threatening Letters to the President,” published by The New York Times further provide a glimpse into the nature of written threats against the President.

Evidence of threats against the President of the United States was not a new occurrence in American history. The earliest recorded instance of a written threat against a President can be noted during John Quincy Adams’ administration in the late 1820s.66 Yet, as Woodrow Wilson entered office on March 4, 1913, disillusioned or delusional individuals increasingly targeted the safety of the nation’s Chief Executive. The

attempted assassination of former President Theodore Roosevelt during the 1912 Presidential campaign raised further Congressional concerns regarding the safety of its national leaders. Roosevelt was on the campaign trial in Milwaukee on October 14, 1912 when a mentally disturbed saloonkeeper, John Schrank, shot him in the chest with a colt revolver.67 The Bull Moose candidate survived his attempted assassination, due to the presence of his fifty-page campaign speech and metal spectacle case located in his breast pocket at the time of the attack.

The slow progress of Presidential protections was reflective of the nation’s growth as a democracy. Early executives held firm to the Framer’s ideals of a public President, accessible and liable to the electorate. Yet, as time progressed and the nation experienced an unprecedented economic and population growth, a series of internal and external conflicts placed the President and any policies instituted by his Administration at the forefront of national discourse and dissension. As the United States edged closer to armed intervention in the Great War, a dramatic increase in threats against the life of the President dictated a need for swift Congressional action. The Wilson Administration would use this opportunity to cite potential dangers from elements of American society highly critical of the President Wilson’s often-contradictory concept of neutrality in the pre-war period. Groups to include so-called “hyphenated Americans,” members of the American Socialist Party, and pacifists became not only the Wilson Administration’s pretext for legislative protection, but also its most obvious targets.

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Chapter II
“Loyalty to this Flag is the First Test of Tolerance”
-Woodrow Wilson (1916)

Anti-Hyphenism and the Growing Threat Against President Wilson

As chapter one examined the growing need for Executive protection following the assassinations of Presidents Lincoln, Garfield, and McKinley within a thirty-six year period, it is now necessary to note the motivating social factors which preceded the Threats Against the President Act’s introduction. Congressional deadlock over the extent of Presidential protection in the years following William McKinley’s 1901 assassination broke in June of 1916. Legislative action to protect the safety of the President arose from the growing ultra-patriotic, nativist sentiment, which affected pre-war American society during its tenure as neutral nation. This ultra-patriotism intensified through the implementation of the Wilson Administration’s anti-hyphenated “Americanism” campaign. Through the harassment of a vocal and active German, Austrian, and Irish-American populace during this period, Woodrow Wilson experienced a marked increase of threats against his life between 1915-1917.

As threats upon Wilson’s life increased in the pre-war period, pockets of debate remained within Congress, questioning the necessity of the Federal government to encroach upon the authority of local and state courts in the prosecution of Presidential threats. Yet, these arguments were soon deferred, as events overseas increasingly infringed upon stalwart ideals of American neutrality. Pockets of existing xenophobic sentiment, under the guise of patriotism, targeted the considerable population of loyal German-American’s residing in the United States. Reports of German subterfuge, press accounts of threats against Wilson’s life, and his efforts to question the loyalties of the
so-called hyphenated citizen in peacetime, fueled nativist efforts to increase legislative Presidential protection during this period.

This chapter will examine the manner in which American society’s mounting nationalist sentiment between 1914-1917 enabled the passage of the Threats Against the President Act where earlier attempts had faltered. By analyzing materials pertaining to the Americanism movement and President Wilson’s influence in altering national perceptions of disloyalty and dissent in the pre-war period, the impact of anti-hyphenism upon the creation of this measure is recognized. In addition, by briefly examining the role of German-directed subversion, espionage, and sabotage on American soil during this period, the necessity of 18 U.S.C. Statute 871 in peacetime can be determined.

Numerous primary resource materials have extensively covered the hyphenated experience on the American home front between 1914-1918. Several works providing invaluable information on the anti-hyphenism movement include the transcripts from the 1917 United States Senate Subcommittee on the Judiciary’s inquiry of the German-American Alliance, President Wilson’s December 1915 Third Annual Address, George Creel’s *How We Advertised America*, and *The Public Papers of Woodrow Wilson* edited by Arthur S. Link. 68 These sources provide insight into budding sentiments of distrust and anti-hyphenism existing within the Wilson Administration from 1916-1917. Of particular import in these materials is evidence of Wilson’s changing sentiments

regarding assimilation and loyalty of the growing immigrant population found within his public papers and annual message to Congress. We see public perceptions of growing anti-hyphenism in the testimony of several witnesses during a series of Senate Hearings held between 1917-1918, which sought to revoke the charter of the German-American Alliance. This organization, which emerged as a vocal opponent to Wilson’s anti-hyphenate campaign during peacetime was accused of disloyalty as the nation moved towards an Allied alliance in 1916 and by the outbreak of war, the organization was accused of inciting German immigrants not to assimilate into America’s “melting pot” and of expressing a desire to expand Prussian influence through an idea termed, “Pan-Germanism.” This testimony provides examples of the speculative discrimination toward the German-American population during this period, as documents address the allegedly disloyal sentiments and actions of the organization in the pre-war years, to include an examination of various elements of anti-hyphenated hysteria, which dominated the American home front in the pre-war period.

Following weeks of political tension and threats of military mobilization in response to the June 28, 1914 assassination of Austro-Hungarian Archduke Franz Ferdinand, Germany’s August 1914 declaration of war upon the Russian Empire thrust Europe into a global conflict that altered the nature of modern warfare forever. From the onset of hostilities, Woodrow Wilson ardently declared United States neutrality in a war deemed by its public to be based more upon militarization and imperialism than on each

belligerent’s claim of protecting civilization. Although American neutrality removed the immediate threat of armed intervention in the early years of conflict, the brutal stalemate in Europe did not allow the United States to remain sidelined for long. Despite Wilson’s continued attempts to broker peace among the belligerents and a prevalent isolationism amongst the American public, by 1916 the effects of U-boat warfare, British propaganda, and a series of attacks on the United States home front by German agents transformed national sentiment. A nation comprised of isolationists and pacifist slowed allowed hysteria concerning internal threats against its security from within its borders. These fears were bolstered by a sense of hyper-patriotism, directed against any citizen who expressed some affiliation, or sympathy, with his former homeland.

These individuals, commonly termed “hyphenated Americans,” initially included segments of the population that supported the causes of both Allied and Central belligerents. Yet, as the war progressed and public opinion gradually shifted to a more anglophile sentiment, scrutiny over the allegiance of hyphenates increasingly targeted citizens originating from the German and Austro-Hungarian Empires. As the war persisted, hyphenates faced constant suspicion regarding their fidelity to the United States from both the Federal government and local communities. These constant suspicions and rumors of dissent and disloyalty fostered increased feelings of anxiety concerning hyphenates throughout the pre-war period.

The supposed threat posed by hyphenism originated from long-held nativist sentiments existing in American society, which grew stronger during the nineteenth and twentieth century. The reforms initiated during the Progressive Era ushered in ideals of

national exceptionalism through the implementation of unique American principles and values. Growing immigrant populations in urban areas inspired a wave of xenophobia, which sought to protect these ideals from their dilution by foreign cultures. In the period between 1900 and 1915, the exponential growth in the immigrant population, equaled the number of those that had entered the nation in the previous four decades alone. Census records indicate that the populace grew from under sixty three million residents in 1890 to over ninety-two million by 1910. Of these inhabitants, over thirty million were born abroad, or have at least one parent originating from a foreign country and nearly one-third hailed from nations, which after August 1914, were considered to be the Central Powers of Germany and Austro-Hungary. It is estimated over eight million citizens were considered to be of German-American descent in 1910, with the number of Austro-Hungarian Americans totaling just over two million in the pre-war period.

With such a significant population of German and Austrian-American citizens in the United States in the 1910s, immigrants originating from these countries in the pre-war era typically fared better than many of their contemporaries upon their arrival in the melting pot of the United States. Despite growing xenophobic sentiment aimed at immigrants originating from Eastern and Southern Europe who spoke decidedly different languages, new arrivals from Northern European nations, generally assimilated more

easily in the years preceding the Great War, due to existing cultural roots in American society. Large numbers of German Pilgrims are recorded to have arrived in the colonies with William Penn in 1683 to establish Pennsylvania. Through this enduring connection, German-American cultural influences were closely interwoven with American values and across the nation through the incorporation of German food, recreation activities, and scholarship. Local governments paid homage to German culture by naming cities, towns, and streets for Prussian locations like Berlin and Frankfort. The introduction of educational programs like Kindergarten, inclusion of German language and texts in standardized curriculums, and influence of German professors at American universities, helped to mold the Progressive Era’s intelligentsia, to include Charles Beard, Frederick Jackson Turner, Theodore Roosevelt, and Woodrow Wilson.

75 An article by Daniel Griswold notes that segments of the American population, to include individuals like Benjamin Franklin worried that German immigrants and their failure to fully assimilate would taint the primarily Anglophile American culture with German influences. This article indicates that while the issue of anti-German sentiment was not relegated to period directly preceding the Great War, it was largely overlooked in lieu of more pressing anti-Irish and anti-Catholic sentiment. Daniel Griswold, "Immigrants have Enriched American Culture and Enhanced Our Influence in the World," Insight Magazine, February 18, 2002. Cato Institute Digital Archives.


78 Cooper, Woodrow Wilson, 399. While at Johns Hopkins, Woodrow Wilson completed German language classes to fulfill his doctorate requirements in history. See Henry W. Bragdon’s Woodrow Wilson: The Academic Years (Cambridge: Harvard University Press, 1967), 105-106. Claims that German professors sought to influence American scholars...
Taking into consideration the contributions of this and other minorities on American culture, President Wilson sought to warn his countrymen against the dangers associated with sympathizing identifying with the cause of their belligerent homeland. Wilson called upon his nation to be impartial, despite any long held familiar ties to foreign lands. The President’s August 19, 1914 neutrality address outlined the potential harm these sympathies could incite, warning:

The people of the United States are drawn from many nations, and chiefly from the nations now at war. It is natural and inevitable that there should be the utmost variety of sympathy and desire among them with regard to the issues and circumstances of the conflict.

Some will wish one nation, others another, to succeed in the momentous struggle. It will be easy to excite passion and difficult to allay it. Those responsible for exciting it will assume a heavy responsibility, responsibility for no less a thing than that the people of the United States, whose love of their country and whose loyalty to its government should unite them as Americans all, bound in honour and affection to think first of her and her interests, may be divided in camps of hostile opinion, hot against each other, involved in the war itself in impulse and opinion if not in action…

Secretary of State William Jennings Bryan, an ardent pacifist, heartily supported Wilson’s proposal of full neutrality and worked to ensure this measure was maintained throughout the nation. In the initial days of the European war, Bryan issued a series of public documents, outlining directives to maintain American neutrality in shipping and


79 John Milton Cooper, Woodrow Wilson, 399.
trade. To project the United States’ dedication to neutrality, Wilson declared all belligerent ships in American ports, to include a several dozen German military and merchant vessels, be inactivated from service. Howard Blum claims in the first weeks of war, over eighty ships were tied up on the Hudson River docks as they fled from the superior firepower of the British navy.

To compensate for the loss of these vessels, Wilson proposed to reimburse the German government for any ships remanded into American custody in 1914. This attempt was blocked, following protestations by the British and French governments that such a provision would be illegal and un-neutral. Fearing any potential discourse between Allied markets and the United States, Congress denied Wilson’s request. Congress argued the supposed financial gains the sale of these stranded ships could provide a substantial profit to the German Empire and therefore be un-neutral. Wilson, at the insistence of Secretary of State William Jennings Bryan urged a ban upon any loans to belligerent nations in an attempt to refrain from displaying favoritism, or placing the American economy in jeopardy following a debtor’s inability to pay at the war’s conclusion. Despite Secretary Bryan’s dedication to absolute neutrality, in September 1914, he allowed the French government to receive the first of several “commercial

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81 US Department of State, ”Papers Relating to the Foreign Relations of the United States, 1914, Supplement Document 422,” August 14, 1914, Department of State Digital Archives.
83 Blum, Dark Invasion, 76.
84 Kennedy, Over Here, 304-306; Arthur S. Link, Woodrow Wilson, Revolution, War and Peace, (Wheeling, IL Harlan Davidson, 1979), 29.
credits” for supplies. This was followed by several large purchases by Great Britain of American made wartime supplies, to include arms.  

As its dominance of the seas allowed for British purchases to resupply the Allied Powers, this support increased discourse between the Wilson Administration and German ambassador Count Johann Heinrich von Bernstorff. The sophisticated German Ambassador had grown frustrated by the continued policies set forth by the Wilson Administration that subtly tilted towards the Allied Powers throughout the early stages of the war. Political compromises made throughout the fall and winter of 1914-1915 concerning the arming of merchant vessels, British modifications of the governing duties and rights of neutral nations outline in the Declaration of London, and the United States refusal to ban the sale of arms, further exacerbated these tensions. The Wilson Administration’s policies during this time projected the appearance of nation acting upon less neutrality in thought and more in support for the Allied cause than early protestations of absolute neutrality indicated.

Articles and narratives from Wilson’s Secretary of War, Newton D. Baker, provide several invaluable resources in ascertaining Wilson’s approach to the conflict and note his Anglophile leanings as the nation edged closer to war. In Baker’s article, “Why We Went to War,” the Secretary claimed the President held a strong pro-Allied sentiment in the early stages of the European conflict. Baker claims that the United States culture was allegedly immediately set against “the German theory of life” from the beginning of the conflict. Wilson’s Secretary of War praised the President for what he believed to be

85 Cooper, Woodrow Wilson, 264-266.
an exceedingly fair treatment of the German Empire throughout American neutrality, despite holding a strongly pro-Allied stance. Baker’s argument pertaining to Wilson’s supposed ability to remain objective during this time can be viewed as flawed due to his unbalanced record on policies concerning loans and trade throughout the pre-war period.  

While it is impossible to determine the full extent of Wilson’s early pro-Allied sentiment, Wilson’s decision to allow American commercial interests to finance and supply Great Britain and France almost from the start of the Great War resulted in a series of heated debates in various segments of the country, desirous of maintaining strict pacifist views of neutrality, particularly in regions with significant hyphenated population. David Stevenson’s text *Cataclysm: The First World War as Political Tragedy*, addresses this division of pre-war sentiment along sectional lines. Pro-British and French support was decidedly stronger along the East coast of the United States, as their proximity to the dangers posed by a German invasion or threats to their commercial interests by German U-boat warfare strongly influenced their view. The Midwest held a decidedly higher the German-American population, strongly influencing their support of neutrality. The West further maintained a strong desire to remain neutral, as their distance from the conflict and proximity near the ongoing Mexican-American conflict directed their attention elsewhere during this period.  

As Wilson continued to encourage complete neutrality, the realities of a lengthy and devastating war spread across the globe influenced public perception of the war at home. Fears of German military domination in Europe, the influence of a successful

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87 Baker, “Why We Went to War,” *Foreign Affairs Digital Archives.*  
88 Stevenson, *Cataclysm*, 258.
British propaganda campaign depicting a savage “Hun” accosting innocent civilians in Belgium, and the initiation of German submarine warfare in the Atlantic, worked to discredit protestations by the German Empire that its cause was just. 89 These efforts evoked pro-British sympathies across the nation, as German efforts at swaying American public sentiment appeared more aggressive than noble. 90 During this period of increased Anglophile sentiment, the support displayed by the German American community towards their former homeland began to draw the ire of pro-Allied nationalists. While expressing sentiments similar to those citizens with pro-British and French affiliations, hyphenates with German, Austro-Hungarian and Irish-Catholic attachments quickly came under fire by nationalist and preparedness leaders who questioned their “Americanism.” 91

Nativists advocated the idea of full and complete assimilation of arriving immigrants. Termed Americanism, many segments of the country’s intelligentsia embraced this idea, to include President Woodrow Wilson, Francis Kellor, Jane Addams, and Senator Henry Cabot Lodge. Americanism molded the basis of the pre-war anti-hyphenate movement endorsed by the Wilson Administration. 92 Former President Theodore Roosevelt, an avid proponent of this ideal, addressed the menace of hyphenism

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91 An article in the *New York Times* regarding the suspected loyalties of a German-American opponent of the Administration’s unbalanced neutrality policy is done not for the German Empire, but for his patriotic love of the United States. *New York Times*, “German Decoration offered to Koelble,” October 22, 1916, *New York Times*.
and the potential difficulties in which an American public possessing divided loyalties could pose in the event of war. Roosevelt addressed a Knights of Columbus convention in October 1915 on the ills of hyphenates, arguing, “The only good American is the man who is an American and nothing else.” This premise of absolute loyalty to the United States not only influenced popular attitudes towards maintaining national neutrality in the European conflict through its desire to maintain American principles, it further incited a national culture of hysteria and xenophobia against those that deviated from this cause. Fervent Americanism sentiment between 1915-1917 encouraged the suppression of civil liberties against segments of American society, which utilized their First Amendment right to criticize the Wilson Administration neutrality policies. Furthermore, this ideal’s demonization of freely expressed opposition to President Wilson as treasonous intensified as the nation edged closer to armed intervention in Europe.

Several historians to include Gary Gerstle, John Milton Cooper, Arthur S. Link, and David Kennedy have covered Wilson’s altering views on immigration. Gerstle claims Wilson considered immigrants a necessary component in revitalizing the national ideals of patriotism and unity through the “melting pot” theory of complete assimilation. Yet, Wilson’s early attitudes concerning the growing waves of immigrants originating from Southern and Eastern Europe reveal a nativist sentiment, likely influenced by his more conservative upbringing in the Reconstruction South. Evidence of this sentiment is

93 Theodore Roosevelt, “Americanism” Address to Knights of Columbus, Carnegie Hall, New York, October 12, 1915.
observed in Wilson’s 1902 multivolume history text, *A History of the American People.* 95 Wilson characterizes many Eastern European immigrants as “men out of the ranks where there was neither skill nor energy, nor any initiative to work or quick intelligence.” 96 As the Democratic Presidential candidate in 1912, Woodrow Wilson initially strove to distance himself from his earlier derogatory arguments concerning immigration of specific ethnicities. 97 As the Democratic Party’s base typically relied upon votes of the immigrant and minority populations of American society, the former governor of New Jersey worked to broaden his appeal to his base constituency. He extolled the benefits of the melting pot by claiming the immigrant’s ability to infuse fresh ideals of patriotism throughout the nation as they fully assimilated into American culture.

After Wilson’s victory, he continued to play to his base constituency by advocating the patriotism of immigrants in American society. A speech by the President in May 1914 extolled the loyalty of this frequently abused segment of the population by proclaiming, “Some Americans need hyphens in their names because only part of them has come over. But when the whole man has come over, heart and all, the hyphen drops of its own weight out of his name.” 98 Wilson further stated his belief that “a genuine

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97 Woodrow Wilson was a late-comer to Progressive politics. His earlier speeches and political efforts, to include a 1908 reference to the Sherman- Anti-Trust Act as “ineffectual,” provide further indications as to his more conservative leanings. The timeline concerning Wilson’s evolution from conservative to progressive politician is still a viable topic for debate. See Cooper’s *Woodrow Wilson,* 105-106 for more analysis on this topic.
American” votes in regard to issues “on this side of the water,” and in doing so can remove the hyphen from their name.99 This seeming change in attitude reflects not only Wilson’s political, but also reveals the perceived political power of the hyphenated American at the polls.

President Wilson’s attitudes concerning the necessity of complete assimilation and Americanization escalated as the war expanded in scope and U-boat attacks on British vessels incurred the loss of American lives. In response, Wilson took a more active role in the denigration of Americans with divided loyalties. Wilson launched virulent attacks on the need to remain loyal to the cause of Americanism and refrain from any citizens holding some affectation for their former homelands. The President’s December 1915 annual message indicated his stance regarding the culpability foreign-born citizens, arguing:

That the greatest threats against our national peace and safety have been uttered within our own borders…There are citizens of the United States, I blush to admit, born under other flags but welcomed under our generous naturalization laws to the full freedom and opportunity of America, who have poured the poison of disloyalty into the very arteries of our national life; who have sought to bring the authority and good name of our Government into contempt, to destroy our industries wherever they thought it effective for their vindictive purposes to strike at them, and to debase our politics to the uses of foreign intrigue...Such creatures of passion, disloyalty, and anarchy must be crushed out...They have formed plots to destroy property, they have entered into conspiracies against the neutrality of the Government, they have sought to pry into every confidential transaction of the Government in order to serve interests alien to our own...100

Although Wilson’s speech presented a seemingly balanced tone, his contemporaries held little doubt as to what segment of American society the President accused of disloyalty. During American neutrality, the Wilson Administration

100 Woodrow Wilson, ”Third Annual Address,” December 7, 1915, Library of Congress.
consistently held a harder line with the German Empire, and those Americans holding
German, Austrian, and Irish sentiment, than their Allied counterparts. Throughout the
first years of the European conflict, the United States’ disbursement of loans and
commercial connections with Great Britain and France triggered resentment from the
German government, which sensed the neutral country behaved more like a silent partner,
rather than an impartial bystander to European events. Germany’s inability to break the
British blockade that prevented goods and military supplies manufactured by neutral
nations like Sweden to reach German shores not only deprived the Central Powers of
much needed supplies, but played a significant role in weakening morale at home and
along the front.  

In response to America’s seemingly preferential treatment afforded to Great
Britain and France through the provision of loans and sale of munitions, German agents
throughout 1915 set explosives on ships set for Allied ports and engaged in acts of
espionage against the United States. These actions pushed the United States towards an
alliance with Great Britain and bolstered anti-German sentiment throughout the nation.
Howard Blum’s monograph, Dark Invasion: 1915, Germany’s Secret War and the Hunt
of the First Terrorist Cell in America, provides insight as to the credible threats made
against the American home-front in the pre-war period. While Blum’s work examines
acts of sabotage and espionage by German and German-American agents in 1915, this
text provides insight regarding America’s emergent feelings of anti-hyphenism, increased
existing xenophobia, and the Wilson Administration’s justification of its anti-German
policies from 1916-1918.

\[101\] B.J.C. McKercher, “Economic Warfare,” in The Oxford Illustrated History of
the First World War, 129-131.
In the months preceding America’s entrance into the Great War, German spies and saboteurs under the direct supervision of Captains Karl Boy-Ed and Franz von Papen carried out a several direct attacks upon vital shipping, manufacturing, and political locations along the United States Eastern Coast. Activities conducted by these agents are further documented in Secret Service Chief William J. Flynn’s 1919 narrative, *The Eagle’s Eye: A True Story of the Imperial German Government's Spies and Intrigues in America*. This text provides a colorful, but thorough, account of several alleged plots executed by German and Irish agents against American ports occurring between 1915-1916. Flynn’s narrative notes the use of explosives to destroy shipments of foodstuff bound for Great Britain and accuses German agents of attempting to trick patriotic laborers to strike in munitions factories. Willing volunteers, comprised of German sailors stranded in the United States following the 1914 confiscation of German vessels, instigated or funded strikes by longshoremen to delay the transport of goods and foodstuffs vital to the war effort.

Despite the efforts of these German agitators, the British-born leader of the American Federation of Labor Samuel Gompers, rapidly quelled many of these strikes. Over time, Gompers’ efforts to diffuse potential strike became more of an irritant to

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104 Throughout the pre-war period the AFL was an avid proponent of the Wilson Administration. The 1913 creation of a Secretary of Labor position in the cabinet had significantly furthered the aims of unions like the AFL. Gompers’ was be repaid for his loyalty during the Great War as radical labor organizations as wartime controls on business benefitted organized labor and radicalized labor organizations like the IWW were subjected to charges of disloyalty and dissent in the anti-war agenda. See Kennedy’s *Over Here*, 258-259.
manufacturing interests, rather than a true threat. Although strikes incited by German agents frequently failed, accounts of sabotage efforts using several thin, acid filled, “lead cigar” bombs to destroy vital cargo bound for European ports proved successful. The detonation of explosives within cargo ships and armaments factories, to include the July 30, 1916 explosion at the Black Tom munitions plant outside of New York City, significantly inflamed attitudes toward German-American loyalty during this period, as accusing hyphenates incurred less diplomatic challenges to national neutrality than to accuse the German Empire of covert activities.

Threats to American labor, shipping, and manufacturing were not the only cause for concern during this period. An explosion at the Capitol building on July 2, 1915 brought the threat of German sabotage close to the seats of power, and nearly resulted in the death of J.P. Morgan. The bomber, a German-born Cornell professor named Eric Münter, was angered by the seemingly preferential treatment displayed for the Allies by the American government and sought to send a message to the President and the pro-Allied East coast press corps that the war would be over if they would stop interfering.

Münter, using the alias Frank Holt, approached the New York German spy network with a bold plan to blow up the Capital and murder the man bankrolling the British war effort. Holt was cautiously welcomed into the organization, as his zealous devotion to his goal held a minute potential for success, but the dramatic nature of his plan would put the entire spy network in jeopardy if he were apprehended. Holt, traveled to the Capitol building on July 2, 1916 and placed a briefcase, containing three

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105 Blum, *Dark Invasion*, 219.
106 Ibid., 176-177.
107 Ibid., 411-412.
108 Ibid., 280.
sticks of dynamite and a homemade timer, under a canvas-draped switchboard near the Vice President’s office. The German terrorist then left the building and mailed letters addressed to several press outlets and President Wilson as he awaited the impending explosion.\textsuperscript{109} Although the homemade detonator failed to set off the explosion on time, its detonation at 11:23 pm destroyed the East Reception Room of the Senate and its reverberations were felt across the city.\textsuperscript{110}

Holt, pleased with his success, traveled to New York City. Assured his manifesto questioning American motives for sending munitions to the Allies and arguing that British interests alone benefitted from these policies would be received, Holt gained entry into the home of millionaire J.P. Morgan. Holt, using an assumed name pursued Morgan throughout his home and fired three shots at the man he deemed responsible for lengthening the war by bankrolling the British cause. Morgan survived the attack and Holt was apprehended during the melee by the financier’s butler and gardener.\textsuperscript{111}

Although the Capital explosion occurred while Wilson was vacationing near Windsor, Vermont, the proximity of the blast and Holt’s decision to mail the President a crank letter, resulted in the introduction of significant changes to Presidential Protection. Secret Service details immediately increased. Wilson was now required to have three guards to remain with him at all times, except when traveling by automobile, when a single guard remained in the vehicle. This increased protection was likely a

disappointment to Wilson, who cherished what little time away from his security detail he could gain in his automobile during his courtship of Edith Bolling Galt. 112

The Capitol bombing not only heightened Wilson’s security detail, it also touched off an increase in anti-German sentiment in both the press and national public opinion. Files, created by the Department of Justice’s Federal Bureau of Investigation, expanded dramatically during this period as any comment deemed critical of President Wilson was reported to local authorities and sent on to Federal authorities. Today, several thousand documents in the FBI’s “Old German Files” convey the rumors and innuendo of friends and neighbors of German-Americans across the nation outlining potential dissent against the President. Articles by the Washington Post, New York Times, and Fort Wayne Gazette highlight the increase in anti-German attitudes as these papers began to feature purported accounts of hyphenates, sympathetic to the Kaiser, who desired to harm the President. Editorials questioning the honesty of the German Empire and attacks against hyphenates by religious leaders who claimed divided loyalties resulted in “sin and unbalanced character” further worked to alienate and discredit the patriotism of the hyphenated American. 113 Newspapers also prominently highlighted the German, Irish, and Austro-Hungarian descent of Presidential annoyers, commonly called “Cranks.”

One of the first reports of a Presidential annoyer occurred two weeks after the Capitol bombing. Secret Service agents and Washington state detectives arrested Frank X. Weinschenk, a fifty-three year old German-American, in July 1915. Weinschenk had sent several letters to President Wilson stating a desire to “pull off something that would

startle the world.” He was also accused of allegedly dispersing pro-German, anti-British literature to the public. While Weinschenk, was also suspected of supporting Holt’s action’s against the government, it was quickly determined that he was not involved in the plot to blow up the Capital. His information was added to the German Files and Weinschenk was deemed mentally unstable.

Crank letters criticizing Woodrow Wilson’s policies increased, as American neutrality policies grew more lenient towards Allied interests. Criticism regarding pre-war Wilson Administration policy grew so intense that British Foreign Minister Sir Cecil Spring-Rice informed his colleagues in London the President was frequently subjected to a series of personal attacks upon his character by a hostile hyphenate population.

Continued threats to Wilson’s safety stretched thin the small contingent of Secret Service agents attached to the President in 1915, as these agents were required to investigate potential of President attackers. The Secret Service’s increased duties during this period resulted in a request to Secret Service Chief Flynn by Wilson’s trusted advisor, Colonel Edward House, for more agents to ensure the Chief Executive’s safety.

In response to the escalation in dissention against his person and threatening letters sent by those Americans he declared to be disloyal, Wilson fanned the flames of anti-hyphenated hysteria through speeches, public statements, and newspapers that encouraged the practice of look inward to prepare against “the machinations of such

hyphenated citizens… [who] place the interests of a foreign country above the interests of the United States.”

Information released to the public by Attorney General Thomas Gregory outlining acts of sabotage by German agents further complicated Secret Service investigations into legitimate threats leveled against Woodrow Wilson, as increased hysteria regarding the loyalty of German and Austrian Americans resulted in an emergence of suspicion and distrust within communities throughout the country, a culture in which any remark or actions that indicated dissent against Wilson or his administration’s policies could be labeled unpatriotic.

While primarily centered on the German-American population, this growing sense of distrust slowly expanded towards other ethnic and religious groups as the war continued. Suspicions of dissent and disloyalty were quickly attached to ethnic groups affiliated with German-Americans, to include Catholics, Irish-Americans, and Austro-Hungarians. These elements were frequently underrepresented in politics and their own internal divisions made attempts to organize their nationalities in defense against anti-hyphenated outcry unsuccessful in the pre-war period. The small, yet often maligned Catholic population, which had long been considered to hold a suspected allegiance to the Vatican were targeted due to its affiliation to the Austro-Hungarian Empire, anti-British Irish factions, and segments within Germany. A 1915 British propaganda narrative, *The German American Plot* by Frederic William Wile, sought to connect Catholics with anti-French sentiments. Wile advanced his argument by claiming Catholics continued to

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express bitterness towards France over the country’s expulsion of Orders during the French Revolution. 119

Attacks questioning the loyalty of Catholics became fodder for national news outlets throughout the pre-war years. During Congressional attempts to pass the Threats Against the President Act in 1916, an Iowa physician named P.F. Price penned a letter to the sponsor of the bill, North Carolina Representative Edwin Webb, which indicated the evolving attitudes of ultra-patriotism fueled by hate and distrust of those groups with allegedly divided loyalties. 120 After commending the Democrat for introducing the legislation, Price proposed the bill should extend its protection to all “true Americans” and argued that the greatest threat against the President was the Jesuit community due to their loyalty to the Vatican and the Pope. Price felt confident enough in his diatribe against the Jesuit community to accuse Wilson’s long-time personal secretary, Joseph Tumulty, an Irish Catholic, of influencing the President to conduct the Vatican’s bidding. Price concluded his missive by warning Representative Webb that Jesuits would stop at nothing to kill the President. 121

Despite insinuations by anti-Catholic Americans like Price, Tumulty understood the role public support played in influencing America’s wartime policies. Wilson’s personal secretary, fiercely loyal to the President, advocated that the administration take a harder line against disloyalty and dissent in the pre-war period. 122 In doing so, the

President charged ahead with a series of speeches and press releases, insinuating that hyphenates were less loyal than their native born counterparts. Viewed by the public as a symbol of national public opinion, Wilson emerged as the “standard bearer” of the anti-hyphenated movement and perpetuated a sense of distrust and fear towards a segment of the nation that displayed no significant disloyal tendencies.\(^{123}\)

Despite the presence of loyal hyphenated Americans that expressed support for the President and would profess their loyalty, even during the darkest moments of anti-hyphenate hysteria, the Wilson Administration continued attacks questioning the motives of the German-American population in America.\(^{124}\) In defense of these verbal attacks and suppositions against millions of loyal hyphenated Americans, the German-American Alliance increased its criticism of Woodrow Wilson and by 1915 embarked upon a campaign to remove the President from office.

The German American Alliance, which sought to support and maintain German Kultur in the United States was estimated to include over three million members at the start of the Great War in Europe. The Alliance leadership, mainly comprised of middle class men, disdained full Americanization and argued that Americans of German descent were abused by “fake patriots” who sought to incite the public against German culture by

\(^{123}\) Fite and Peterson, *Opponents of War*, 223; Craig Principe, “What Were They Thinking: Competing Culpability Standards for Punishing Threats Made Against The President,” 47-49.

fear rather than fact. The Alliance, in response to constant suspicions regarding their loyalty emerged as a vocal and aggressive advocate of absolute neutrality in the pre-war period. The Alliance repeatedly sought to declare their loyalty to the United States, despite their opposition to Wilson’s ideals of unbalanced neutrality. These efforts met with mixed results during the period, as elements within their leadership structure, to include the organization’s President Dr. Charles Hexamer, exemplified the nativists most heated criticisms of German-American hubris. Hexamer’s frequent protestations arguing the superiority of Germanic Kultur over Americanism slowly created a sense of disconnect between the Alliance’s membership and over five million German-American’s who sought to fully assimilate and identify with their adopted homeland’s culture during the pre-war period.

The German-American Alliance’s most evident act of dissent against President Wilson occurred during the campaign for the 1916 Presidential Election. Former President Theodore Roosevelt’s ardent calls for preparedness and adherence to nativism in the pre-war period foiled his attempts to gain the Republican Presidential nomination in 1916. In place of Roosevelt, the Republican’s chose Supreme Court Justice Charles Evans Hughes. Hughes had earned a steady reputation as a Progressive during his stint as

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128 While Roosevelt refused the Progressive Party’s invitation to run as their Presidential candidate in 1916, narratives by Edmund Morris and John Milton Cooper Jr. note Roosevelt’s desire to run as a Republican. See Cooper’s *Woodrow Wilson*, 336-337.
Governor of New York and tenure on the United States Supreme Court. Although Hughes represented the nativist leaning Republican Party and held a platform similar to Wilson in regards to preparedness, his silence on the war appealed to the German-American Alliance. The Alliance argued Hughes “cannot be as bad as Wilson” and declared their support for Hughes in early 1915 through the publication of newspaper ads and editorials that were highly critical of Wilson’s peacetime policies.  

Dr. Hexamer emerged as a prominent figure in the Alliance’s efforts to discredit President Wilson during the 1916 Presidential campaign. While a majority of the Alliances’ leadership sought to temper its leader’s divisive rhetoric and proclaimed their members to be true and loyal Americans, Hexamer unleashed a series of attacks criticizing the Administration’s approval of American businessmen disbursement of funds and materials to the Allied belligerents. The public viewed the role of hyphenates opposition to Wilson in the election campaign as a source of disorder and dissent. Full-length ads appeared in the Chicago Daily Tribune stating that Hughes sought the hyphenate vote and declared loyal Americans should stand beside the President as he faced an attack by alien influences.

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131 San Francisco Chronicle, “Exposition is Captured By German-Americans,” August 6, 1915, San Francisco Chronicle.


Increased anti-German sentiment continued as Hexamer advocated the superiority of German Kultur over American culture in speeches and newspaper publications throughout 1915-1916. Hexamer asserted it was the obligation of the German-American to induce others to improve their lives through the spread of this ideal. Hexamer’s inability to sense the intensity of anti-hyphenated sentiment among the American public resulted in a series of unrelenting attacks intended to inspire voters. This rhetoric instead pushed voters away from Hughes and validated nativist stereotypes of suspected German-American disloyalty. This sentiment of German-American exceptionalism, in an atmosphere of ultra-patriotic Americanism, ultimately resulted in the downfall of the German-American Alliance as anti-hyphenated faction of the Wilson Administration initiated a Senate investigation questioning the organization’s loyalty.

While research on the 1916 election indicates the campaign initiated by the German-American Alliance was insignificant to the overall results of the election, Wilson’s response to the political rebellion by one of his core constituencies was reflective of his strong anti-hyphenate sentiment. Wilson, incensed by this challenge to his reelection campaign, fanned the flames of discourse by directing Secretary of War, Newton D. Baker, to press a “definite and unequivocal repudiation of the hyphen vote” at

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135 This Senate inquiry held a dual purpose, as it not only discredited suspected proponents of pan-Germanism it was also intended to further the Anti-Saloon League’s aims to connect the evils of alcohol with the “Hun” and disloyalty. The Prohibition movement successfully utilized anti-hyphenate sentiment during the Great War to connect their cause with patriotism and pass the Eighteenth Amendment. This concept is thoroughly documented in Maureen Ogle’s text *Ambitious Brew: The Story of American Beer* and Daniel Okrent’s narrative *Last Call: The Rise and Fall of Prohibition*, (New York: Simon and Schuster, 2010).
the Democratic Convention.\textsuperscript{136} Wilson’s direct responses to hyphenated critics throughout the election campaign further demonstrate his views on the loyalty of these citizens. Jeremiah O’Leary, the Irish-American President of the American Truth Society, sent the President a scathing telegram in September 1916, which criticized his seeming pro-British affiliation. Wilson took advantage of this hyphenated criticism of his policies by publishing an open letter intimating that O’Leary and his disloyal associates should not vote for him. Wilson remarked he “would be deeply mortified to have you, or anyone like you vote for me.”\textsuperscript{137} This sentiment was reflective of Wilson’s personality, deemed by modern historians like Dorothy Ross and Robert Saunders as “destructive.” Characterized by overconfidence, stubbornness, a desire for power, high ambitions, and an overreliance on his own judgment, the President’s personality traits likely viewed these attacks as personal and a direct threat to his political success. The threat posed by the 1916 election was so acute that John Milton Cooper records Wilson’s creation of an immediate resignation if he was to lose the election to Hughes.\textsuperscript{138}

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\textsuperscript{138} Robert Saunders, “History, Health and Herons: The Historiography of Woodrow Wilson’s Personality and Decision Making.” Presidential Studies Quarterly 24, no.1 (Winter 1994): 57; Cooper, Woodrow Wilson, 355-356. Cooper does allude to Wilson's belief that the current diplomatic crisis played a significant role in the resignation letter. However, Cooper admits this is an unusual move for the President, indicating that his long history of cerebral vascular disease and stress concerning diplomatic affairs could have exacerbated his existing destructive personality in this manner. See also Edward Weinstein, “Woodrow Wilson's Neurological Illness,” The Journal of American History 57, no. 2 (September 1970): 324-351.
\end{flushright}
Heated rhetoric between hyphenated critics and President Wilson would continue throughout the pre-war period. In response to these attacks upon the largely loyal hyphenated population, many German, Austrian, and Irish Americans expressed opposition to the President’s policies and person through their First Amendment right of free speech. While most of these criticisms were benign in nature, through accusations of hypocrisy or acting upon a desire for personal glory, others indicated a growing frustration by those segments of the population that believed the United States was violating its neutrality and heading towards an unnecessary war with Germany.\(^\text{139}\)

In addition to increased criticism against Woodrow Wilson, plots against his life began to increase in frequency and severity. An assassination attempt on December 2, 1916 demonstrates this growing danger to the President’s safety. Jonathan Kraus, an allegedly homeless German-American, entered the Reading Terminal in Philadelphia on a mild December morning, carrying a kitchen knife. Kraus waited quietly for the arrival of President Wilson, who was expected to change trains en route to New York City for a banquet at the Waldorf Astoria that evening. A disheveled Kraus spotted a man he believed to be Wilson walking through the terminal. The potential assassin shouted, “You are the President… I am going to kill you,” and lunged for his intended victim, as men, women, and children ran through the terminal in a state of fear.\(^\text{140}\)


apprehended, he was reported to have bellowed out a desire to murder Wilson, J.P.
Morgan, and John Rockefeller. 141

The potential Presidential attacker believed these men were responsible for the war and rising prices associated with the European conflict. Wilson was spared this attack upon his life due to Kraus’ misunderstanding of the correct Philadelphia terminal the President intended to pass through on that afternoon. President Wilson successfully transferred trains at the North Philadelphia Station, three miles away from the Reading Terminal. Kraus’ misreading the news article outlining Wilson’s travel plans prevented this intended assassination attempt from becoming a historically important threat upon the Chief Executive’s life. This potential assassin was considered to be mad, and relegated to a sanitarium.142

While it is likely that mental instability was the primary motivator of this attempt on Wilson’s life, it must be noted that most Presidential assassins are typically considered to be mad at some point in criminal prosecutions of their plots.143 Furthermore, with the lack of legislation to protect the President at this period, the removal of a potential assassin to a sanitarium became a viable solution to prevent Kraus from plotting any future attacks, or inspire others to do so.

Woodrow Wilson, intent on avoiding war and desirous of taking a leading role in the mediation of European peace, continued to advocate a homogenous nation of citizens that were undivided in their loyalties. To combat increasing threats by German agents,

143 Clarke, American Assassins, 4-12.
the President chose to wage a campaign to discredit the German-American community, while maintaining silence on the culpability of duplicitous belligerent diplomats and agents operating on American soil. In addition to this attack upon his own loyal citizens, Wilson’s silence on pre-war foreign policies preferential to Allied interests further projected an image of unbalanced neutrality to his hyphenated constituents.144

The anti-hyphenated movement, which occurred between 1914-1918, is a vital factor in understanding how the Threats Against the President Act was passed in the pre-war period. Wilson’s role in agitating and inflaming anti-German sentiment during peacetime through nationalistic rhetoric and his compliance in policies strongly favoring the Allied Powers, created an environment in which every American of foreign descent was subjected to suspicion concerning their loyalties. Wilson’s Americanism campaign bolstered the growing hysteria of the pre-war period directed towards a largely loyal population of German-Americans. Although Wilson did not instigate the heated anti-hyphenated sentiment in the pre-war period, his status as the leader of the nation, public speeches alluding to the disloyalty of such individuals, and failure to silence continued attacks on the German-American population by media and nativist blocs placed the President in a position to strongly influence public sentiment. Wilson chose to maintain his unsteady idea of neutrality by attacking the German-American population within the United States, rather than to draw the ire of Germany, by addressing the growing number of German initiated plots on American soil. In response to the demonization of hyphenates and Wilson’s unbalanced approach to neutrality, he rapidly became a target for criticism and threats against his personal safety. These threats, prompted the Wilson

Administration to actively petition Congress for some legislative response to protect the President.

Dissent against Wilson and his administration was not relegated to hyphenated Americans. As the United States edged closer to armed intervention in Europe, pockets of dissent began to emanate from anti-war factions of American society. Pacifist, radicals, Socialists, and labor organizers increasingly opposed the Wilson Administration’s ideas concerning the growing national preparedness movement. While threats and criticism directed towards Woodrow Wilson by these organizations were a secondary factor in the creation of the Threats Against the President Act, their often-radicalized methods of dissent laid the foundation for new concepts of dissent and disloyalty by the Wilson Administration in the pre-war period.
Chapter III

“There is disloyalty active in the United States and it must be absolutely crushed”
-Woodrow Wilson (1916)

The Effects of Socialism and Radicalism on Presidential Protection

While the hyphenated American presented the primary argument for the Wilson Administration to introduce a measure to ensure Executive security, it is now necessary to examine the effects of the anti-war movement upon calls for Executive protection. In 1914, the American public largely viewed the war as a distant event with no direct bearing upon their lives or interests. However, as German acts of diplomatic duplicity, sabotage, and espionage threatened the safety and security of the American public, calls for military preparedness initiated a wave of ultra patriotism, which targeted any form of dissent as disloyalty. Arguments for preparedness and the pacifist response to preparatory measures for armed conflict sharply divided the nation and called into question the loyalties of its diverse and patriotic citizens in the pre-war period. As armed intervention against the German Empire neared, the vocal and often radicalized anti-war movement in American society were subjected to charges of disloyalty and dissent against President and country.

These pacifist factions, supporting the abstention of military conflict, rose from all walks of American society in the pre-war era and possessed varying goals and purposes, in addition to their anti-war agenda. Despite these differences, rampant hyper-patriotism and hysteria exacerbated by militarization and war resulted in their marginalization as a single entity of agitators, radicals, or cowards. While numerous pacifists groups existed in American culture between 1916-1918, for the purposes of this

paper, the Progressive pacifist, American Socialist, and anarchist factions will be briefly addressed. By noting the varying radicalization of these three anti-war movements, their potential to endanger the President’s safety in the pre-war period, necessitating 18 U.S.C. 871, can be ascertained.

The term dissent was a frequently used, and often misunderstood, characterization of those advocating American pacifism between 1914-1918. An increasing segment of the population, influenced by the fiery rhetoric of xenophobic politicians and preparedness advocates, called into question the loyalties of any citizen expressing criticism of the Wilson Administration’s unbalanced neutrality policies. In response to the President’s Americanism campaign, the Federal government and local communities scrutinized a growing number of loyal Americans for their opposition to intervention in Europe.

The desire for peace, based upon social reform, mediation, and international cooperation, were a foundation of the pacifist movement in the pre-war period. This sentiment experienced a high level of support throughout the nation in the early months of war, as most American perceived the war as an isolated quarrel among imperialist empires of the Old World. However, as the European conflict intensified, and evidence of German acts of espionage, U-boat warfare, and atrocities against civilians emerged, a spirit of national military preparedness emerged. These preparedness calls were exacerbated by fervent nationalist’s like former President Roosevelt, Roosevelt’s Secretary of War Elihu Root, and General Leonard Wood, who warned the United States

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would inevitably be pulled into the conflict to defend civilization. Preparedness advocates urged the nation to initiate a great military buildup of wartime materials and personnel to facilitate rapid mobilization in the event of war. Roosevelt, an advocate of a strenuous life filled with activity, patriotism, and heroism viewed war in an idealistic light. Roosevelt, a veteran of the Spanish-American War argued preparedness would reinvigorate the national spirit of its citizens and if war were declared, American participation would be a righteous and heroic endeavor.

While initial calls regarding national preparedness varied by each region’s proximity to and commercial interest in the European war, following the May 1915 sinking of the Lusitania, a campaign to boost public support for this measure was initiated by those businessmen and financiers with a vested interest in the war overseas. While Wilson was initially hesitant to support any measures that could appear un-neutral, in December 1915 he responded to appeals within his Party by endorsing a policy of “reasonable preparedness” to ensure the nation was equipped for immediate mobilization to protect democratic American values and principles. Wilson introduced his comprehensive preparedness proposal during his Third Annual Address before Congress. In this speech, the President encouraged the modernization of America’s military equipment, to include the construction of ten battleships, six cruisers

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147 Kennedy, *Over Here*, 42.
148 Ibid., 26.
150 Whalan, *American Culture in the 1910s*, 156-158.
151 Howard Blum, *Dark Invasion*, 1-10; Kennedy, *Over Here*, 32-33.
and over eighty submarines. He further advocated an expansion and updated training of active military forces, adding over two thousand officers and thirty thousand enlisted personnel to current troop numbers. 152

Wilson’s policy of reasonable preparedness was a blow to the existing pacifist movement in the United States. While pacifist in the pre-war period maintained armed conflict was appropriate when necessary to defend their country, many argued that to encourage intervention in an isolated conflict through military preparedness, deviated from the principles of abstention promoted by President Wilson in his August 1914 declaration of complete American neutrality. 153 Anti-war protests against reasonable preparedness occurred soon after the President’s address before Congress. Emil L. Gerard walked into the Capital building on December 10, 1915 and, without any recorded violent action or outburst, placed two placards on his person, one declaring that “war is murder.” Although Gerard was expressing his First Amendment right to free speech, through a non-violent act, he was promptly arrested for his refusal to vacate the building. 154

Gerard’s more nonviolent act of protest forms the baseline of antiwar activity in the pre-war period, characterized by the Progressive pacifist. These activists, led by members of the Progressive Era’s intelligentsia, to include Lillian Wald, Charles Beard, Jane Addams, and John Haynes Holmes, were the least violent faction of the antiwar movement during American neutrality. They believed the advancement of society would

occur, not from military conflict, but through the power of social progress.\textsuperscript{155} Social and political reforms, characteristic of the period, created a greater understanding and appreciation of the basic rights of American citizens, especially in the area of civil rights. Using their right to speak freely and protest societal ills, like inadequate housing, child labor, and an eight-hour workday, both middle and working class elements throughout the nation worked for change. It was in the spirit of this optimism that the Progressive pacifist emerged.

While historians David Kennedy, Charles Howlett, and Paul Brewer have expertly documented the American pacifist movement during the Great War, a series of articles and the narrative \textit{For Peace and Justice: Pacifism in America 1914-1941} authored by Charles Chatfield provide some of the most extensive examinations of this movement throughout American history and notes its effects on an ultra-patriotic and fear induced wartime culture.\textsuperscript{156} Chatfield records how the roots of pacifism were previously motivated more by religious factors that chose to abstain from challenging any government authority. As a result of the increased activism of the pre-war era this segment of society became more aggressive in their protests than earlier movements.

While few documented instances between 1915 and early 1916, indicate any significant charges of disloyalty among the Progressive pacifists existed during this period, it is likely due to the continued widespread popular support of neutrality. Even Woodrow Wilson, despite his support of limited preparedness, continued to call for


mediation between the belligerent nations. Wilson hoped that if the United States could guide the nature of peace, it could increase its influence in international affairs and create a peace partial towards American interests.

Although the Progressive pacifist worked through a myriad of anti-war organizations to prevent the nation’s armed intervention in Europe, this faction was an strongly nationalist movement in which ideals of American exceptionalism dictated that once the United States declared war on Germany, it’s cause was just. Prior to April 1917, this faction argued that while all war was not wrong the United States should refrain from armed conflict unless absolutely necessary. These moderate advocates of peace based their views upon pragmatic ideas supporting the use of international cooperation and mediation to end war and preserve the hard-fought social reforms of the period. Those Progressive pacifists who adopted this view were some of the first peace advocates to defect in support of armed conflict once Wilson confirmed America’s break with Germany in February 1917. The loss of influential spokesmen like Rabbi Steven Wise of the New York Free Synagogue and David Starr Jordan of Stanford resulted in the

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157 Articles detailing Secretary of War Newton D. Baker's struggles with President Wilson indicate that despite Wilson's calls for preparedness, the President refused to allow the military to engage in war games or drills that could endanger his ability to arbitrate a peace settlement between belligerents. See James Hewes, Review of Wilson: Confusion and Crisis by Arthur S. Link, Marine Corps Gazette 49, no. 6 (June 1965): 47-48.


diversification of the movement and initiated its alignment with several more aggressive and political movements to include the American Socialist Party.160

The American Socialist Party from 1900-1918 was a highly influential and successful political third party, whose efforts to remove class barriers and improve America’s quality of life through public ownership of businesses, resonated with the growing lower, agrarian, and working class segments of society experiencing a sense of oppression from America’s powerful capitalist system.161 Many basic ideas, supported by the Socialist party, to include the expansion of free speech, labor reform, and improvement of public works were adopted by popular Progressive Era politician’s to include Woodrow Wilson and Theodore Roosevelt.162 Yet, despite the organization’s rising political influence and electoral successes in the early 1900s, internal divisions caused by their inclusion of hyphenated Americans, increasingly aggressive anti-war agenda, and support of Bolshevism in March of 1917, significantly weakened the party’s social agenda and evoked charges of disloyalty from the Wilson Administration as the nation neared armed intervention in Europe.

160 During the pre-war period several pacifist societies actively advocated the maintenance of complete neutrality. Members of these organizations included noted political and Progressive personalities, like Charles A. Lindbergh Sr. and Jane Addams who expressed ardent support for America’s full abstention from the war. Active anti-war societies include the Non Partisan League, War Resisters League, League for Peace, Women’s Peace Party and the American Union Against Militarism. See Howlett, “Anti War Movements are a Part of America’s Past,” 10; Chatfield, “World War I and the Liberal Pacifist,” 1921-1924; Elizabeth McKillen, "Pacifist Brawn and Silk-Stocking Militarism: Labor, Gender, and Antiwar Politics, 1914–1918," Peace & Change 33, no. 3 (July 2008): 389; William C. Harlee, “A Soldier Against Conscription: Furnished by the American Union Against Militarism,” The Advocate of Peace 79, No. 2 (February, 1917): 49-50.


162 Nichols, The “S” Word, 103.
During the opening months of the Great War, Socialists denounced the conflict as a capitalist plot for control of the increasingly globalized world markets.¹⁶³ Charismatic leaders of the Socialist party, to include Congressman Victor Berger and three-time Presidential candidate Eugene Debs, emerged as ardent advocates of complete neutrality, arguing the conflict was essentially “a rich man’s war and poor man’s fight.”¹⁶⁴ Socialists further argued that as a proponent for the rights of the proletariat, “the workers of America have no quarrel with the workers of any other country” and should not be drawn into an imperialist conflict.¹⁶⁵ The Party defended their anti-war sentiment by claiming that American war profiteers, led by President Wilson, sought to bolster their markets with increased wartime production in an attempt to guarantee an Allied victory and avoid their default on the extensive loans and commercial credits issued by American financiers.¹⁶⁶ In a series of literary articles by members like Jack London, participation in preparedness measures, to include enlistment in the military, were to be loathed, as the role of the soldier, was akin to a blindly obedient killer.¹⁶⁷

The anti-war activism of the Socialist Party while, often reflecting the same ideals of Progressive pacifists encountered more resistance due to its close association with the hyphenate population. German-Americans were considered by the American Socialist Party to be a powerful source of membership and support in the early twentieth century.

¹⁶⁵ Chicago Tribune, “Socialist Call Meeting of All Opposed to War,” February 8, 1917, Chicago Tribune.
¹⁶⁶ Whalan, Twentieth Century, 170.
The German-American’s exclusion from other political factions during Wilson’s hyphenism campaign allowed Socialist’s to welcome this disenfranchised group and expand its anti-war message. The Socialist inclusion of the hyphenated citizen proved mutually beneficial as the Party enlarged its base in pursuance of class equality and German-American’s found an ally in its support for absolute neutrality.\(^{168}\) The Party’s increased coordination with hyphenated Americans and Socialists throughout the pre-war period, drew accusations of disloyalty from within nationalist elements of American society. Attempts to discredit the anti-war efforts of the Socialist Party sought to associate the organization’s more conservative protest efforts with their radical counterparts, the International Workers of the World, or “Wobblies” and the increasingly violent anarchist faction.

The International Workers of the World was a reactionary and radicalized offshoot of the Socialist American Party. The organization, commonly referred to as the IWW, was founded during a radical and Socialist trade union delegation’s annual meeting, which took place at Chicago’s Brent Hall on June 27, 1905.\(^{169}\) Dubbed the “Wobblies,” the IWW was designed to be an all-inclusive union, whose cohesion could deal a significant blow to capitalism through massive unified strikes that could weaken industrial leadership and result in the founding of a Socialist United States commonwealth.\(^{170}\)

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Through the Wobblies’ efforts, previously excluded groups of immigrants, minorities, women, and unskilled laborers unionized with the purpose of utilizing non-violent protest and strikes intended to improve working conditions for laborers and ultimately initiate a revolution to establish a national “socialist commonwealth.” While the Wobblies experienced a measure of success, through controlled and organized peaceful protest along the East Coast, its experience in the West yielded starkly different results. Its association with militant leaning segments of Western society, to include the Western Miners Association, anarchists, and smaller radicalized dissident groups, resulted in an increase in extremism and violence. This tilt towards violence held the damaging effect of discouraging successful labor activists, like Thomas Mooney from the Wobbly movement. Although the Wobblies experienced a series of victories in their struggle to defend free speech for the laborers, establishment of unions, and the advancement of workers rights through strikes in raw-material industries like mining and timber, the national press focused more upon their purported radical activities, and ignored the Wobbly efforts towards non-violent reform of the capitalist system.172

Violent engagements between labor organizers and anti-union enforcers, as well as incidents in which prominent labor organizers were falsely arrested and charged with various offenses were often engineered to remove the influence of radical labor leaders and hinder the unionization of the working class of particular importance of war materiel manufacturers in the pre-war period. While the IWW was considered a violent menace by

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Secret Service Chief William Flynn, articles addressing the anti-war motivations of this organization indicate that it did not actively endorse or support any specific pacifist agenda, as it’s primary concern in the pre-war period centered around the its struggle’s over class warfare. Wobbly leader’s understood that many of their member’s expressed pacifist sentiments and left the decision to support a particular anti-war movement up to its members. 173 Despite the IWW’s rational approach to pacifist dissent, stories of isolated radical IWW arsonists setting fire to wheat fields, driving spikes into wood bound for local sawmills, and destruction of industrial machinery, led to the categorization of all pacifist organizations as agitators and dissidents. 174 This idea of guilt by association impacted Secret Service investigations of potential Presidential threats, as the growing fear of violent radicalism, embodied by the anarchist faction, resulted in growing fears for the safety of the Chief Executive in late 1916-1917.

Of the groups addressed in this chapter, the anarchist faction is perhaps the most vilified and closely scrutinized Presidential threat in the pre-war period. During the late nineteenth and early twentieth century, anarchists were responsible for a series of attacks and assassinations of political figures to include American President William McKinley, King Umberto I of Italy, and French President Sadi Carnot. The rapid mobilization of the Russian and German Empires in the summer of 1914, was the direct effect of perceived

anarchist Gavrilo Princip’s in June 1914 assassination of Archduke Franz Ferdinand in Sarajevo.175

While the anarchist message supporting labor reform and the rejection of capitalism paralleled the Socialist party platform, the organization’s denunciation of any form of government and its goal for a self-regulating society was incompatible with the realities of American culture. The anarchists’ frequent use of violence in order to further their agenda also deviated from traditional American Socialist organizations during this period.176 Violent acts initiated by American based anarchists in the early twentieth century drew increasing concern from Federal investigators as bombings in New York City, an failed assassination attempt against John D. Rockefeller, and the mass poisoning of two hundred diners by an anarchist chef indicated that the early twentieth century attempts to eradicate the social disease of anarchism in the United States were failing.177 By all accounts, at the outbreak of the Great War, the anarchist movement appeared to be expanding, rather than waning, in its agenda of self-governance and independent rule.178

175 The international press labeled Princip and his accomplices as anarchists, although contemporary research suggests that their aspirations were nationalist in nature, with some influence in anarchist ideas. Princip was a member of the Young Bosnians, a radicalized nationalist society, which approached The Black Hand, for assistance with their plan to assassinate Archduke Ferdinand. The Black Hand was a Serbian militant nationalist organization that sought to unify its people through acts of violence. See Washington Post, “Heir to Austrian Throne, Archduke Ferdinand and Wife Slain By Assassin,” June 29, 1914, Washington Post; Stevenson, Catalyst: The First World War as Political Tragedy, 10; The First World War “Episode One: To Arms,” directed by Marcus Kigge, (Hamilton Film Partnership, 2003). This documentary states that Princip was an adherent of “the radical anarchist idea, which aims at destroying the present system through terrorism.”


177 Clarke, American Assassins, 60-61.

Threats towards the President by anarchist groups posed a significant risk during this period, as Federal investigators uncovered an anarchist plot to assassinate Czar Nicholas II and the heads of other belligerent nations in April 1916. Following the attempted assassination of the King of Sweden in May of 1916, threats against the President’s safety escalated. With an attempt against the leader of a neutral nation, it became clear that any national figure could be targeted in an anarchist assassination plot, including Wilson, who ardently sought to become the mediator of the peace. Although these initial threats against national leaders remained overseas, in the wake of the 1915 Capital building explosion, a report of a dozen death threats sent to Vice President Thomas Marshall by alleged anarchists proved that a continued threat existed to the President’s safety from radical factions. Although Holt expressed his affiliation with the active German spy ring, based out of New York and was not directly connected to any anarchist group, the bomb placed outside the Vice President’s office door demonstrated a potential threat to the White House from any opposition faction.

Fears for the President’s safety by radical factions culminated in the trial of labor organizer Thomas Mooney in early 1917. Mooney, a Socialist with early affiliations to the IWW, was falsely accused of placing a briefcase of dynamite at the beginning of a preparedness parade in San Francisco on July 22, 1916, killing ten and injuring forty others. From the onset of the tragedy, a wave of hysteria affected a public desperate for

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*The Execution of Nicola Sacco and Bartolomeo Vanzetti,* (Bloomington, IN: iUniverse Press, 2011), 16.


answers. The local press fed upon this sentiment, with publishing magnate and anti-labor proponent William Randolph’s Hearst’s publications leading the assault. Hearst paper’s extensively covered the investigation and frequently posed aggressive accusations without the benefits of facts or reason. His writers attributed the bombing on militant labor reformers, anarchists, and anti-preparedness Socialists. The national press fueled public fears of a radical plot by scrutinizing every meeting and utterance made by anti-war advocates throughout the brief investigation into the attack. A sizeable anti-preparedness meeting on July 20, headed by socialist and anarchist leaders in the San Francisco area was suspected of inciting violence. The event at the city’s area, Dreamland Rink, was attended by four to five thousand peaceful protestors and featured many prominent Socialists and pacifist members of San Francisco society in attendance. Despite the non-violent meeting, decrying the preparedness movement, its message was faulted for supposedly inciting the bombings. Those prominent pacifist citizens present at the meeting were openly criticized and reprimanded for their incendiary rhetoric, with many being subjected to public scrutiny for their possible role in the parade bombing.

In addition to these attacks on the anti-preparedness faction, the presence of anarchist

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183 Articles accusing the anarchists of rejoicing over the San Francisco bombings were reported in papers across the nation. Noted anarchist Emma Goldman, in San Francisco at the time of the attack adamantly denied anarchist involvement in the plot, blaming the event on militarism. See “Emma Goldman Denounces Loss of Human Life,” July 25, 1916, *San Francisco Chronicle.*


Emma Goldman in the city at the time, further fueled rumors of the faction’s involvement.\textsuperscript{186}

While the circumstances of the preparedness parade bombing demonstrate anti-war opposition, it does not readily indicate a threat towards the President. However, this connection is found during the trial of accused bomber Thomas Mooney. As Mooney’s trial commenced, the prosecutor for the case, Assistant District Attorney Edward Cunha depicted the defendant as a violent Socialist, radical, Wobbly, and anarchist leader.\textsuperscript{187}

While Mooney was an admitted Socialist and fleeting member of the IWW, he was never a member of any anarchist organization. Mooney’s friendships with many prominent anarchist activists and writers to include the editor of the anarchist publication, \textit{The Blast}, made this association plausible to the state prosecutor.\textsuperscript{188} Cunha, knowing the testimony of his two star witnesses testimony was perjured, sought to lock in the labor leader’s conviction by falsely accusing Mooney of a plot to kill President Wilson.\textsuperscript{189} The prosecutor argued Mooney was a leader of an anarchist group called the “Blasters”

\begin{footnotes}
\item[187] A 1933 Senate investigation cleared Thomas Mooney and his co-defendant, William Billings of the San Francisco Preparedness bombing, after Dictaphone recordings found that District Attorney Fickert had knowingly allowed perjured testimony to be used against the accused. It was also found that Prosecutor Cunha used public prejudice, concealment of evidence, illegal searches, and coercion to gain a conviction. President Wilson, often hostile to the Socialist and radical labor leaders at one point during the appeals process also asked for the Mooney’s sentence to be commuted due to its influence among labor and Socialist protestors. See Frost, \textit{The Mooney Case}, 297 and US Congress, "Mooney-Billings Case: Conclusion of the Sub-Committee," 1.
\item[188] Frost, \textit{The Mooney Case}, 43-47.
\item[189] The 1933 Senate investigatory report on the Mooney case indicated that the District Attorney’s office knew that the case was filled with inaccuracies. Prosecutor Cunha claimed that even he had known Mooney was innocent he would not have helped him. See National Mooney Billings Committee, \textit{The Story of Mooney and Billings}, (New York: American Civil Liberties Union Press, 1928), 15.
\end{footnotes}
which sought to kill the President to inspire revolution, discredit the American Federation of Labor, and rebel against the preparedness movement. Mooney purported threatened the President by proclaiming, “the old weathercock in the White House had better watch out.”

While the Mooney’s connection with the *Blast* consisted of one written article and his interest in the liberal views expressed in the periodical, Richard Frost’s investigation into the case notes the disparaging comments pertaining to the President originated from Alexander Berkman, the editor of the *Blast*. This criticism of the President, occurred in response to Postmaster General Albert Burleson’s censorship of the magazine over an article addressing birth control. Cunha’s claim that Berkman’s criticism of the Chief Executive indicated an true intent to harm the President is indicative of the relatively innocuous language that later be considered a viable and punishable threat in prosecutions of 18 U.S.C. 871. While the prosecutor’s accusation of a plot to kill the President never produced any evidence, the supposition of an anarchist plot to harm Woodrow Wilson played upon the existing fears of radicalism in the pre-war period. It further associated Mooney with radicalism and stirred memories of President McKinley’s assassination at the hands of proclaimed anarchist Leon Czolgosz in 1901. Cunha’s claim of a Blaster plot against the President, was placed on a list of threats against Woodrow

\[\text{190 Fort Wayne Sentinel, “Charges Anarchist Plot to Kill Wilson,” January 19, 1917, Fort Wayne Sentinel.}\]
\[\text{192 Frost’s narrative indicates that the intent of Berkman’s statement was not a threat against the President’s life. See Frost, The Mooney Case, 188.}\]
Wilson’s life, which increased Presidential protection throughout 1917 and influenced the Mooney jury in its conviction of an innocent man.  

As events in Europe throughout 1916, initiated calls for reasonable preparedness, the pacifist movement throughout the United States became a leading opponent to the President and his policies. With a steady flow of criticism directed at the President’s shifting wartime neutrality policies, the Wilson Administration viewed the anti-war protests of these organizations not only as a threat not only towards the life of the Chief Executive, but to the production of goods and supplies necessary for mobilization.  

Growing reports of agitation and violence from anti-war factions, like the American Socialist Party and anarchists heightened latent paranoia regarding the threat posed by militant extremism, present in society since the 1901 assassination of President William McKinley. With evidence of threats against the Vice President, plots to murder several international leaders, and allusions of an anarchist’s plot to kill the President during the Thomas Mooney trial, a further need was identified to protect the safety of the President, particularly by groups with access to the easily influenced and relatively uneducated lower and working class elements of American society that the President’s chief of propaganda, George Creel worked to influence in 1917. While alleged threats from the hyphenated and anti-war factions of American society in the pre-war era provided Congress with justification to pass the measure in February of 1917, its implementation in Federal Courts throughout the war demonstrated how fear and hysteria, bolstered by

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the often violent activities of these radical segments of opposition distorted an measure to protect the Presidential into a hunt for dissent and disloyalty.
Chapter IV
“Knowingly and Willfully”
-18 U.S.C. 871

A Legislative Solution

The Wilson Administration’s efforts to inspire support for its unbalanced neutrality policies through hysteria and ultra-patriotism were a largely successful endeavor in the pre-war era. In accusing those who opposed the President’s calls for preparedness and Americanization as disloyal, a nation that had once celebrated its heterogeneity as a facet of American exceptionalism, now looked upon their neighbors’ idiosyncrasies with suspicion and hatred. As previous chapters have examined the manner in which these factor’s inspired antagonism against Woodrow Wilson, it is now necessary to understand how these tensions created a legislative measure designed to protect the President. As historical analysis of this Act has frequently been minimized or neglected by modern historical narratives, in lieu of more comprehensive wartime measures, like the Espionage and Sedition Acts, it can prove difficult to conduct significant research on this topic, or its enforcement in Federal courts. Yet, the Threats Against the President Act’s is a vital component in understanding the growth of Executive protection and the expansion of Presidential powers by the Wilson Administration in peacetime. By tracing the history of this act, and its varied implementation in Federal courts throughout the Great War, we can determine its importance in curbing dissent.

Mounting pockets of dissent from hyphenated and anti-war segments of the American public presented a continued threat to Woodrow Wilson’s safety in the spring of 1916. Wilson’s continuation of pro-Allied neutrality, the Americanism campaign, and
calls for reasonable preparedness, resulted in a dramatic increase in personal attacks and written threats against the life of the President’s throughout this period. The July 1915 explosion at the Capital building by German-American dissident Frank Holt, reports of plots to kill world leaders by anarchist dissidents, and an increase of mailed death threats towards Vice President Thomas R. Marshall, and President Wilson increased Secret Service protection to an unprecedented level. However, with no legislative measures implemented to protect Woodrow Wilson prosecutions of Executive threats were nonexistent, as the threats against private citizens were not deemed punishable by law.

Frequent delays by Congress over the tone and enforcement of a legislative measure for Executive protection ended on April 10, 1916. North Carolina House Representative, Edwin Yeats Webb, introduced the first of two stand-alone House Resolutions addressing the safety of the President of the United States from mailed threats. Webb, a nativist Democrat, whose influential support of women’s suffrage, prohibition, and various wartime measures to curb American civil rights was invaluable to the Wilson Administration throughout the Progressive Era, was the sponsor of these bills and records demonstrate that he worked closely with the Department of Justice to ensure the measure’s constitutionality. Representative Webb’s first attempt to establish Executive Protection was titled House Resolution 14425. This measure called for the “prohibition of threats by mail against the President of the United States or any officer who may by the law of succession be entitled to succeed to the office of the President of the United States…”

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195 Starling, Starling at the White House, 81-84.
H.R. 14425 was not the first attempt at establishing a Congressional solution to ensure the safety of the President. A similar measure, presented to the Sixty-Fourth Congress one year earlier had foundered following its insertion into a Post Office Appropriations Bill, which failed to pass in the Senate.  

Attorney General Thomas Gregory, a key figure in the Wilson Administration’s efforts to curb dissent throughout this period, appealed to Webb in March of 1916 to introduce a measure that could help to stem the significant threat against Wilson’s life during this period. Gregory claimed:

Communications of this nature denounced by the proposed bill have of late considerably increased in number and intensity of expression and that there is great need for some legislation that will permit Federal prosecution as an object lesson to all similarly inclined.  

The Attorney General further expressed worry that rising dissent, aimed at Wilson by suspected radical agitators, posed a danger to weak-minded citizens throughout the nation and could incite violence. The Attorney General argued the necessity for a Federal law, rather than a State-sponsored measure. Gregory maintained that Federal oversight allowed hearings of alleged offenders through the Federal courts, rather than forcing the head of the national government “to be supplicant before State prosecuting officials.”  

While Gregory’s letter discussing the increased threats against Wilson in the pre-war period is one of the few official documents indicating the severity of threats against the President, the personal papers of Wilson’s intimates further address these dangers. In addition to threats against the President’s life documented in the FBI’s “Old German

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Files,” Wilson’s physician, Cary T. Grayson estimates that over ten thousand threats were received by the Wilson administration between 1912-1920.\(^{200}\) These records were sent to Department of Justice, sometime after Woodrow Wilson’s 1924 death. Colonel Edward House, noted several discussions with Secret Service Chief Flynn over security measures and also mentions plots against the President’s life during America’s period of neutrality.\(^{201}\)

With this increase in threats against the life of the President noted by his contemporaries, and increased personal criticism leveled at Wilson during the heated 1916 election campaign by hyphenated Americans, H.R. 14425 seemed to be a solution to ensure Executive safety. Yet, despite the support of H.R. 14425 by the Wilson Administration, the measure died shortly after it was sent to the House Judiciary Committee. The reasoning for this is likely its narrow guidelines advocating prosecution of threats by mail only and its inclusion of protection for those intended to succeed the President, a possible allusion to the threats against Vice President Marshall’s life in 1915. The failure of this resolution did not end Webb’s efforts to gain protection for Wilson. The Congressman, learning from the challenges of his first effort at Executive protection, introduced a succinct and simplified second proposal, entitled H.R. 15314, on May 3, 1916.\(^{202}\) Webb advocated the passage of this act to exert due diligence in protecting the nation’s leader. Congressional support was gained by arguments that this bill would

\(^{201}\) Colonel E.M. House Papers, Series II- Diaries Volume 5, Yale University Library, New Haven, CT.
prevent physical harm to the President from the individual issuing the threat and harm incurred as a result of the speakers influence upon a listener. 203

With Attorney General Gregory’s continued assistance in support of the bill’s passage, any possible challenges to the constitutionality of the measure were addressed and discarded through formal Department of Justice review in May 1916. While H.R.15314 again addressed the protection of the President against threats by mail, during its tenure in the Judiciary, Committee Virginia Representative Charles Creighton Carlin, approved the only alteration of the measure in the removal of the term “by mail” from the bills text. 204 With debate ended, the Committee unanimously approved the measure and on May 8, 1916 placed it on the House calendar. 205

The measure’s only recorded speech indicating a possible debate over the responsibility of Congress to protect the President was presented by an unidentified speaker on the House floor, shortly before its June 8, 1916 vote. 206 The speaker argued the “first and highest duty of a Government to protect its governmental agencies in the performance of their public services from threats of violence which would tend to coerce them or restrain them in the performance of their duties.” He then addressed possible opponents to the measure who believed threats to the President should be enforced at the

206 The speech addresses Representative Webb and House Speaker Missouri Representative James Beauchamp Clark, so it can be reasonably determined that the bill’s sponsor did not present this work before the House. No recorded debate or dissent following the speech on the House floor was noted. See US House, “Prohibiting Threats Against the President of the United States,” (1916) National Archives, Washington D.C.; US House, *Journal of the House of Representatives of the United States 64th Congress, 1st Session* 780.
state level. The speaker postulated that if Congress held the power to enforce offense of
government officials it should also protect these government powers as well, with
uniformity in enforcement and prosecution.\textsuperscript{207} This address further notes that debates
concerning the rights of states verses the national government to prosecute threats against
the President were just a relevant in 1916, as they were following the attack on Andrew
Jackson in 1835. Yet, the Wilson Administration possessed one element of persuasion
that was attempts at Presidential protection in Jacksonian era lacked, the hysteria and
patriotic sentiment brought on the Americanism campaign.

The Wilson Administration was able to implement a series of measures at nation
in peacetime would typical prohibit due to national sentiments of hyper patriotism,
exacerbated by unbalanced neutrality, war and the success of British propaganda upon
the public spirit. American support for British and French interests in peacetime had
increasingly strained diplomatic ties with the German Empire. Throughout 1916, events
on the home front and overseas continued to paint the American position firmly against
German interests and radicalized anti-war advocates protesting preparedness increased
national paranoia among the pliable public.

Although the hysteria and fear posed by ultrapatriotic sentiment exacerbated
tensions throughout American society during the summer and fall of 1916, the Senate did
not feel the same urgency noted by the House to pass H.R 15314. The Senate,
inexplicably sat on the bill from its June 1916 introduction onto the Senate floor, until
five days after the February 1, 1917 memorandum in which the German Empire
reinstituted unrestricted U-boat warfare on American ships at sea. During this period, no

\textsuperscript{207} US House, “Prohibiting Threats Against the President of the United
States,” (1916).
debates or committees were held regarding the act and no amendments were proposed to the measure. Possible reasons for this oversight could include the 1916 election, the increase in antiwar violence, and the growing threat posed by the German Empire.

Following the resumption of U-boat warfare on February 1, Colonel House received a cable from a diplomat in Switzerland, outlining an assassination plot against Woodrow Wilson from German agents based in New York City. It is likely that this threat, in addition to a last minute effort by the Sixty-Fourth Congress to pass all pertinent legislature before the conclusion of its session on March 1, resulted in the measure’s introduction on the Senate floor on February 6, 1917. It was quickly referred to the Senate Judiciary Committee where it was approved by unanimous consent, without further amendment that same day. 208 The Senate passed the measure on February 7, 1917 and submitted to the President for his signature. 209

The first law establishing Federal protections for the President of the United States attracted little attention, as increased U-boat attacks and war news dominated the national papers. The only mention of the measure’s passage by the Senate consisted of a brief sentence within The Washington Post on February 7. Articles outlining early arrests of 18 U.S.C. 871 offenders allude to the public’s knowledge of the new legislation, however it is not indicated how or when the laws guidelines were introduced to the nation. 210 Wilson signed the measure into law on February 14, 1917 with little fanfare as

208 House, House Papers, Series II Volume 5, February 6, 1917, 45.
national attention was primarily diverted to the sinking of American vessels from German U-boats, the expulsion of Ambassador Bernstorff, and what appeared to be a looming crisis with Cuba.  

Following the passage of the Threats Against the President Act, several increases in Presidential protection proved this measure’s necessity in peacetime. In the weeks before Wilson’s March 5, 1917, second inauguration ceremony, the President received an inordinate number of threats against his life. This inspired a real fear for Wilson’s safety from friends and family. On February 10, 1917 policemen were assigned inside the White House and the Secret Service exercised extra caution in their duties. Despite the passage of the Threats Against the President Act, extra men were assigned to his detail and strict protections were established to insulate Wilson from harm, even during Sunday church services. The Chief Executive’s excursions were now choreographed in great detail, with preliminary sweeps of the area and every threat thoroughly inspected. To ensure Wilson’s safety at his inauguration, agents were assigned to investigate every threat, inspect every building, and monitor every block of the route Wilson used for his journey to the Capital.

Wilson’s second inauguration ceremony took place on a gloomy and rainy March morning. The President, formally sworn in during a private ceremony the day before,

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212 Starling, *Starling at the White House*, 83.  
213 House, Diary, March 5, 1917.  
214 Starling, *Starling at the White House*, 81.  
216 Starling, *Starling at the White House*, 84.  
217 Ibid., 83-84.
travelled to the Capital in a carriage surrounded by an unprecedented thirty-two secret service agents.\textsuperscript{218} Headed by Chief Flynn, these agents were assisted by plainclothes municipal police officers and formed an impenetrable bloc around the President.\textsuperscript{219} On the roofs of local buildings, sharpshooters were stationed to scan the crowd for potential dangers and machine gunners were reported in the crowd near the Capital building. To further ensure Wilson’s safety, event photographers were directed to a single viewing stand and each man was searched and interrogated for potential contraband as they awaited the President’s carriage along the parade route.\textsuperscript{220}

Wilson’s increased protection detail further demonstrates Secret Service fears that a significant threat against his life existed in early 1917. This protection was increased with doubled patrols at the White House gates and an expansion of assigned of Secret Service agents allocated to investigate potential threats to the President. With growing hysteria of a threat against Wilson, the passage of the Threats Against the President Act was deemed crucial to insure the nation’s leader could conduct business without fear to his life.

Despite the measure’s necessity, as demonstrated by the increase in Presidential protection in the weeks following the measure’s passage, it was soon abused as a means for the Wilson Administration and Federal courts to stifle dissent directed toward the President. This law was the first successful means to punish and prohibit American’s right to freely criticize or oppose government policies. As the more commonly known

\textsuperscript{220} Morris, \textit{Colonel Roosevelt} 479.
Espionage and Sedition Acts were still pending approval by Congress, 18 U.S.C. 871 provided Federal officials with the ability to prosecute varying forms of dissent in the pre-war period. The Administration’s manipulation of patriotism and altering narrowing perceptions as to what constituted dissent created spies out of neighbors, friends, and families. In the name of patriotism, the public turned upon one another with accusations of disloyalty and treachery. Sentiments, critical of President Wilson, were placed under increased scrutiny, particularly if the source was from an alleged radical source, or if they were of German, Austrian, or Irish descent.

While the law was adopted in peacetime, it soon became a litmus test in curbing American civil rights through its restrictions on the First Amendment. Although an American’s right to freely critique and question his elected leaders was a cornerstone of the First Amendment, in wartime these liberties were disregarded under the guise of patriotism. Although the measure was somewhat modeled on the British Statute of Treasons, which banned any attempt to “compass and imagine the death of the King,” Representative Webb’s original intent for US Statute 871 was intended to protect a direct against the President’s life, which impeded him from properly executing any official duties. The Wilson Administration, despite the succinct outline of the law’s purpose, sought to enforce this Act much like the lese majesty measures employed by autocracies like the German and Russian Empires. Lese majesty laws charged individuals for speaking against the dignity of the ruler of a sovereign power with treason. The prosecution of 18 U.S.C. 871 frequently reflected elements of lese majesty prosecution,

221 Scheiber, The Wilson Administration and Civil Liberties, 14-16.
222 Fite and Peterson, Opponents of War, 223
224 Fite and Peterson, Opponents of War, 139
as most Federal prosecutions and judicial interpretations began to determine slanderous speech tantamount to a personal threat against the President.

The first suspected offender of this Act, H.J. Pincher, appears to have fallen into this category of slander versus a direct threat. Pincher, a German-American rancher, was arrested in Santa Barbara, California on March 23, 1917, for reportedly launching a heated verbal tirade against the President. Although the press touted the Pincher case as the first arrest of an Executive annoyance, reports from the Department of Justice and local press do not include any specific language used against the President. However, Federal investigative reports do refer to the rancher’s allegedly disloyal behavior, which had previously garnered the notice of local officials. Department of Justice special investigators had composed a short file on Pincher, noting accusations from citizens in Rincon, California of the rancher cursing the American flag and threatening to stomp on it under his feet in early 1917. According to published reports, the local District Attorney refused to charge Pincher under the new law but he was charged with disturbing the peace, fined fifty dollars, and released from custody.

The Pincher incident is indicative of the frequently varied interpretation of the Threats Against the President Act across the Federal Court system. Some courts actively pursued any appearance of dissent aimed at the President, as evidenced in United States v. Clark 250 F 449 (C.A. 5th Cir 1918). Marion Clark of Texas, allegedly called the President a “wooden headed son of a bitch.” He further continued on his rant by stating,

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225 E.M. Blanford, Letter to Santa Barbara Police Chief Ross, April 14, 1917, Old German Files 1908-1922. FBI Files. Fold 3.
“I wish Wilson was in hell and if I had the power, I would put him there.” While the Texas courts acknowledged that no direct threat existed towards the President in Clark’s statement, the “tendency of such acts to produce disorder” resulted in this statement’s characterization as a threat. The courts argued that since the only way to enter hell was through death, Clark intended to kill the President.

The ruling in the Clark case established a dangerous precedent in what constituted a viable threat against the life of a President. In addition to the Federal court’s rather dubious connection between hell and assassination, this verdict revealed the growing ambiguity as to what constituted a “knowing” and “willful” threat. In reviewing court transcripts documenting the trials of these suspects, the role of context emerges as a dominant theme, and does its abuse by the judicial system during wartime. While most defendant’s conceded to criticizing Woodrow Wilson, their attorney’s claimed these utterances were often made during moments of frustration, joviality, or anger, not a desire to inflict harm upon the Chief Executive. Despite assertions of this nature, the Federal courts discounted these defenses as superfluous, even when presented with evidence and witness testimony corroborating these arguments. Justice Russell ruled that as the defendant understood the meaning of the words uttered and spoke them of their own free will, regardless of the circumstances, this action constituted a knowing and willful statement punishable under 18 U.S.C. 871.

Motivation's for these rather wide interpretations of the phrase “knowingly and willingly” point to the period’s increased sense of ultra-patriotism and a desire to appear

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227 Fite and Peterson, *Opponents of War*, 141.
228 Department of Justice, *Interpretation of War Statues 101-120*, 1- 3.
229 Ibid., 2- 3.
loyalty to the Wilson Administration. Courts often infused their own rather broad interpretations of the true purpose of the law during proceedings, as evidenced by District Judge Russell’s instruction to jurors that the government did not need to prove the defendant held any animosity towards the President, or intent to execute his threat, as the law’s true purpose was to maintain the “peace and good order of the people at large.”

This more expansive interpretation of the law was largely inspired by the prevalent wartime hysteria, which associated dissention with disloyalty. Wilson’s issuance of Proclamation 1364 on April 6, 1917, outlined his encouragement of “loyal Americans” in Federal positions to exercise vigilance and zeal in their duties in wartime. Attorney General Gregory, understood the effects of hyper patriotism on the Federal courts during this period and turned a blind eye to overzealous prosecutions of suspected dissent and disloyalty. In a wartime climate of fear and anti-German hysteria, the Wilson Administration had little confidence in the rationality of its citizens. George Creel’s How We Advertised America reveals the role in which scare tactics and war fervor incited a culture of hate and distrust across the country. Creel’s 1920 narrative, describing his efforts at mobilizing wartime support, claimed that through the simplicity of hate and its ability to allow the public not to think or analyze wartime events, By simplifying who to trust and whom to hate, public opinion, to include those in the Federal Court system, became malleable to the Wilson Administration’s efforts at

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231 Woodrow Wilson, Proclamation 1364, April 6, 1917, Miller Center Digital Archives, University of Virginia, Charlottesville, VA.
232 Cooper, Woodrow Wilson, 432.
propaganda targeted at rooting out suspected pockets of dissent.\textsuperscript{233} Several cases reflect these ideals of ultra-patriotism, as trial transcripts refer to disloyalty and treasonous activities of the defendant and evoke the patriotism and “rightness” of the court systems.\textsuperscript{234}

In the case of \textit{United States v. Stickrath} 242 F.151, 153 (SD Ohio 1917), this concept can be noted in the presiding Justice’s ruling. Despite argument’s by Scottish-born Veterinarian Pemberton Stickrath, that his statement, “President Wilson ought to be killed. It is a wonder some one has not done it already. If I had an opportunity I would do it myself,” was not a viable threat due to his extreme distance from the President. Presiding Justice Sater determined Stickrath’s culpability based upon his statement’s ability to provoke minds and influence disorder, not because it was deemed a credible threat to Wilson.\textsuperscript{235} Sater demonstrated his potential bias during Stickrath’s indictment, as he praised Congress for their creation of the measure and postulated the accused’s actions were “an affront to all loyal and right thinking persons…” \textsuperscript{236}

Stickrath’s trial also demonstrated a violation in civil liberties, as the defense contested his client’s inability to confront his unnamed accusers and the prosecution’s failure to properly describe the charges. The Ohio courts disregarded Stickrath’s defense, as Sater decided that the charges would stand due to a need to for the public to remain unified over national policies, “however wise” they were. Sater also stated at Stickrath’s

\textsuperscript{233} Creel, \textit{How We Advertised America}, 169.
\textsuperscript{234} \textit{See United States v. Jasick} 252 F. 931 (E.D. Michigan 1918) and \textit{United States v. Clark} 250 F 449 (C.A. 5\textsuperscript{th} Cir 1918) for relevant examples.
\textsuperscript{236} Ibid., 99-100.
indictment that the case should be pursued to preserve the tranquility of the nation and its peace of mind by removing elements that would endanger loyal American sensibilities.\textsuperscript{237}

This dedication to patriotism over the rule of law set a dangerous precedent for later prosecutions of the Threats Against the President Act. It removed any requirement to prove a true threat existed, or communicated to President Wilson, for it to be considered a criminal offense. Furthermore, it removed the necessity of a suspect’s intent to carry out their threat, thereby allowing any utterance against Wilson liable for prosecution.\textsuperscript{238} As a result of this more patriotic, rather than legislatively based interpretation of the Act, defendants like Stickrath were found guilty and sentenced to prison for the duration of the war.\textsuperscript{239} Cases using this freer interpretation of the law, clearly demonstrated an increased focus on dissent, rather than the nature, of the threat. This focus was particularly acute against those with suspected German-American affiliations.

In \textit{United States v. Jasick} 252 F. 931 (E.D. Michigan 1918), Louis Jasick was convicted of violating 18 U.S.C. 871 by uttering, “If I could get to President Wilson I would shoot the blinded eye.”\textsuperscript{240} Allusions by the prosecution, throughout the trial, suggested Jasick held disloyal German affections and sought to aid the enemy through alleged statements made by using “language it is not necessary to set forth here.”\textsuperscript{241} The presiding District Judge Tuttle used the precedent set forth in the \textit{United States v. Jasick}. 

\textsuperscript{237} \textit{Federal Reporter} 241-242, 152.  
\textsuperscript{238} \textit{Georgetown Law Journal}, “Threatening the President,” 564.  
\textsuperscript{239} \textit{San Francisco Chronicle} “3 Years For Man Who Threatened Wilson,” February 27, 1918, \textit{San Francisco Chronicle}.  
\textsuperscript{240} \textit{Federal Reporter} 252, 931.  
\textsuperscript{241} \textit{Georgetown Law Journal}, “Threatening the President,” 564; \textit{Federal Reporter} 252, 932.
Stickrath to determine that despite Jasick’s failure to directly threaten the President, his statements were an affront to patriotic citizens and hindered the spirit of national loyalty and fueled the anarchistic, lawless element that currently existed in the United States.\textsuperscript{242}

While many prosecutions of 18 U.S.C 871 reflected the nationalism of the period, not every court sought to define itself for its devotion to patriotism over the rule of law. While the Stickrath, Clark, and Jasick cases reflected liberal interpretations of the Act, other courts sought to view 18 U.S.C. 871 in a more Originalist fashion. In \textit{United States v. Metzdorf} 252 F. 933 (DC Mont. 1918), defendant, William Metzdorf, was charged with saying, “If I got ahold of President Wilson I would shoot him.” During his trial, District Judge Bourquin stated the President was no more than a private citizen and Congress held no exceptional right to invoke protections against his personal character, simply because the term “President” was used in an idle threat. Bourquin went on to criticize the necessity of a Federal law to address a matter better suited for the state courts. The Montana courts determined a threat, without intent, was not a crime and to charge it as thus was a violation of the First Amendment.\textsuperscript{243}

While the Metzdorf case’s practical argument addressing the primary purpose of 18 U.S.C 871, to protect the President from true threats, rather than offensive utterances, other cases established precedents due to their which posed a significant threat to the President, other prosecutions were influenced by

Another case that reflected the growing need to protect the President and established a precedent in prosecutions of this act is noted in the case 1918 of Russian-American Walter Ragansky. In \textit{Ragansky v. United States} 253 F. 643 645 (CA7 111

\textsuperscript{242} \textit{Federal Reporter} 252, 933.

\textsuperscript{243} \textit{Ibid.}, 935-937.
an Illinois man appealed his conviction of threatening to blow up the Capital and Woodrow Wilson. While Ragansky claimed that his threat to “make the biggest bomb in the world… and set President Wilson and all the rest of the crooks [inside it] to blow it up” was a joke, the memory of Frank Holt’s 1915 bombing of the Capital likely lent credibility to this threat. As fears of anarchist bomb plots and apprehension over radicalism following the 1917 Russian Revolution, the courts did not find his claim of a threat made in jest to be a sufficient defense during 1918 appeal. The courts used the Stickrath precedent that because Ragansky understood the words he uttered, his statement, despite witness testimony that he was indeed joking, were sufficient to be considered a threat.

The decision by the Illinois appellate court to alter the legal intention of the terms, willingly and knowingly within this act to encompass any language which could be interpreted by anyone as a threat, regardless of the statement’s, context built upon United States v. Stickrath and established a precedent, which continued into World War II and Vietnam. Ragansky v. United States was not successfully challenged until the appeal of Robert Watts in 1969. In Watts v. United States 394 U.S. 705 (1969), District of Columbia Courts ruled that a true intention to inflict harm upon the President was required in prosecutions of U.S.C 871, not simply the expression of disloyal sentiments against a Chief Executive’s policies or person. In 1969, Watts was convicted for his statement in opposition of draft proclaiming, “If they ever make me carry a rifle the first man I want to get in my sights is L. B. J.” Upon appeal, the Supreme Court ruled the

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244 The Federal Reporter 253, 644.
eighteen-year old Watt’s was protesting the draft, rather than expressing a true intent to harm President Johnson.\textsuperscript{246}

As American involvement in the Great War progressed and dissent against President’s policies remained high, the Wilson Administration and Congress worked to affect several policies, which would expand infringements on free speech established in the Threats against the President Act. Throughout the war suppression of dissent became a primary objective for the Wilson Administration.\textsuperscript{247} In order to pursue this objective, Attorney General Gregory and politicians like Edwin Webb continued to sponsor bills, designed to infringe on American civil rights and expand prosecutions of individuals deemed to be disloyal, rather than a threat to the President’s safety. While 18 U.S.C. 871 was intended to be used in cases, which directly threatened the President’s life, in wartime, significant latitude was given to Federal prosecutors by the Wilson Administration to punishing dissent and disloyalty as well. Actions undertaken by the Wilson Administration throughout the Great War sought to expand its abilities to control both the tone and content of speech and publications throughout the country, by compromising the rights and opinions of the public.\textsuperscript{248}

The Wilson Administration soon found that the Threats Against the President Act was only a limited solution to curb national dissent. A comprehensive solution to curb anti-war opposition war required, as 18 U.S.C. 871 could only prosecute cases in which critics attacked Wilson. American intervention provided a solution to this deficiency by allowing wartime hysteria and patriotism to influence the passage of measures intended

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\item \textsuperscript{246} Watts v. United States 394 U.S. 705 (1969)
\item \textsuperscript{247} Scheiber, The Wilson Administration and Civil Liberties, 14-15.
\item \textsuperscript{248} Cooper, Woodrow Wilson, 397.
\end{itemize}
to significantly curb free speech and other cherished civil liberties. The June 1917 Espionage Act, provided the President with an “instrument of stern repression” in which the Federal government was provided the ability to punish written criticism and dissent through the mail, media, and speech. Postmaster General Albert Burleson used this measure with impunity throughout the war, as he quickly suspended publication of magazines and newspapers that held socialist, radical, pro-German, or anti-Wilson sentiments.  

The Espionage Act, and later acts permitting the repression of American civil liberties during wartime, allowed the Administration to create a broad and expansive definition as to what actions constituted disloyalty and dissent in wartime. Building upon precedents established through loose judicial interpretations of the Threats Against the President Act, prosecutions of the Espionage Act extended to over two thousand individuals between 1917-1918. Over one thousand people, were convicted and imprisoned throughout wartime for voicing their dissent of Administration policies, rather than due to evidence of espionage. One of the most famous convictions was outspoken anti-war Socialist Eugene Debs after an Ohio anti-war address praised conscientious objectors and those who obstructed recruiting efforts. In this attempt to root out espionage and subversion, not one legitimate spy was ever found by the Federal

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249 Scheiber, The Wilson Administration and Civil Liberties, 22-23; Cooper, Woodrow Wilson, 398.

250 Debs v. United States 249 U.S. 211 (1919). Following the conclusion of the war, Wilson considered pardoning or granting amnesty to those prosecuted for their anti-war dissent, however Attorney General Gregory’s replacement, A. Palmer Mitchell, influenced the President to refrain from granting Debs amnesty. See John Milton Cooper’s Pivotal Decades, The United States 1900-1920, 327.
government. The Threats Against the President Act experienced similar results, as no significant threat to Woodrow Wilson was ever established by Federal prosecutors, despite over one hundred documented prosecutions of these cases between 1917-1920. With the growing use of more comprehensive acts to prosecute dissent and disloyalty directed towards Woodrow Wilson throughout the war, prosecutions of the Threats Against the President became less frequent, due to its limited language, addressing only the safety of the Chief Executive and the reduced punishments in fines and jail time. Yet, its use as a preliminary measure to curb dissent between February 1917 and June 1917 opened the door for more expansive measures and provided a new measure of legislative protection for the President of the United States. How it would be used by those President’s it was designed to protect is another matter altogether.

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Conclusion:

The creation of the 1917 Threats Against the President Act was a necessary and important measure in Executive security. Prior to the passage of this measure, several assassinations and attacks upon the lives of sitting President’s had failed to establish any legislative protections to address the unique dangers experienced by the nation’s leader. The President, as a standard bearer of national sentiment, is frequently a target for opposition and dissent by disillusioned elements of the public. He is the lightning rod for public discourse, making the Chief Executive more susceptible to threats against their safety than a private citizen.

In response to this unique situation, early measures of Presidential protection were established in the late nineteenth and early twentieth centuries; the utilization of these provisional agencies was left to discretion of the Chief Executive. While permanent Secret Service’s protection was provided to the Executive office in the early twentieth century, an increase of threats against Woodrow Wilson’s life 1914-1917 demanded the implementation of another level in Presidential Protection during the pre-war period. The Capital building explosion in 1915 brought up new concerns for Woodrow Wilson’s safety and established a constant security presence for the President, the first of its kind in peacetime. Despite the assignment of additional agents to protect Wilson in 1915, continued opposition to the President’s anti-hyphenism campaign and biased neutrality policies increased written and verbal threats and criticisms upon his person.

Congress’ undisputed passage of H.R 15314 attests to the support this measure held within the Federal government, in the pre-war period. Its desire to ensure the President could fulfill his duties without fear for his life was based upon ides of
Presidential protection from suspected elements of disloyal elements of American society. Although the succinct language of this act called for the prosecution of threats against the President’s life, Federal courts between 1917-1919 abused its language to punish suspected dissent and disloyalty. The law’s misuse by ultra-patriotic wartime Federal courts severely curbed the freedoms of specifically targeted segments of the population. It also established a precedent for later, more aggressive measures, which repressed American civil rights throughout the Great War.

This abuse of the Threats Against the President Act were so prevalent in American society that a 1919 *Michigan Law Journal* article labeled 18 U.S.C. 871 as Congress’ response to an increase in German propaganda and attempts of German agents to inspire ideas of disloyalty. While House records indicate that support for the measure was based upon the need to protect the President as concerns for his safety rose, the measure’s increased use against the German-American and anti-war factions of American society likely enabled Wilson’s contemporaries to make such a supposition.

Although Congressman Webb introduced the Threats Against the President Act, in an effort to protect the safety of the nation’s Chief Executive, this measure’s abuse between 1917-1918 established a dangerous precedent for later exploitations. The fluid interpretation of the terms “willingly and knowingly” set by verdict in *United States v. Ragansky* continued to be implemented by the Federal Courts persisted during the wartime, particularly during the Second World War and Vietnam conflict. Modern

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254 *Georgetown Law Review*, “Threatening the President,” 565-568; The 1919 Red Scare, spearheaded by A. Mitchell Palmer took advantage of these wartime
challenges to 18 U.S.C. 871 have drawn attention to the need for a reconsideration of the role the First Amendment’s plays in the prosecution of this law. In response to cases like *Watts v. United States*, fewer cases containing over exaggerations of Presidential threats have been recorded in recent years.\(^{255}\) Although fewer prosecutions of this measure have emerged in recent decades, this does not indicate the measure has become obsolete.

Modern amendments to this measure have extended to include the President’s immediate family and successors to the Executive office. Questions of intent and context continue to be debated, with modern advances in travel and technology enable a potential attacker the ability to carry out threats without close proximity to the President, a common defense argument in early prosecutions of the measure.

The Threats Against the President Act, while misused in wartime, is an important legislative measure, which answered the call posed by the Wilson Administration to provide some element of prosecution against Executive annoyers. While it provided a means to prosecute intimidations impeding the President’s ability to conduct national business, its abuses by Federal courts opened the door for infringements on American civil liberties in World War I. This act, while abused in wartime, has emerged as an important line of defense in Executive protection and a deterrent for potential Presidential antagonists.

\(^{255}\) *Watts v. United States* 402 F. 2d 676 (D.C. Cir. 1968).
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