

MILITARY ORDER OF THE LOYAL LEGION OF THE UNITED STATES



Loyal Legion Vignettes



WITNESS!

Kilburn Knox and the Trial of the Lincoln Assassination Conspirators

By

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On the evening of April 14, 1865 a group of Confederate sympathizers led by John Wilkes Booth killed Abraham Lincoln, the President of the United States, seriously wounded William H. Seward, the Secretary of State, and made a failed attempt on the life of Andrew Johnson, the Vice President. The conspirators, with the exception of Booth, David Herold, and John Surratt, Jr., were speedily rounded up and eventually incarcerated in the old penitentiary at the Washington Arsenal. Booth was eventually caught and killed and Herold captured and added to the number of those in prison.

The conspirators were brought before a military commission or tribunal established by executive order of the new president, Andrew Johnson. The trial lasted over 50 days and 366 witnesses were called to give testimony. As the trial progressed, evidence was presented which indicated that the conspirators intended to bring down the United States Government by assassinating its primary leaders.

The Military Order of the Loyal Legion of the United States (MOLLUS), which had already been established by the time, the trial began on May 10, 1865, was well represented by future Companions involved in the trial. Of the nine officers who were members of the military commission eight (Generals Hunter, Wallace, Kautz, Harris, Howe, Foster, and Colonels Clendenin and Ekin) became members of the MOLLUS. Only Colonel Charles Tompkins did not become a Companion. The prosecution was handled by the Judge Advocate General, Joseph Holt, and two officers of the Judge Advocate General's Corps, Major John A. Bingham and Major Henry L. Burnett, both of whom became MOLLUS Companions. The MOLLUS was represented among counsel for the defense by Major General Thomas Ewing. Major Generals Winfield Scott Hancock and John A. Hartranft who were in charge of the prisoners also became Companions of the MOLLUS.⁽¹⁾

In the course of the trial, a number of military officers were called, as witnesses of whom seven became MOLLUS members including Lieutenant General Ulysses S. Grant. Among the others who testified was Brevet Lieutenant Colonel Kilburn Knox. While the history of such witnesses as General

Grant is well known, the background of such witnesses as Lieutenant Colonel Knox is not. To understand why he was subpoenaed as a witness, it is helpful to know something about him.

Ira Kilburn Knox was a native of Pennsylvania where he was born in Lawrenceville on October 23, 1842, the son of The Honorable John Knox, one of the Justice's of the Supreme Court of Pennsylvania, and Adeline Kilburn. He was known as Ira Kilburn Knox at the time of his enlistment on April 19, 1861 in the Commonwealth Artillery of Philadelphia. He was assigned with his company to Fort Delaware where he remained until June 1861.

On June 9, 1861, Kilburn was commissioned a 1st Lieutenant in the 13th U.S. Infantry, commission to date from May 14, 1861. Lieutenant Knox was transferred to Jefferson Barracks, St. Louis, Missouri, where he was assigned to duties as drill officer for three regiments of volunteers. He then went on recruiting and mustering duty in Iowa. He was transferred to the Army of the Tennessee where he served in the Commissary Department under Major General William T. Sherman; he was promoted Captain on May 14, 1864. Kilburn was then assigned to the staff of Major General James Birdseye McPherson. He was brevetted Major in the Regular Army on July 24, 1864 for gallant and meritorious service at the Battle of Atlanta on the recommendation of General John Logan. He was with General McPherson at the time of his death and accompanied the General's remains when they were returned to Ohio for burial. He returned to duty and participated in the battles of Jonesboro and Lovejoy Station.

In September 1864, he was ordered to Washington D.C. where he was assigned to the staff of the Secretary of War, Edwin M. Stanton, in the Commissary General's office. He was brevetted Lieutenant Colonel on March 13 1865. On April 15, 1865, he was assigned to duty as military aide to President Abraham Lincoln, which appointment was nullified by the death of the President. He was then appointed Assistant Secretary to President Andrew Johnson and served in that position until August 1865. At that time, Kilburn Knox reverted to his regular army rank of Captain and returned to service with the 13th U.S. Infantry and then transferred to the 22nd Infantry. He was assigned to command Fort Dakota, Dakota Territory, a position he held until he resigned his commission on April. 1, 1869.⁽²⁾

Kilburn returned to Philadelphia. Moving to New York City, he accepted a position with the firm of Schuyler, Hartley, and Graham. On April August 19, 1871, he married Annie Menager. When General John A. Dix was elected Governor of New York, Knox was appointed to the Governor's staff as Commissary General and Chief of Ordnance with the rank of Brigadier General. He was much involved in veterans' affairs in New York.

He was one of the earliest members of the MOLLUS becoming a Companion (Insignia No. 65) of the Pennsylvania Commandery on November 1, 1865. He transferred to the New York Commandery on April 30, 1877 and to the Wisconsin Commandery on October 2, 1889.

In January 1887, he was appointed Secretary and Inspector of the Northwestern Branch, National Home for Disabled Veterans at Milwaukee, Wisconsin. He became Governor of the Home on May 1, 1889. His wife, Annie, worked as a Matron of the Home. The Knox's had a daughter, Birdseye McPherson Knox. General Knox died at the National Soldier's Home on April 17, 1891. Annie M. Knox continued to work as a Matron at the Home until her death in 1927. Birdseye married Oscar Chrysler and they had three children, Laura Annette, Harriet Louise, and Frederick Knox Chrysler.⁽³⁾

Kilburn Knox was called to testify as a witness in the portion of the trial of the conspirators that dealt with the defendant Michael O'Laughlen. O'Laughlen was a childhood friend of John Wilkes Booth when both were residents of Baltimore, Maryland. O'Laughlen had enlisted in the First Maryland Infantry in the Confederate Army in 1861 and served until late 1862 when ill health forced him to resign and return to Maryland. John Wilkes Booth had drawn him into the initial conspiracy, which

was to kidnap President Lincoln. The plot to kidnap the President failed and O'Laughlen returned to Baltimore from the Capitol. Several weeks later, he was summoned by Booth to meet with him in Washington, DC and was present in the city on April 13.

It was on the evening of April 13, 1865, that Major Knox encountered Michael O'Laughlen in front of the home of Secretary of War Edwin M. Stanton. It was charged in the specifications that Michael O'Laughlen's assignment in the conspiracy was to murder General Grant who it was stated was staying at the home of Secretary Stanton. The theory advanced was that O'Laughlen had gone to see if Grant was at the Stanton home and what opportunity he might have to assassinate him the next evening in concert with the attacks by Booth, Adzerodt, and Powell.⁽⁴⁾

It was to give evidence in support of the specifications by the Judge Advocate General that Lieutenant Colonel Knox testified on May 16, 1865 in the trial chamber at the Washington Arsenal. In response to questions from Joseph Holt Knox stated, "I was at the home of the Secretary of War, in this city on the evening of the 13th of April last, and saw there a man whom I recognize among the prisoners. There he is [pointing to the accused, Michael O' Laughlin].* I left the War Department at 10 o'clock after the illumination there was over and walked up to the Secretary's house. There was a band playing at the house and on the steps were General Grant, Mrs. Grant, the Secretary, General Barnes and his wife, Mr. Knapp and his wife, Miss Lucy Stanton, and two or three small children. I was standing on the upper steps talking to Mrs. Grant and the General. Some fireworks were being set off in the square opposite and I stepped down a little to allow the children to see them. I got down on the step, I think, next to the last one, leaning against the railing, and this man [O'Laughlin] came up to me after I had been there ten minutes, probably, and said, "Is Stanton in?" Said I, "I suppose you mean the Secretary?" He said, "Yes." I think he made the remark, "I am a lawyer in town; I know him very well." I was under the impression he was under the influence of liquor. I told him I did not think he could see him then and he walked to the other side of the steps and stood there probably five minutes. I still staid there, I suppose five minutes and he walked over and said, "Is Mr. Stanton in?" and then said, "Excuse me, I thought you were the officer on duty here." Said I, "There is no officer on duty here." He then walked to the other side of the steps and walked inside of the hall, the alcove, and stood on the inside of the step. I saw him standing there, and I walked over to Mr. David Stanton and said, "Do you know that man?" He said he did not. I said to him, "He says he knows the Secretary very well, but he is under the influence of liquor and you had better bring him out." Mr. David Stanton walked up to him, talked to him a few moments, and then took him down the steps. He went off, and I did not notice him again. He did not say anything about General Grant. By this time, I think, the General had gone into the parlor.

I think the Secretary stood on the steps outside, and this man stood behind the Secretary, and from where he stood, he could see into the parlor. On the left-hand side of the hall, going in, is the library; on the other side is the parlor door. He stood on the side next to the library, and in that position he could have looked into the parlor, and see who was in there through the door. The whole house was lighted up, and I feel pretty certain that the prisoner, O'Laughlin, is the man I saw."

On being cross-examined by O'Laughlen's defense counsel, Walter Cox, Lieutenant Colonel Knox said, "I do not recollect whether it was moonlight or dark that evening. There was a great crowd around the Secretary's house, and close up to the steps. I did not notice the man until he walked up on the steps and spoke to me, and after he went out again I saw him no more. I did not go inside the hall while he was there. Secretary Stanton was on the left-hand side of the steps talking to Mrs. Grant, and the man went up on the right-hand side past them, and went in and took a place on the left hand side. He had on a black slouch hat, a black frock coat, and black pants; as to his vest, I cannot say. That was while the fireworks were going on. I had never seen the man before. I have seen him once since in this prison; I came here a week ago last Sunday for the purpose of identifying him."⁽⁵⁾ The importance of Kilburn Knox's testimony lies in the identification of Michael O'Laughlen and in his conversation with him wherein O'Laughlen only asked after Secretary Stanton and not General Grant. David Stanton, the Secretary's son, backed up Knox's testimony. Sergeant John C.

Hatter who also was at the Stanton home said that O' Laughlen did ask after Grant, but his testimony may simply have been influenced by the specifications that were public by the time he and the others testified.

The indictment listed the obvious targets that were actually attacked or threatened with attack: the President, the Vice President, and the Secretary of State. The indictment also listed Lieutenant General Grant. But if O'Laughlen was to attack Grant then he would have gone to the Willard Hotel, not the residence of the Secretary of War, where there was no indication that Grant would be staying, or that he would be there on the following day, April 14, when the attacks were to be carried out. Grant always stayed at the Willard and the conspirators would surely have known this. On April 13, Booth checked out Ford's Theatre, Powell strolled by the home of the Secretary of State and actually spoke to the male nurse enquiring after Seward's health, and George J. Adzerodt went to the Kirkland House where he had the clerk point out Vice President Andrew Johnson, whom he did not know, who was having a meal in the dining room. If the assassins were checking on the location of their potential victims then why did O'Laughlen go to the house of the Secretary of War if his intended target was Grant, who always stayed at the Willard? An obvious answer is that Grant was not the target at all-but Edwin M. Stanton was.⁽⁶⁾

In many ways Secretary Stanton was the person who had done more to bring about the destruction of the Confederacy than any of the others in the administration with the exception of the President. As the trial developed the question of a possible attempt on the life of the Secretary of War, to be carried out on the same night as the others, was suggested but was brushed aside in favor of the more dramatic target, Ulysses S. Grant. However, there was no knowledge on the part of the conspirators that Grant would be in the Capitol until he actually arrived on the 13th and checked in at the Willard. On the other hand, Stanton was known to be in Washington and the conspirators certainly knew where he lived. The Secretary of War, given the other intended victims, was the obvious fourth target. As the other assassins were checking out their targets and places of operation, so, it appears, was Michael O'Laughlen, but, when it came to actually carrying out his mission, like George Adzerodt, it may well be that he got cold feet. Also like Adzerodt, he had been drinking heavily on April 13th and continued to do so on April 14th. In any case, he returned to Baltimore on the 15th where he was later arrested.⁽⁷⁾

The testimony of Kilburn Knox, had it been more carefully analyzed by the prosecution, indicated that Edwin McMasters Stanton was the most logical and intended fourth victim of the conspirators and not Ulysses S. Grant, who, at most, would have been only a target of opportunity.

The story of the assassination of Abraham Lincoln continues to be the subject of historical research, with books and articles on the topic appearing almost annually. Speculations are still made about all aspects of the assassination and the trial and the figures connected with the "crime of the century." This article is only one of many and suggests a theory that it was Edwin M. Stanton who was the target and that Michael O'Laughlen was as involved as George Adzerodt in the attempt to assassinate the leaders of the government on April 14, 1865.

***Note:**

Although in the trial transcript the name is spelled "O'Laughlin," the family spelled it "O'Laughlen."

Footnotes:

1. Edward Steers, Jr., *The Trial Transcript as compiled and arranged in 1865* by Benn Pitman (Hereinafter referred to as the "The Trial"). 2003. Pp. v-xix. Robert G. Carroon and Dana B. Shoaf *Union Blue* (2001) *passim*.
2. Microfilm Publication M-1064 National Archives and Record Service Branch of the Adjutant General's Office 1863-1870. Roll 536; Francis B. Heitman, *Historical Register and Dictionary of the United States Army*, 1903. Vol. 1, Pg.607; NARS K399 cr. 1864. Pay record of Kilburn Knox.
3. *In Memoriam Companion Kilburn Knox*, Commandery of the State of Wisconsin MOLLUS, Circular No. 11, Series 1891, Whole No. 205; *Union Blue* 2001, Pg. 276; Widow's Pension Application, Annie Knox. Box 39411, Bundle 17, Cert. 354382. National Archives and Record

Service.

4. *The Trial* Pgs xc-xci, 20.

5. *The Trial* Pgs. 226-227, 344, 382.

6. Michael W. Kaufman, *American Brutus* (2004) Pp. 213-214. Pg. 317. Elizabeth D. Leonard, *Lincoln's Avengers* (2004) Pg. 110.

7. H. Donald Winkler, *Lincoln and Booth* (2003) Pp. 67. Trial Pg xciii;



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