

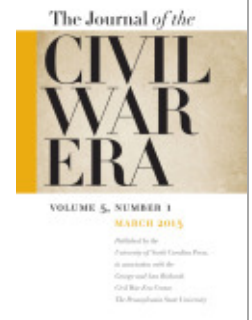


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Schoeppe, 1869–1872

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German Americans, Nativism, and the Tragedy of Paul Schoeppe, 1869–1872

The history of this “Schoeppe case” ought to be written and published. . . .

The facts are familiar, but they should be put on record in historical form.

—New York Observer and Chronicle, July 8, 1875

On January 28, 1869, Maria Steinecke, an unmarried, wealthy woman in her late sixties, died in her room in Mr. Burkholder's hotel in Carlisle, Pennsylvania. Steinecke, a native of Carlisle but resident of Baltimore, was in town to see Dr. Paul Schoeppe, a German physician in his late twenties, who had been in Carlisle for less than nine months. Steinecke had met Schoeppe in 1868, when, on a visit to her hometown, she consulted him for medical advice. Their relationship soon grew more intimate, and over the fall and winter of 1868 and 1869, Steinecke began to pay frequent visits to Carlisle and to Schoeppe. She was under his medical care when she suddenly died.

Her death did not initially arouse suspicions of foul play. However, it was not long before rumors began to circulate that Schoeppe may have had something to do with her demise. Steinecke was wealthy; her will specified that she leave her fortune of about \$40,000 to a number of charities and a few relatives and friends. What raised suspicion was that soon after her death Schoeppe produced another will, which left the entire estate to himself and made him the sole executor. Steinecke's signature on the short and clumsily written document looked nothing like those written on her other papers. The two witnesses who had cosigned the new will, moreover, were Schoeppe and his father, a Lutheran pastor serving a German congregation in Carlisle. It seemed as though either Schoeppe had duped the elderly woman into leaving everything to him, or he had forged the document altogether. When he refused to have her body disinterred and examined at his own expense in order to clear his name, the local authorities arrested the young physician and ordered the exhumation themselves.¹

Parts of the victim's intestines were sent for examination to William P. A. Aiken, a physician and professor of chemistry at the University at Maryland Medical School in Baltimore. By the time Aiken received the stomach, Steinecke had been dead for two weeks, making a detection of a number of poisons and medicine highly unlikely. Indeed, Aiken could

not find any evidence of morphine, which Schoeppe was believed to have administered to the victim. He claimed, however, to have detected a small trace of prussic acid, now better known as hydrogen cyanide, an extremely poisonous substance. The prosecution combined Aiken's testimony with circumstantial evidence and an apparent motive—the prospect of a considerable bequest—to support a charge of murder in the first degree.² The trial commenced on May 21; within two weeks Schoeppe was found guilty. In August 1869, after a motion for a new trial was denied, the young physician was sentenced to death. Paul Schoeppe's trial was, as a Cincinnati daily later observed, "one of the most interesting cases that has been before the public for many years."³

The young German immigrant's trial, conviction, and subsequent struggle to preserve his life captivated the nation for several years, in large part because Schoeppe found allies in two powerful and outspoken communities: the medical profession and German Americans. Stunned by the news that a medical doctor was found guilty of murdering a patient under his care, the medical community took up Schoeppe's cause first. Beginning in the summer of 1869, physicians and scientists from around the nation held meetings, launched scientific investigations, and issued reports that not only attacked Aiken's conclusions but also raised more general questions about the reliability of medical forensics in criminal cases.⁴ For example, a group of leading medical professionals that gathered at the College of Physicians of Philadelphia published a detailed *Medico-Legal Report*, in which it argued, "There is much reason to believe that Steinecke died a natural death . . . and very little reason to believe that she died of any kind of poison."⁵ The experts claimed they were not asking "questions of guilt or innocence of Dr. Schoeppe." Rather, the medical community was concerned that criminal charges were brought against a physician whose patient had expired under his care. They insisted that his conviction was based on flawed evidence, discovered as the result of an outdated procedure, carelessly performed by a mediocre chemist.⁶ The "hasty and superficial examination" of the body and hurried prosecution of the doctor, they feared, could set a dangerous precedent. The "dearest rights" of the whole profession "may be in jeopardy, through the action of a Court and jury under the lead of professional witnesses, in what seems to be the mere effect of ignorance and prejudice."⁷ The medical community, in short, defended Schoeppe because a conviction for murder had potentially disastrous consequences for their entire profession. Paul Schoeppe may have been an incompetent physician, but he was not guilty of murder. "Since the celebrated Parkman-Webster murder," a New Hampshire newspaper claimed, "probably no case has so thoroughly absorbed the attention of the

most celebrated men belonging to the medical profession throughout the country.”⁸

The medical community that voiced its objections over the charge and verdict included a number of German American physicians and scientists. In fact, there is evidence that some of their protests, including the meetings in Philadelphia, were organized by German physicians.⁹ These individuals were driven by professional considerations as well as concerns over the fate of a fellow German. This latter reason eventually motivated thousands of German Americans to champion Schoepppe’s cause. Beginning in November 1869, when Schoepppe’s date of execution had been set, they voiced their condemnation of the trial and verdict at mass meetings, in letters and petitions, and in German-language newspapers across the nation. German Americans agreed with the medical community that the forensic evidence presented in the case was flawed, and they used the medical reports to support their defense of the condemned man. However, their arguments went beyond matters related to forensic jurisprudence, focusing instead on the charge of “ignorance and prejudice” that was suggested, but not elaborated, in the Philadelphia *Medico-Legal Report* as well. They saw Schoepppe as an innocent victim of anti-German prejudice—prejudice that was apparently not just shared by the American public but also by the American legal system and the government of Pennsylvania.

The outpouring of almost unconditional support by the German American community for the convicted murderer was remarkable in its intensity and duration. An examination of the surviving records in English and German, including numerous newspaper articles; private and official correspondence; and petitions signed by hundreds, if not thousands, of individuals suggests that German Americans seized the case of Paul Schoepppe to assert ethnic pride, unify their community, and attack what they saw as persistent and overt anti-German sentiments in American society. In the process, they condemned the prosecution and conviction of the German immigrant as not only the result of corruption but, worse, a shameful violation of the American principle of freedom and the image of the United States as a land of opportunity. The planned “judicial murder” of a recent immigrant from Germany, widely described as respectable, educated, and amiable, confirmed their long-held suspicion that Germans in the United States suffered from nativism more than other immigrant groups. They believed that the conviction was based on a “narrow-hearted hatred of foreigners,” as one German-language newspaper put it.¹⁰

This ethnic distrust stemmed in part from the nativist hostility and discrimination they experienced before and during the Civil War. Particularly pronounced expressions of nativism dated to the 1840s and 1850s, when

unprecedented numbers of Irish and German immigrants, many of them Catholics, began to arrive in the United States. In the 1850s, fears that these newcomers were unwilling or unable to assimilate into American society helped give rise to the Know-Nothing Party, which made restricting political power of recent immigrants one of its a key objectives. In the mid-1850s, it controlled the governorships and legislatures of several states, including Pennsylvania. However, by the end of the decade the party ceased to play a role in national politics, largely due to internal divisions over the slavery issue. Many of its members joined the Republican Party.¹¹ It is commonly assumed that nativism as a cultural and social issue declined further during the Civil War. Participation in a shared cause and actual combat presumably helped diminish ethnic and cultural characteristics among Americans; the shared experience of the war, in other words, worked as something of a melting pot. The years from the 1860s to the 1880s have traditionally been described as a time during which xenophobic sentiments were dormant, if not dead.¹² As a result, this period of American nativism has been largely neglected as a subject of study.¹³

In the post-Civil War years, the United States did not experience the kind of anti-immigrant sentiments that had characterized American society in the antebellum period. However, this did not mean German Americans were convinced that nativist attitudes had disappeared. In fact, a few recent studies that focus on the experiences of Germans in the Civil War show German Americans complained frequently about what they experienced as prejudicial treatment. For example, they regarded the two resignations and the subsequent dismissal of the German American Union general Franz Sigel as an instance of anti-German sentiments that essentially destroyed the promising career of one of their heroes. Moreover, German Americans, who made up a disproportionately large number of immigrant soldiers in Lincoln's army, at times experienced virulent attacks for what non-Germans regarded as poor performance in combat. The Union defeat at Chancellorsville, widely blamed on the alleged cowardice of German soldiers, for example, triggered a wave of popular anti-German agitation that lasted for several years. These studies conclude that the enthusiastic participation of German Americans in the war on the Union side did not necessarily serve to diminish popular anti-German attitudes.¹⁴ Some German American Democratic newspapers cultivated German support by portraying the Republican Party as nativist, and German Republicans as traitors. For example, in 1868, a Philadelphia newspaper attacked German supporters of Ulysses S. Grant and Schuyler Colfax as "Germans in the service of the Know-Nothings." It described the Republican Party as being among the "most spiteful enemies of all strangers in America" and Carl

Schurz, the “overrated leader of the German Republicans,” as a “traitor to the Germans.”¹⁵ The experiences of nativism in the antebellum period combined with real and perceived discrimination during the war certainly help explain why, in the two decades after the war, German Americans were quick to see ethnic prejudice, even if there was none.

Generally, the German American community reacted to perceived nativist attacks not with an effort to downplay or deny their German heritage; on the contrary, they responded with a celebration of their heritage as a crucial contribution to American prosperity. The assertion of ethnic pride was reflected in the many German clubs and institutions founded or reinvigorated after the war.¹⁶ For example, one newspaper reported that 138 German clubs sponsored the German Day festivities in Chicago in 1866.¹⁷ Moreover, the German-language journal *Der Deutsche Pionier* was founded in 1869 specifically to counter anti-German hostility by publicizing the achievements of Germans in America. It remarked in 1875, “The nativism in our country is again raising its head, and is pursuing immigrants with intolerant fury; especially the German has to suffer from it.” The journal insisted that the Germans had always been the main target of nativism, possibly because their accents or names betrayed their ethnic backgrounds.¹⁸ Evident in such remarks, which would also be voiced in support of Paul Schoeppe, is a growing sense of ethnic pride linked to a pervasive perception of persecution. The experience of the war and a history of nativism encouraged both an American identity and an ethnic consciousness within the German American community, a community that was increasing rapidly after the end of hostilities, from around two hundred thousand annually in the mid-1860s to close to four hundred thousand in 1870.¹⁹ Within days of Schoeppe’s conviction and death sentence, German Americans from across the nation rallied to defend what they saw as a symbol of their entire community.

In the summer of 1868, Paul Schoeppe had been one of thousands of newcomers to the country; based on the surviving records there was nothing remarkable about the young man. Within a few months of his arrival, however, he was undoubtedly beginning to attract some attention in his new hometown of Carlisle, Pennsylvania. Carlisle was a small town—its population numbered around 6,500—and Maria Steinecke’s increasingly frequent meetings with the handsome young doctor in that fall and winter surely did not go unnoticed. However, while most newspapers would later speculate about the nature of their “mysterious” relationship, the affair was apparently not newsworthy when it was going on. No written records survive that illuminate the presumed shift from a doctor-patient relationship to that of lovers. Moreover, the local papers did not report Steinecke’s

death as anything unusual for several weeks; the assumption was that an elderly visitor had died in her hotel room of natural causes. The case only began to attract attention in the two local English-language newspapers in early February, when Schoeppe was arrested. Naturally, this development turned a sad but unremarkable event into a potentially sensational story of romance, forgery, greed, and murder.

Any murder would have attracted some attention in a small town like Carlisle. This, however, was no ordinary murder case.²⁰ The two Carlisle newspapers, the *Herald* and the *American Volunteer*, reported Schoeppe's arrest, hearing, and the trial in unusual detail. On February 5, the *Herald* commenced coverage with the notice that "numerous reports are in circulation concerning this strange affair, which possess so many startling features, as to be severely and excitedly commented upon by our citizens."²¹ Within days, newspapers from across the mid-Atlantic region were following the story. Soon, the case was reported in several European newspapers as well.²² By the time Schoeppe's trial commenced in May, papers from across the country were covering the events. This early phase of the Schoeppe case, from his arrest to his conviction, attracted attention mostly from English-language papers. They were far more likely than their German-language counterparts to report the case for its sensational appeal. German American newspapers, reluctant to publicize the murder trial of a German immigrant, did not cover the case during this early period.

The trial was held in Carlisle in the Court of Oyer and Terminer of Cumberland County. A team of three judges—headed by James H. Graham in his second term as president judge of the district, an elected position—presided over the case. The prosecution was led by Charles E. Maglaughlin, a prominent lawyer who was serving his second three-year term as the county's district attorney.²³ Schoeppe's legal team consisted of the local attorneys William H. Miller, the former judge Samuel Hepburn, his son Samuel Hepburn Jr., and Henry Newsham.

Each side presented a slew of witnesses whose testimony centered on Steinecke's and Schoeppe's activities in the hours leading up to her death. In addition, much of the testimony focused on medical questions, provided by various expert witnesses. Physicians were called to explain the victim's medical history, chemists discussed the properties of certain poisons, and all speculated about the implications of Aiken's findings. The defense claimed that Steinecke had died of natural causes. The prosecution, however, not only pointed to the traces of prussic acid found in the body but also tried to show that there was enough circumstantial evidence, including a powerful motive, to prove Schoeppe had poisoned Steinecke. On June 3, 1869, after

seven long days of frequently tedious testimony, the jury of twelve men, all native-born Americans from the surrounding countryside, withdrew to consider the evidence.²⁴ It took them four hours to find Schoeppe guilty of murder in the first degree. After a motion by the defense for a new trial was dismissed, he was sentenced to be hanged. The *New York Times*, evidently trying to add drama to the story, closed its announcement of the verdict with the note that “William Gould, Court crier, an old man, dropped dead as the sentence of Schoeppe was pronounced.”²⁵

Schoeppe’s defense team immediately turned to the Pennsylvania Supreme Court in an effort to get a new trial. However, under Pennsylvania law at that time, the high court could allow a retrial only if it found errors in the record; it could not grant another trial based on flawed or new evidence. In other words, the court could not test whether the evidence supported the charge and conviction of murder in the first degree. In this case, the claim that the medical evidence was flawed was not sufficient to allow the convicted man another day in court. And since the justices found no errors in the record, they rejected the motion by the defense for a retrial. The court set the date of execution for December 22. Only a pardon by the governor could now save Schoeppe.²⁶

These developments shocked the German American community, which had believed that the court would set him free after a careful examination of the testimony and evidence, so obviously flawed. That he was found guilty, and, moreover, was to be punished with death, was an outrage. The Pennsylvania Supreme Court’s refusal to grant Schoeppe a retrial jolted the community into action. Beginning in September 1869, German American newspapers and associations from across the nation began to call for mass protests in support of the young physician. They elected Schoeppe committees, collected funds for his lawyers, and wrote petitions calling for a full pardon.²⁷ In Philadelphia, the efforts to gain a pardon were led by men like Philip Leidy, a prominent physician at the Philadelphia Hospital and surgeon during the Civil War. Another supporter was Gottlieb T. Kellner, the editor of the *Philadelphia Demokrat*. There was also Professor Oswald Seidensticker of the University of Pennsylvania, the so-called father of German American historiography.²⁸ The leadership in New York included the lawyer, journalist, and writer Friedrich Kapp, who at that time was serving as commissioner of emigration of the state of New York. Much of his written work concerned a celebration of German contributions to American history.²⁹ Another supporter was Franz Sigel, arguably the most prominent German American Civil War general. These men were prominent public figures, well known inside and outside the German American community.³⁰

In December, mass meetings were held in various cities, including Philadelphia, Chicago, Washington, D.C., Louisville, Nashville, St. Louis, Pittsburgh, Cincinnati, and New York.³¹ “Almost every German newspaper that we open,” the *Philadelphia Freie Presse* declared in November 1869, “expresses sympathy” for Dr. Schoeppe.³² This was a bipartisan cause, uniting German-language papers of different political persuasions. In addition to the *Freie Presse*, most adamant in their support were the *Freiheitsfreund* and the *Volksblatt* of Pittsburgh, the *Wecker* of Baltimore, and the *New York Demokrat* and *Staatszeitung*. There was no doubt that Schoeppe’s ordeal clearly “enlisted the sympathies of the German people,” as one paper put it.³³ Even Baron Friedrich von Gerolt, the Prussian ambassador, who at the time also served as the representative of the North German Confederation, a federation of twenty-two German states, traveled to see Pennsylvania’s Governor John White Geary to plead the case.³⁴

While the names of leading German Americans figured prominently in the reports of mass meetings and similar efforts on behalf of Schoeppe, the organizers explicitly called for the participation of non-German Americans by including them on committees, delivering speeches in English and German, and by repeatedly reminding their audiences that this was a case of injustice that concerned all Americans. Francis Wells, editor of the *Philadelphia Evening Bulletin*, for example, emphasized at a mass meeting in Philadelphia that native-born Americans should be as concerned with the case as Germans. He estimated that it would be easy to collect fifty thousand signatures in favor of a pardon.³⁵ Similarly, the German Legal Aid Society in New York urged the public to “prevent for the American people the shame of a judicial murder.”³⁶ The *Philadelphia Freie Presse* counted on the support of non-German Americans, “who seemed to always be prepared to defend a convicted criminal, even if there are no doubts about their guilt.” It was time, the paper wrote, that they now had some sympathy for the “poor, innocent foreigner.”³⁷ These efforts to enlist the support of the non-German American public met with some, albeit limited, success. While the German-language press was united in its determination to save Schoeppe, only a few English-language papers, such as the *Philadelphia Evening Bulletin*, *New York Evening Post*, and *New York World*, actively joined in the campaign on his behalf.

It was, then, primarily the German American community that devoted significant amounts of energy and resources to save one of its own from what it saw as a miscarriage of justice. Facilitated by a national network of ethnic associations and newspapers, German Americans coordinated a massive campaign aimed at vindicating a fellow German and, in the process, emphasizing their identity as proud Americans. The ethnic

institution that became most directly involved in the case was the German Society of Pennsylvania in Philadelphia. It was founded in 1764 for the express purpose of aiding German immigrants with material, medical, and legal aid. By the 1860s, the Society had emerged as a major cultural institution as well as a promoter of *Deutschtum*, or “Germanness.” The celebration of its centenary in 1864 was attended not only by representatives of German Societies throughout the nation but also by the mayor of Philadelphia and the governor of Pennsylvania.³⁸ As a leading organization within Philadelphia’s German community, the German Society assumed a prominent role in the activities on Schoeppe’s behalf.

Traditionally, the society had limited its assistance to residents of Philadelphia. That it decided to extend a helping hand to a German who lived a considerable distance from the city suggests the unusual circumstances of Schoeppe’s situation. In the early fall of 1869, it established a Schoeppe Committee to collect funds for his defense, and it requested that its lawyer, Frederick Dittmann, make himself familiar with the details of the case. At a subsequent meeting of the society’s officers, he reported that Governor John White Geary had promised a careful review of any reports and papers about the case presented to him. More importantly, Geary gave his verbal promise of a full pardon if he should find that Schoeppe was indeed innocent.³⁹

In early November, the attorney traveled to Harrisburg. His intention, he assured the secretary of state, was only to argue the case before the governor, not to solicit a pardon or a political favor.⁴⁰ An attorney’s personal appeal to the governor in such a matter was highly unusual; it was reportedly the “first time in the history of PA that an executive is having a formal argument in public in a case of a man convicted of murder.”⁴¹ When the attorney, accompanied by several supporters, including one of Schoeppe’s lawyers, visited Harrisburg, Geary had only just narrowly defeated Asa Packer in the gubernatorial election, held in October 1869.⁴² Dittmann believed the Schoeppe case may have cost the Republican candidate some support, noting that “the German vote in Carlisle was completely changed” during that election.⁴³ Geary was keenly aware of the potentially damaging consequences this controversial case could have for his political future, which, it was rumored, included a quest for national office.

That the German American community put considerable pressure on the governor becomes evident from the dozens of letters and petitions that were delivered by Dittmann or sent directly to the governor’s office in the weeks leading up to the scheduled execution date. Only a handful of letters encouraged Geary to resist the demands of a “mob” to grant a pardon, arguing that the court and jury were the best judges in such cases. One

writer deplored especially the “attempts to get up a feeling of prejudice on national grounds”; it argued, “appealing to Germans and their descendants, is so low and unworthy of all regard.” Another letter lamented the “unsettled condition of this once happy country,” presumably caused by the arrival of “adventurers from the Whole World.” A total of seven letters are in opposition to a pardon. In contrast, more than eighty petitions and letters that remain in the governor’s clemency file urge Governor Geary to spare Schoeppe’s life.

A total of forty-one petitions are in the governor’s file. Of those, twenty-eight were prepared by groups of physicians, medical associations, and legal societies. They came from places as diverse as St. Louis; New Haven; Albany; Washington, D.C.; Nashville; and Springfield, Illinois. Several were signed only by the organization’s officers; others boasted dozens of signatures. For example, seventy-four physicians, medical chemists, and jurists from Washington, D.C., signed a plea for a pardon, as did thirty-three members of the Allegheny County Medical Society. Some of the groups were German associations, such as the Medical-Chirurgical Society of German Physicians in New York and the German Medical Society of St. Louis. Most, however, were organizations that included men in the medical or legal professions, regardless of national background. And all agreed that the medical evidence presented in the trial did not prove conclusively that Schoeppe was guilty of murder.

The other thirteen petitions, submitted by non-experts and including far more signatures, also based their demand for a pardon on the flimsy medical evidence used to convict the defendant. Hundreds, if not thousands, of individuals, from places like Davenport, Iowa; Paducah, Kentucky; Springfield, Illinois; Baltimore; Detroit; and New York City placed their signatures beneath appeals for mercy. Several petitions came from New York, including one from the German Legal Association and another one from the “Citizens of New York,” with hundreds of names, among them seventy members of the German Association “Deutschland.” One petition included more than four hundred names, headed by Franz Sigel and Charlton Lewis, editor of the *New York Evening Post*. About 350 men from Davenport, Iowa, and more than 400 from Cumberland County, where Carlisle is located, signed appeals for clemency. The petition with the longest list of names came from Louisville, Kentucky, where the mayor, Joseph Bunce, was the first to sign his name on a roster that eventually numbered more than 750 signatures.

As is to be expected, almost all of the signers were men. However, about forty “Ladies of Baltimore” and several women from Detroit sent in petitions as well. In addition, based on the surnames the vast majority of the

subscribers on the petitions were of German background. This was evidently a cause that concerned especially Germans; as Dittmann put it, “the Germans all over the country are in a state of Excitement over the case.”⁴⁴ Some of the signers noted their occupations. An extensive list from New York, for example, is dominated by businessmen and lawyers. A few men identified themselves as veterans of the Civil War, in a conscious appeal to the loyalty of General Geary, a fellow soldier. Charles W. Eckman, for example, made sure to note his service as a colonel in the 93rd Pennsylvania Volunteers. Similarly, Max Weber identified himself as a brigadier general. His signature, along with Franz Sigel’s, is on a petition directed not to Governor Geary but to “Major General John Geary.”

Governor Geary’s office also received more than forty letters and memoranda from individuals, some consisting of a brief note, others as long as fifteen pages and more. Around a dozen letters were penned by medical professionals who explained, often in great detail, the flaws of the forensic evidence on which Schoeppe had been convicted. The remaining letters represent a range of populations, from religious, business, and political leaders, such as Septimus Tustin, former chaplain of the U.S. Senate, and Senator Carl Schurz of Missouri, to less prominent men and women, including Mary Brooke, Mary Steinecke’s former landlady, and John George Yost, who explained in broken English that he had once been a victim of miscarriage of justice himself. Most of the writers were of German background. This is evident from certain spelling and grammatical mistakes, as well as the writers’ occasional lapses into the distinctly German style of script and their names or self-identification as German. While most of the letters are in English, three writers addressed the governor in German, noting in one case that he could express his true sentiments only in his native language. In all, the letters offer a glimpse at the reasons that compelled so many individuals, including especially Germans, to champion Schoeppe’s cause.⁴⁵ Foremost among them was the belief that Schoeppe was a victim of nativism and corruption.

All of the petitioners for clemency charged that Schoeppe’s conviction was a grave miscarriage of justice, that he was sentenced to the gallows on exceedingly weak evidence. The true reason for his conviction and death sentence, several argued, could be found in the anti-foreigner hysteria that had surrounded the case from the very beginning. A. Minor of Philadelphia believed Schoeppe’s trial and conviction “were conducted, rather a little too quick, and that an American would not have been hurried up so.” Another petitioner sent in a newspaper, with a report that Attorney General Benjamin Harris Brewster had declared, “Poisoning is a late German importation.” Schoeppe, who participated actively in the campaign to save

his life, wrote two of the letters in the file. He, too, insisted that his conviction was largely due to popular prejudice, which the attorney general had deliberately and skillfully exacerbated. He claimed that during the weeks leading up to the trial, “an immense prejudice was raised against me.” The prosecutor, he explained, had fanned public opinion against him, going so far as to hire a mob to yell within earshot of the jury, “Hang that damned dutchman!” Schoeppe’s *Selbstverteidigung*, or self-defense, which was widely reprinted in German- and English-language newspapers, charged that “public opinion became more and more inflamed against him; being a foreigner, without means and influential friends, he was forced to trial at great disadvantage, while the minds of the people were still excited.”⁴⁶ Of course, Schoeppe’s words are not particularly reliable; that he had a distinguished legal team as well as outspoken support from the medical and German American communities hardly supports his claim to be without friends. Nevertheless, German Americans in particular emphasized his status as a recent immigrant, a “comparative stranger.”

One of the most detailed letters came from Charles Goepp, a former partner in the New York law firm of Friedrich Kapp. The two were old friends and political allies; both were Forty-Eighters, Germans who came to the United States as a result of the failure of the liberal Revolutions of 1848 and 1849.⁴⁷ Along with fellow Forty-Eighters Franz Sigel, Gottlieb Kellner, Carl Schurz, and Max Weber—also involved in the fight to save Schoeppe—he was a prominent member of the German American community. All were Republicans, known for their outspoken criticism of political corruption and nativism.⁴⁸

Goepp seized the Schoeppe case to launch into a broad attack on corruption and anti-German sentiments that, he argued, were prevalent within the larger population, the press, and the judicial system. The local press “teemed with assaults upon the prisoner,” he claimed in his letter to the governor; the remark “All other Dutchmen ought to be hung the same way” was frequently heard. Goepp linked such anti-German attitudes to personal animosity and political corruption, despicable traits he saw in the prosecuting attorneys and judge. The district attorney, Charles Maglaughlin, determined to get the German convicted, had reportedly spent \$250 of his own money on the case. Moreover, one of the prosecution’s key witnesses was the judge’s brother-in-law, and the district attorney was promised a \$10,000 reward if Schoeppe was hung.⁴⁹ Goepp did not bother to supply evidence for these accusations, noting instead that “whether it is true or not it is generally believed.” Anti-German sentiments and corruption within the judicial system, he concluded, caused the arrest and conviction of his countryman.

Goepp also explained that their distinctive accents made Germans particularly easy targets for nativist attacks. Dr. Zitzer's defense testimony, for example, would surely have convinced the jury of Schoeppe's innocence, had it not been for the physician's marked German accent. According to press reports, Schoeppe's knowledge of English was rather good; he was often described as a bright and educated man who mastered the English language in a short amount of time. However, that he, too, spoke with a German accent is evident from a statement recorded by a court clerk in 1871: "I giffs her prussic acid three times two, five and seven drops diluted; you see it was not dat dat killed her, for she lived over twenty-four hours. I giffs out of the same bottle to a girl up street and if dey hangs me for dat dey hangs an innocent man."⁵⁰ Goepp was convinced that a German accent was a liability. The accused man's identification as a German presumably made him particularly vulnerable to public and legal charges of a serious crime.

Several of his champions accused the court and the public of xenophobia, but not all pointed to prejudices toward Germans specifically. One petitioner, E. Polk, explained angrily that native-born Americans harbored prejudices against anybody who was different, whether because of ethnic background, political affiliation, or religion. "I could tell you something about 'Prejudices' of native born Americans," he wrote. "I have suffered terribly from them. . . . Do you not know that you native born Americans stick in the mud of all possible prejudices over your ears?! First comes the d—d dutchman, next the d—d nigger, next another Phantom, which originated in the imagination and prejudiced individuals, next if a man is not a member of the same denominations, religions, or political!"⁵¹

Polk recognized that prejudice was pervasive in American society. He or she saw the targets of prejudice as "phantoms" of the imagination, phantoms that changed and shifted depending on circumstances. Moreover, the writer linked the experiences of Germans to those of the African American community, a group obviously and undeniably experiencing serious discrimination throughout the United States. Polk was outraged that Governor Geary, a Radical Republican, seemed to ignore these circumstances that had clearly denied the defendant the right to a fair trial. Several of the letters, including this one, express a profound sense of frustration and anger with an administration that seemed to condone prejudice, discrimination and corruption through its inaction. The Schoeppe case constituted an opportunity for the Republican government to correct the record, to demonstrate that it was on the side of equality and justice. As John George Yost put it in his plea, the governor should ensure that Schoeppe "*may not die as Martyr of Corruption.*"

Indeed, several petitioners explicitly reminded Geary of his decision's potential consequences for his own political future and that of the Republican Party. The Schoeppe case, Goepp insisted, offered the governor a unique opportunity to identify the Republican Party as a friend of the German American community, to free it from the taint of nativism that had driven many German American voters, including Pennsylvanians, into the Democratic Party.⁵² Geary only had to show clemency for the German immigrant. A refusal to pardon Schoeppe, on the other hand, would "alienate an important element of our population from the support of a party which cannot forgo their adherence and without the continued triumph of which our country is in danger of utter disintegration." The nation needed the Republican Party, and the Republican Party needed the German American vote. Here was an opportunity for the "recognized leader of the Republican party" to correct the common belief that the "party is an organization formed and conducted for the purpose of oppressing Germans under the pretence of protecting negroes." The "sacrifice of a German life," Goepp claimed, would confirm the validity of this belief. Other petitioners agreed that Geary's decision would have a significant impact on the German vote, without which the party would be doomed. An "old German lawyer" from Philadelphia explained that he was a "sincere reverer of You till now, two times voted for You & in other wise active for Your election," suggesting that a refusal to pardon Schoeppe would mark the end of his political support. The businessman David Calhoun Herbst, who had been present at the founding of the Republican Party in Pittsburgh in 1856, urged the governor, "Public opinion demands your interference to prevent the execution." Senator Carl Schurz of Missouri reminded Geary that a dismissal of public opinion in the matter would hurt not just him but also his friends, meaning fellow Republican politicians. Were he in Geary's place, he would overrule the verdict. A. Minor, "at heart a great German," warned Geary, "the Germans will not forget this instance very soon whichever way it is finally decided." And Dr. Zitzer of Carlisle, writing "in the name of my countrymen," promised the governor, "gratefulness will be shown more clearly at the next contest between the Hero of Lookout Mountain & the Copperhead, Stay-at-Home, fill his pockets miner & grinder wages." A pardon, Dr. George H. Haldeman wrote, "would be hailed with delight by a large majority of your constituency." The German American vote, these petitioners claimed, was crucial to the success of Geary, the Republican Party, and the nation. And the vote presumably depended on the outcome of the Schoeppe case.

Fully aware that a pardon depended more on political considerations than legal issues, Dittmann explained in his personal hearing before the

governor that a pardon would have tremendous popular appeal, that every good citizen would praise him, German or not.⁵³ Like Goepp, Dittmann accused the state's judiciary of corruption. As Schoeppe had already explained in his published self-defense, the lawyer claimed that the jury had been pressured to side with the prosecution through the use of a paid "mob" that had been instructed, possibly by the attorney general himself, to influence the twelve men with calls to "hang the damned German." This, Dittmann claimed, was proof of prejudice against Schoeppe and, by extension, all German Americans, not just by the American people but also by the state's judiciary. Whether Schoeppe was innocent or not, there was no doubt that the legal system that had convicted him was corrupt. Geary had an opportunity to save an innocent man and present himself as a defender of justice and liberty.

Thus, the arguments in favor of Schoeppe did not just focus on a defense of Germans in America. Rather, the *Tragedy of Paul Schoeppe*, as one of the two published trial reports was titled, offered German Americans an opportunity to demonstrate their firm support for American ideals and institutions. They aimed to guard the image of their chosen home as a place of liberty, as a nation where a "friendless foreigner" would not become a martyr to corruption and victim of prejudice. The German Society, an organization "that was older than the state itself," as Dittmann reminded the governor, firmly placed in Geary's hands the responsibility to save a human life and "spare the state from a horrible shame of a judicial murder."⁵⁴ The telegraph and the press," the lawyer argued, "have carried the news of this conviction into the most remote corners of the civilized world, and the sighs and fearful cries of the prisoner were heard across the ocean."⁵⁵ After all, the attorney explained, Schoeppe "came to this land like myself and many others in search for freedom," something to which he evidently was entitled. Dittmann based the demand for a pardon in part on the notion that Pennsylvania was violating the basic principle of liberty that had drawn German immigrants to the United States for generations.⁵⁶

Thus, Schoeppe's champions attacked the trial as a miscarriage of justice that not only resulted in the conviction of an innocent man but also violated one of the most important of the nation's founding principles. It was in the interest of all Americans, they claimed, to protect the reputation of their country as a land of liberty. Indeed, what was at stake in Schoeppe's case was the status of the United States as a haven from oppression for all (European) newcomers. Their condemnation of the verdict constituted at once an attack on what they saw as un-American behavior and institutions—corruption, xenophobia, and biased local courts—and a defense of American ideals—including opportunity and freedom for all newcomers.

Schoepppe's German American defenders were careful, then, to cast their cause as an American one and not merely as an issue that concerned only the German American community.

It would be difficult for a politician with ambition for national office to ignore the numerous and vocal appeals on behalf of Schoepppe, especially since the press covered the case in such detail. However, to the dismay of Schoepppe's supporters, the protests and petitions initially failed to achieve their objective. Governor Geary, who at that time tried to establish a reputation that included a hard line on crime, refused to pardon the man.⁵⁷ His earlier promise to review and possibly pardon Schoepppe, it turned out, had been a political decision to appease the many voices that had taken up Schoepppe's cause. In an interview published in the *Philadelphia Freie Presse* Geary gave as one of the reasons for his refusal to grant clemency that he did not want anything to do with "a call for pardon that helped form a special caste based on nationality that contradicted the spirit of our institutions."⁵⁸ Geary claimed that it was the German American community, and not Pennsylvanians generally, who sought the young man's pardon. He was not prepared to cater to the demands of a particular ethnic group if it risked harming his political role as a representative of all citizens of his state. Moreover, the judges and jury had rendered their verdict, Geary argued, and he was not about to undermine their authority. Geary thus presented himself as a defender of local justice and enemy of partisanship rooted in national background.

Geary's view that Schoepppe's case was championed only by German Americans was, of course, not entirely correct. The medical community had launched its own movement to overturn the verdict, and most of the physicians and scientists involved in these efforts were neither German nor Pennsylvanian. However, the direct appeal for a pardon, presented in person, came not from them but from representatives of the German community, including Baron von Gerolt, Frederick Dittmann, Franz Sigel, and Friedrich Kapp, all of whom had visited the governor to plead their case.⁵⁹ Indeed, their appearances in Harrisburg may have actually made it easier for Geary to justify his refusal to pardon the condemned man.

Dittmann responded to Geary's decision with the angry allegation that Geary had long known he would sign the order of execution and that the German American attorney had been allowed to present his arguments to the executive only out of courtesy. The widely publicized hearing had been a move to counter suspicions of Geary as an unjust and cruel man. Promising to take the matter to the people, the German American lawyer warned in a published letter to the governor that Schoepppe's trial and conviction would achieve notoriety in Europe, where it would serve as a poor

example of so-called American justice. The German Society, which noted Geary's decision with significant regret, decided it could not take additional steps in this matter, most likely because the case was fast becoming a political issue.⁶⁰ The convicted man, in the meantime, did his best to indict the courts from the prison cell. His calmness during the trial, he claimed in the fall of 1869, had been due to his trust in the American legal system, which he assumed was comparable to that which he knew from Europe. This expectation had been bitterly disappointed.⁶¹

Even though the governor publicly insisted on the autonomy of the local courts and validity of the verdict, he did not want to be cast as the cold-blooded killer of a man who was viewed as innocent by so many of his constituents. Geary therefore asked his newly appointed attorney general, Judge F. Carroll Brewster, to persuade the state supreme court to review the case.⁶² Mere days before the scheduled execution in late December, the court issued a stay of execution. The justices promised to review the case in early 1870.⁶³

But by then, Schoeppe's image as an upstanding young man was beginning to crumble. Primarily based on Schoeppe's own claims, it had been assumed that he had completed his medical studies at the Charité, a well-known hospital in Berlin. Schoeppe claimed to have served in the Prussian army three times, rising to the rank of lieutenant. He maintained that he held papers that spoke "in the most flattering terms of his services and bravery," and he said that he passed "a very brilliant medical and surgical examination." He had immigrated to the United States in 1868 and came directly to Carlisle, where his father, a Lutheran minister, had recently taken over a German congregation.⁶⁴ Schoeppe helped craft an image of himself as a hardworking immigrant eager to better himself; when he first came to Carlisle, he stated in an interview, he "was a perfect stranger, and unable to speak English, but by close attention to my professional duties I met with good success."⁶⁵ And while most English-language newspapers did not actively champion his cause, they consistently described him as "well-educated, and of prepossessing appearance, and cultivated manners"—traits that gave him the appearance of respectability and honesty.⁶⁶ In short, Schoeppe seemed to be an educated, upstanding, and ambitious young immigrant in search of opportunity.

Beginning in early 1870, American newspapers were picking up reports from newspapers in Germany that raised questions about the accuracy of this biography. The papers claimed that in December 1862, a court in Berlin had convicted a theology student named Paul Schoeppe on the charges of burglary, forgery, and blackmailing. Evidently, Schoeppe had stolen funds from Count Blankensee when he served as his personal secretary. The

father of said Paul Schoeppe, the Lutheran pastor Friedrich Schoeppe, was convicted of receiving stolen property from his son, and the two were sent to the penitentiary. After their discharge from prison in 1863, the papers reported, father and son immigrated to the United States, possibly as a condition for their early release.⁶⁷ Moreover, several prominent Germans and Americans in Berlin confirmed that Schoeppe never attended medical school there. Rudolph Virchow, Charité director, informed the German Society in early 1870 that there was no record of Paul Schoeppe's studies at his hospital.⁶⁸ The historian George Bancroft, who represented the United States in Prussia during this time, confirmed several months later that to his knowledge Schoeppe never trained as a physician in Berlin.⁶⁹ Paul Schoeppe was a "Prussian jailbird," the *San Francisco Bulletin* concluded; he was a convicted criminal with a history of forging documents.⁷⁰

This news obviously put the adamant defenders of Schoeppe in an awkward position. How could they stand up for a man who had deceived them and the rest of the public about his past? How could he be held up as a humble and wronged immigrant in search of freedom? While public sympathies for Schoeppe generally cooled, German American newspapers and organizations initially justified their continued support by arguing that it had not been proven that the Schoeppe in Berlin was the same man now imprisoned in Carlisle. This claim seemed to be supported by the sworn testimony of several recent immigrants from Prussia, including the deputy mayor of Carlisle, who claimed that they did not recognize the man in the Carlisle jail as the same Schoeppe they had known in Berlin.⁷¹ However, this was hard to believe, given that the Schoeppe case in Berlin and the one in Carlisle shared so many characteristics, including the name, age and description of the defendant, accusations of forgery, as well as the fact that the father of both was a Lutheran minister. Some observers concluded that Schoeppe had written the testimony.⁷² Indeed, he did his part to deflect the growing criticism: He now claimed that his real name was Schoeffe; he had changed it to Schoeppe upon his arrival in the United States, presumably because it was easier to pronounce.⁷³

However, in the end, the German American community did not seem too concerned about Schoeppe's past. For one, at this point it had invested too much energy and resources to abandon his cause without careful consideration. More importantly, while a prior conviction of theft and forgery certainly tarnished his image as an upstanding young man, it did not make him a killer. Indeed, Schoeppe's dubious past actually served to reinforce the image of the United States as a land of opportunity. He may have committed crimes in the old country, but by emigrating he evidently sought to break with his past and make a better life for himself in the United States.

And, some editors stressed, one of the great characteristics of American society was its willingness to give newcomers a second chance. Even those who abandoned his cause in light of the news about his “true colors,” as the *Easton Gazette* put it, agreed that “this man though steeped in early and cunning crime might have lived here [*sic*] in prosperity and peace.”⁷⁴ He certainly did not *look* like a German criminal, one paper reported.⁷⁵ While the news from Germany raised questions about Schoeppe’s character, they did not radically alter the view of him as an innocent victim of a prejudiced society and biased legal system. On the contrary, the reports bolstered demands to give the poor immigrant a fair shot at proving himself a worthy citizen in the land of liberty.

With the advantage of hindsight, it is remarkable how long some of his champions stood by his side. Paul Schoeppe may not have been a killer, but he certainly was a crook. The resistance on the part of leading German Americans to admit that he was not the innocent immigrant they had held up as a symbol of prejudice suggests a pervasive need to defend the community from hostility and injustices, whether real or imagined. Schoeppe, it is important to note, actively sought to retain the loyalty of German Americans during this crisis; he evidently was keenly aware of the ethnic symbol he had become. Not only did he fuel suspicions of nativism with claims of corruption and prejudice in his published self-defense, but he also appealed to the identity of his supporters as Germans. In the summer of 1870, for example, he tried to shift their focus from his questionable past to his pronounced sense of German patriotism by asking the governor for clemency “that he may volunteer in the Prussian army to teach the tyrant Napoleon a lesson.”⁷⁶ With this statement, Schoeppe sought to take advantage of the surge in German nationalism in America generated by the conflict between France and Prussia.⁷⁷ And in early 1871, he announced that he would donate Steinecke’s bequest, which he was still claiming as his, to the German Lutheran church in Carlisle and toward the construction of a hospital for the poor in that town.⁷⁸ Over the years, Schoeppe shrewdly nurtured German American support by pointing to his personal experience of nativism, professing an unwavering loyalty to the German nation, and cultivating the appearance of an educated and upstanding immigrant.

While the public debated the nature of Schoeppe’s character and past, the legal proceedings continued, presumably unaffected by these recent developments. In early 1870, the state supreme court concluded its review of the case. Once again, it could find no errors in the record, and therefore it sustained the conviction. The state legislature, in the meantime, was more responsive to public pressures to correct what many saw as a great injustice. In early 1870 it passed legislation specifically designed to allow

Schoepppe a retrial. Initially, the bill did not have the desired effect because a veto by Governor Geary delayed its passage.⁷⁹ On February 15, 1870, one day after the state supreme court's decision not to interfere, the legislature passed the law over the governor's veto. The so-called "Schoepppe Act" permitted the court to review homicide cases not just for errors in the record but also for flaws in the evidence.⁸⁰ However, since the law only applied to pending or future cases, it did not help the intended beneficiary. Once again, the state's highest court refused to interfere. Indeed, Justice Daniel Agnew seized the opportunity to explain that the court disapproved of the act, which was so obviously the result of public pressures and sentiments.⁸¹

A second attempt by the assembly to give Paul Schoepppe another day in court was more successful. The law, passed in the spring of 1872, gave the Court of Oyer and Terminer of Cumberland County the power to open and set aside Schoepppe's judgment of conviction. Judge Graham, who had presided over Schoepppe's first trial, had since been defeated in the election of presiding judge of Cumberland County, presumably at least partly because of his role in the case.⁸² His successor, Judge Benjamin Franklin Junkin, was more sympathetic. Paul Schoepppe finally won the right to a new trial.

By that time, Schoepppe had languished in the Carlisle prison for close to three years. The sheriff confirmed that he was a model prisoner, well-behaved and gentlemanly.⁸³ His health, however, was deteriorating, prompting his attorney to ask the governor in the fall of 1871 to speed up the proceedings, evidently to no avail.⁸⁴ The second trial took place in the early fall of 1872. It included the same scientific evidence that the prosecution had presented in the first trial, but this time, the medical experts called by the defense effectively questioned its reliability. In fact, after listening to the testimony by the defense, Judge Junkin denied the prosecution an opportunity to present what the attorney general referred to as "moral evidence" against Schoepppe. The judge simply concluded that the prosecution's case was too weak to occupy the time of the court. He offered a formal charge to the jury only because the law required it. Nobody was surprised when the eleven men (the absence of one juror due to sickness had not been seen as cause to delay the proceedings) returned a verdict of not guilty.⁸⁵ In the end, Schoepppe got his second trial because of the efforts of the German American community, and he was acquitted based on the testimony of medical experts. "The pure light of science," the *New York Herald* noted with satisfaction, "breaking though all the mists, shows him the way out of prison."⁸⁶ After more than three and a half years in the Carlisle prison, Paul Schoepppe was a free man. The wait had been worth it since, ultimately, as one German-language paper concluded, freedom proclaimed by a jury after an unbiased trial was far more valuable than

a governor's pardon.⁸⁷ It seemed as though the entire German American community had been vindicated.

Alas, Paul Schoeppe did not return to the life of an upstanding immigrant he had presumably led until his incarceration. Over the next few years, he stayed in various cities with large German American communities, including Chicago, St. Louis, and Cincinnati, sometimes under the assumed names of Count Schulenberg or Count Schettow. On occasion he tried to capitalize on his notoriety by offering lectures about his ordeal.⁸⁸ However, in 1874 he was arrested, tried, and convicted for forging checks and stealing funds from various individuals and organizations, including the German Relief Society in Chicago.⁸⁹ By that time, the English-language press was treating the case as a story that merited publication because of its sensationalism. The *New York Sunday Times*, for example, wrote that Schoeppe's "career reads more like a story of fiction than of fact"; he had not only committed three forgeries, but he was also said to have been "the means of separating several husbands from their wives."⁹⁰

This time, the German American community did not stand by his side. Sympathy for him ceased as he was transformed from a helpless victim of nativism into an immoral criminal without regard for American and German American institutions. Schoeppe reacted to his compatriots' failure to defend him with the angry charge that German American newspapers were hounding him with slanderous articles and that his arrest had been arranged by Max Horwitz, an editor of the *Chicago Staatszeitung*, a leading German American newspaper.⁹¹ None of this helped his cause; indeed, it only served to further tarnish his reputation. In April 1874, he was sentenced to three years in prison for forgery and theft.⁹² The following year, after protracted legal battles over Steinecke's bequest, a court finally denied Schoeppe any rights to the fortune.⁹³ In 1877, after his release from the penitentiary in Joliet, Illinois, the *Harrisburg Patriot* announced that Schoeppe had been last seen on a train going west.⁹⁴

Ultimately, it was the efforts of the German American community throughout the nation that led to the immigrant's new trial and acquittal, not to mention permanent changes in the way homicide cases were reviewed in Pennsylvania. The reactions to Schoeppe's ordeal suggest that perceptions of anti-German sentiments and discrimination were widespread within the German American community. Given the general consensus within the medical community that the forensic evidence used to convict the young man was flawed, German Americans were convinced he had to be a victim of prejudice. His trial and conviction offered them a common cause that united them in their fight against what they saw as pervasive nativism. They tirelessly campaigned on his behalf, even after

news reports revealed, roughly one year after the alleged murder, that their hero's German past included a stint in a Prussian jail for theft and forgery. By that time, Schoeppe was far too valuable as a powerful ethnic symbol to be readily abandoned.⁹⁵ Indeed, news of his life prior to emigration helped reinforce efforts to protect the image of the United States as a country where hardworking and ambitious immigrants could succeed, regardless of previous misdeeds. Finally, Schoeppe's conviction provided German American Republicans an opportunity to present their party as a defender of immigrants and an enemy of corruption.

Based on the surviving records, it is evident that the forensic evidence presented in the first trial did not support a murder conviction and death penalty. It is also clear that Paul Schoeppe was a con man. To the German American community, however, he was a valuable martyr to corruption and symbol of nativism.

NOTES

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1. This basic chronology is in the two published trial reports, *The Schoeppe Tragedy, Entire: Trial of Dr. Paul Schoeppe for the Murder of Miss Maria Steinnecke by Poison* (Carlisle, Pa.: Printed at the Herald Office, 1869); *The Schoeppe Murder Trial: The Trial of Dr. Paul Schoeppe in the Court of Oyer and Terminer of Cumberland County, Pa. Charged with the Murder of Miss Maria M. Stennecke* [sic] (Carlisle, Pa.: Printed at the Herald Office, 1869). The trial and subsequent legal motions are summarized in John Hugh Campbell, *Legal Gazette: Reports of Cases Decided in the United States District Court for the Eastern District of Pennsylvania* (Philadelphia: John Campbell, 1872), 433–55. See also Whitfield J. Bell Jr., "Prussic Acid in Pomfred Street," unpublished paper presented before the Cumberland County Historical Society, Carlisle, March 20, 1947; James C. Mohr, *Doctors and the Law: Medical Jurisprudence in Nineteenth-Century America* (New York: Oxford University Press, 1993), 180–87; Mark W. Podvia, "The Strange Case of Dr. Paul Schoeppe: An 1869 Carlisle, Pennsylvania, Murder Trial That Shook the Medical Community, United America's German Community, and Forever Changed the Appellate Process in Criminal Matters" (MA thesis, Pennsylvania State University, Harrisburg, 2006).

2. For a discussion of the forensic issues raised by the case, see Mohr, *Doctors and the Law*, 182.

3. *Cincinnati Daily Enquirer*, November 15, 1869.

4. Meetings and reports by medical groups in various cities are noted in *Schoeppe Tragedy, Entire*, 55–58; *Transactions of the Medical Society of the County of Albany*, from June 10, 1851 to June 14, 1870 (Albany, N.Y., 1872), 358, 366–67; *Carlisle (Pa.) American Volunteer*, September 9, 1869; *Medical and Surgical Reporter* (Lancaster,

Pa.), October 2, 1869; *New York Medical Record*, November 1, 1869; *Baltimore Sun*, December 6, 1869; *New York Times*, December 12, 1869; *Salt Lake City (Utah) Deseret News*, December 22, 1869. Several medical reports are also in Record Group 26 (Records of the Department of State), ser. 26.3 (Secretary of the Commonwealth, Clemency File, 1790–1873), box 53, Pennsylvania State Archives (hereafter Clemency File, PSA). See also Mohr, *Doctors and the Law*, 183–84; Podvia, “Strange Case of Dr. Paul Schoeppe,” [77]–81.

5. *Medico-Legal Report on the Medical Testimony in the Schoeppe Murder Trial, Presented to the College of Physicians of Philadelphia and unanimously adopted, November 3, 1869* (Philadelphia: M. Dahlem, 1869).

6. On Aiken’s undistinguished career, see Mohr, *Doctors and the Law*, 182.

7. *Medico-Legal Report*, 77.

8. *New Hampshire Sentinel* (Keene, N.H.), November 25, 1869.

9. Three German American physicians from Philadelphia called for a meeting on behalf of Schoeppe at the Hall of the German Society of Pennsylvania. [Invitation dated December 7, 1869], AB 96.4, German American Collection, German Society of Pennsylvania (hereafter GAC, German Society). An earlier effort by the society to organize a group of German physicians for the cause had failed, possibly because the German American community at that time still hoped the verdict would be overturned. See Protocoll der Beamten, September 29, 1869, AE2.4 1846–72, GAC, German Society.

10. “Engherziger Fremdenhass,” *Philadelphia Freie Presse*, November 22, 1869, clipping in Scrapbook “Schöppe Mordprozess,” AB 96.8, GAC, German Society (hereafter Scrapbook “Schöppe Mordprozess”). All translations are mine.

11. For a discussion of the link between nativism and the Republican Party in the 1850s, see Bruce Levine, “‘The Vital Element of the Republican Party’: Antislavery, Nativism, and Abraham Lincoln,” *Journal of the Civil War Era* 1, no. 4 (December 2011): 481–505.

12. John Higham, *Strangers in the Land: Patterns of American Nativism, 1860–1925* (1955; repr., New Brunswick, N.J.: Rutgers University Press, 2002), esp. 12–34; Carl Wittke, *Refugees of Revolution: The German Forty-Eighters in America* (Philadelphia: University of Pennsylvania Press, 1952), 241; Milton M. Gordon, *Assimilation in American Life: The Role of Race, Religion, and National Origins* (New York: Oxford University Press, 1964), 95; Agnes Bretting, “The Old Home and the New: The Problem of Americanization,” in *Germans to America: 300 Years of Immigration 1683–1983*, ed. Günter Moltmann (Stuttgart: Institut für Auslandsbeziehungen, 1982), 157; William L. Burton, *Melting Pot Soldiers: The Union’s Ethnic Regiments* (New York: Fordham University Press, 1998), 219; Roger Daniels, *Coming to America: A History of Immigration and Ethnicity in American Life* (New York: HarperCollins, 2002), 265.

13. For an excellent review of studies of nativism, see Tyler Anbinder, “Nativism and Prejudice against Immigrants,” in *A Companion to American Immigration*, ed. Reed Ueda (Malden, Mass.: Blackwell, 2006), 177–201.

14. Stephen Engle, “Yankee Dutchmen: Germans, the Union, and the Construction of Wartime Identity,” in *Civil War Citizens: Race, Ethnicity, and Identity in America’s*

Bloodiest Conflict, ed. Susannah J. Ural (New York: New York University Press, 2010), 11–55; Christian Keller, *Chancellorsville and the Germans: Nativism, Ethnicity, and Civil War Memory* (New York: Fordham University Press, 2007); Wolfgang Helbich, “German-Born Union Soldiers: Motivation, Ethnicity, and ‘Americanization,’” in *German American Immigration and Ethnicity in Comparative Perspective*, ed. Wolfgang Helbich and Walter D. Kamphoefner (Madison, Wisc.: Max Kade Institute for German American Studies, 2004), 295–325; Christian Keller and David L. Valuska, “After Gettysburg,” in *Damn Dutch: Pennsylvania Germans at Gettysburg*, ed. Christian Keller and David Valuska, (Mechanicsburg, Pa.: Stackpole, 2004), 194–98; Stephen Engle, “A Raised Consciousness: Franz Sigel and German Ethnic Identity in the Civil War,” *Yearbook of German American Studies* 34 (1999): 1–17.

15. *Die Demokratische Union*, September 28, 1868. See also Carl Wittke, *The German-Language Press in America* (New York: Haskell House, 1973), 149–52.

16. Kathleen Conzen, “German Americans and the Invention of Ethnicity,” in *America and the Germans: An Assessment of Three-Hundred Years History*, 2 vols., ed. Frank Trommler and Joseph McVeigh (Philadelphia: University of Pennsylvania Press, 1985), 1: 1–17.

17. Rudolf A. Hofmeister, *The Germans of Chicago* (Champaign, Ill.: Stipes, 1976), 113.

18. *Der Deutsche Pionier* 7 (May 1875): 83. The efforts of the organization that published the journal “resulted in one of the most productive, successful, and representative attempts at establishing a viable German-America in nineteenth-century America.” Reiner Sell, “Der Deutsche Pionier-Verein von Cincinnati, Heinrich Armin Rattermann, and *Der Deutsche Pionier*: A Nucleus of Nineteenth-Century German-America,” *Yearbook of German American Studies* 20 (1985): 49.

19. James Bergquist, *Daily Life in Immigrant America, 1820–1870* (Westport, Conn.: Greenwood, 2008), 259.

20. Another Carlisle murder case, tried at the same time as Schoeppe’s, received scant mention in the press. For brief references to the murder trial of Adam Titus, see, for example, *New York Herald*, June 4, 1869; *New York Times*, August 21, 1869.

21. *Carlisle Herald*, February 5, 1869. See also *American Volunteer*, February 18, 1869.

22. *Freeman’s Journal* (Dublin), March 13, 1869; *Liverpool Mercury*, March 13, 1869;

23. Rev. Conway P. Wing et al., *History of Cumberland County, Pennsylvania, with Illustrations* (Philadelphia: James D. Scott, 1879), 179–80.

24. The names of the jurors are listed in *Schoeppe Tragedy, Entire*, 5–6. Based on the men’s surnames, only three (Kunkel, Keller, Mohler) can be assigned German backgrounds with any degree of certainty.

25. *New York Times*, August 21, 1869. See also *Carlisle Herald*, August 27, 1869.

26. *Schoeppe v. The Commonwealth*, 65 Pa. 51 (1870). These legal issues are discussed in some detail in Sylvester B. Sadler, “The Review of Homicide Cases in Pennsylvania,” *University of Pennsylvania Law Review and American Law Register* 70, no. 1 (November 1921): 14–21.

27. "Protokoll der Beamten," September 27, October 27, November 29, 1869, AE 2.4 1846–1872, GAC, German Society; "Call for a Meeting," December 7, 1869, AB 96.4, GAC, German Society; *Philadelphia Medical Times: A Semi-Monthly Journal of Medical and Surgical Science*, May 15, 1872.

28. *Philadelphia Medical Times*, May 15, 1872. For biographies of Kellner and Seidensticker, see *Mitteilungen des Deutschen Pioniervereins von Philadelphia* 10 (1909): 26–31, 21.

29. For a review of one of Kapp's books that praised these efforts, see *Der Deutsche Pionier* 6 (December 1874): 348.

30. *New York Times*, December 3, 1869; *Philadelphia Inquirer*, December 6, 1869. After the war, Sigel briefly served as the editor of the *Baltimore Wecker*, later one of the champions of Schoeppe's cause. For a biography of Sigel, see Stephen D. Engle, *Yankee Dutchman: The Life of Franz Sigel* (Fayetteville: University of Arkansas Press, 1993). Kapp's involvement in the case ceased when he returned to Germany in the spring of 1870.

31. *Philadelphia Freie Presse*, December 6, 1869, clipping in Scrapbook "Schöppe Mordprozess"; *Cincinnati Daily Gazette*, December 16, 1869; *New York Times*, December 12, 1869; *Cincinnati Daily Enquirer*, December 10, 1869; *American Volunteer*, December 16, 1869.

32. *Philadelphia Freie Presse*, November 1869, clipping in Scrapbook "Schöppe Mordprozess."

33. *New Hampshire Sentinel*, November 25, 1869; *Philadelphia Freie Presse*, November 27, 1869, clipping in Scrapbook "Schöppe Mordprozess."

34. *Philadelphia Freie Presse*, December 13, 1869, clipping in Scrapbook "Schöppe Mordprozess;" *Buffalo Medical and Surgical Journal* 9 (December 1869), 197; *Baltimore Wecker*, December 7, 1869. Gerolt eventually refused to interfere in the case, explaining that he did not want to strain the friendly relations between Prussia and the United States, *Baltimore Sun*, December 6, 1869.

35. For a description of the mass meeting at the Concordia Halle (Philadelphia) that featured speeches in English and German, see *Philadelphia Freie Presse*, December 6, 1869, clipping in Scrapbook "Schöppe Mordprozess,"

36. "Die Schmach eines möglichen Justizmordes von dem amerikanischen Volke abzuwenden," *Philadelphia Freie Presse*, November 27, 1869, clipping in Scrapbook "Schöppe Mordprozess." For an English version of the speech, delivered by S. Herzberg, president of the German Legal Aid Society, see *New York Times*, November 28, 1869.

37. *Philadelphia Freie Presse*, November 27, 1869, clipping in Scrapbook "Schöppe Mordprozess."

38. Birte Pfleger, *Ethnicity Matters: A History of the German Society of Pennsylvania* (Washington, D.C.: German Historical Institute, 2006), 21–25; Harry Pfund, *A History of the German Society of Pennsylvania* (Philadelphia: German Society of Pennsylvania, 1964), 9–10; Lesley Ann Kawaguchi, "The Making of Philadelphia's German-America" (PhD diss., University of California, Los Angeles, 1983), 299–320.

39. Frederick Dittmann to Governor Geary, September 22, 1869, Clemency File, PSA; "Protokoll der Beamten," September 27, 1869, AE 2.4 1846–1872, GAC, German

Society; Oswald Seidensticker, *Geschichte der Deutschen Gesellschaft von Pennsylvanien. Von der Zeit der Gründung 1764 bis zum Jahre 1876* (Philadelphia: Ig. Kohler, 1876), 130.

40. Frederick Dittmann to Secretary of State Francis Jordan, October 2, 1869, Clemency File, PSA.

41. *Philadelphia Inquirer*, November 12, 1869.

42. Dittmann explained to the governor that he had actually been urged to make his plea before the recent election; however, he declined since he trusted that Geary's actions were determined only by the "purest motives." *Philadelphia Freie Presse*, November 22, 1869, clipping in Scrapbook "Schöppe Mordprozess"; Mohr, *Doctors and the Law*, 184–85.

43. Dittmann to Jordan, October 2, 1869, Clemency File, PSA.

44. Frederick Dittmann to Francis Jordan, October 2, 1869, Clemency File, PSA.

45. It is obvious from several letters that additional letters were sent to other political leaders, often with pleas to the recipient to intervene in the case. See, for example the letter by Carl Schurz, German American senator from Missouri, in which he explains that he is "continually receiving letters entreating me to intercede."

46. *Philadelphia Freie Presse*, November 27, 1869, clipping in Scrapbook "Schöppe Mordprozess"; *Baltimore Sun*, December 3, 1869; *Buffalo Medical and Surgical Journal* 9 (December 1869): 189. A law journal later observed that "opinion was strongly and almost universally against him." *American Law Review* (January 1873): 379. Schoeppe's letter is dated November 29, 1869.

47. Goepf was perhaps best known for his active role in the 1852 Congress at Wheeling, Virginia, which promoted the radical notion of a world republic with the United States at its center. He published his views in 1852, under the title *E Pluribus Unum*. These ideas were expanded in Charles Goepf and Theodor Poesche, *The New Rome, or the United States of the World* (New York: G. B. Putnam & Co., 1853). For an assessment of the book, written sixty years after its publication, see Julius Goebel, "A Political Prophecy of the Forty-Eighters in America," *Deutsch-Amerikanische Geschichtsblätter* 12 (1912): 462–96. 1912.

48. See Wittke, *Refugees of Revolution*. For a discussion of German American efforts to fight corruption in the post-Civil War period, see Alison Clark Efford, *German Immigrants, Race, and Citizenship in the Civil War Era* (New York: Cambridge University Press, 2013), esp. 191–93. Efford argues that German Americans saw their distaste for corruption as an ethnic concern, not a partisan one.

49. Maglaughlin, who "despised" such denunciations over "the counters of beer shops," insisted that the state did "not seek the punishment of the prisoner because he is a foreigner." *Schoeppe Murder Trial*, 49.

50. Sworn testimony of Amos K. Hinkle, March 24, 1871, Clemency File, PSA. The published trial report confirms that he "spoke English with a decidedly German accent, but otherwise correctly and fluently." *Schoeppe Tragedy, Entire* [3].

51. In a subsequent letter, Polk, who identified himself as a psychologist and an honest man, pointed to the "influence of Jesuitism" as the great evil of the country.

52. Keller and Valuska, "After Gettysburg," 190–91.

53. The appeal was printed in full in several publications, including the *Philadelphia Freie Presse*, November 22, 1869, clipping in Scrapbook “Schöppe Mordprozess.”

54. “Die fürchterliche Schande eines Justizmordes.” *Philadelphia Freie Presse*, November 22, 1869, in Scrapbook “Schöppe Mordprozess.”

55. A German newspaper clipping in the Clemency File, PSA, with handwritten English translation, noted that the Schoeppe case has been the subject of great interest in the German papers. The article also points to the “barbaric state of things of which the people of Penn. ought to be deeply ashamed.” *Pirnaer Anzeiger* (Pirna, Germany), March 18, 1870.

56. For Pennsylvania’s place as “the first refuge for the oppressed and persecuted of all nationalities,” see Russell A. Kazal, “The Lost World of Pennsylvania Pluralism: Immigrants, Regions, and the Early Origins of Pluralist Ideologies in America,” *Journal of American Ethnic History* 27, no. 3 (Spring 2008): 11–16.

57. Mohr, *Doctors and the Law*, 185. The governor’s refusal to pardon Schoeppe was consistent with his view that the executive should use that power sparingly. In early 1870, he reported that only 62, or 4 percent, of 1,550 applications for pardons in the preceding year had been granted. 1,108 had been rejected, and 380 were still under review. *Pennsylvania Archives*, 4th ser., Papers of the Governors, 1858–1871, vol. 8 (Harrisburg, Pa.: Harrisburg Publishing Company, State Printer, 1902), 1035.

58. *Philadelphia Freie Presse*, December 13, 1869, clipping in Scrapbook “Schöppe Mordprozess.”

59. *New York Times*, December 3, 1869.

60. The letter, dated November 24, 1869, was printed in an unidentified German American newspaper, clipping in Scrapbook “Schöppe Mordprozess.” Dittmann protested the governor’s decision with his resignation from his post as notary public. For the society’s decision to end its involvement, see “Protocoll der Beamten,” November 29, 1869, AE2.4 1846–1872, GAC, German Society. The society, whose membership included men of many political persuasions, generally avoided involvement in political or similarly controversial matters.

61. “Dr. Schoeppe’s Selbstverteidigung,” [November 1869], unidentified German American newspaper, clipping in Scrapbook “Schöppe Mordprozess.”

62. For B. H. Brewster’s sudden resignation in October 1869, at Geary’s request, see Eugene Coleman Savidge, *Life of Benjamin Harris Brewster, with Discourses and Addresses* (Philadelphia: J. B. Lippincott and Company, 1891), 102–5. His successor, F. Carroll Brewster, was the first attorney general of Pennsylvania who also belonged to the Board of Pardons. He recommended against pardoning Schoeppe. See clipping from unidentified newspaper in Scrapbook “Schöppe Mordprozess.”

63. The impact on his political career of his decision not to pardon Schoeppe was never tested; Geary died suddenly in 1873.

64. *Schoeppe Tragedy, Entire*, [3]. The elder Schoeppe had immigrated in 1864.

65. *Columbus Daily Inquirer*, September 14, 1872.

66. See, for example, an essay published in 1874 which explored why Schoeppe “soon obtained entry to the highest German circles of [Chicago],” *Chicago Inter-Ocean*, March 15, 1874.

67. Schoeppe to Graf von Blankensee, New York, October 6, 1868, AB 96.1, GAC, German Society. The citations are taken from a “long history of the career” of Schoeppe, which was published in the *Philadelphia Freie Presse* in March 1874. See also *Chicago Inter Ocean*, March 15, 1874. The 1862 trial is described in the *Berliner Gerichtszeitung*, December 9, 11, 1862. These reports are also summarized in an unidentified newspaper clipping in Scrapbook “Schöppe Mordprozess.”

68. Rudolph Virchow to Albert Fricke, Berlin, January 29, 18[70], AB 96.5, GAC, German Society.

69. For a reference to Bancroft, see *Baltimore Sun*, July 14, 1870.

70. *San Francisco Bulletin*, January 19, 1870.

71. *Philadelphia Inquirer*, January 13, 1870 (from the *Philadelphia Freie Presse*); *New York Times*, January 14, 1870; *Harrisburg Patriot*, January 27, 1870. For a reference to declining donations, see *Philadelphia Democrat*, September 10, 1872, clipping in Scrapbook “Schöppe Mordprozess.”

72. *Baltimore Sun*, January 14, 1870; *New York Times*, January 14, 1870 (from the *Baltimore Wecker*). One witness subsequently stated that he recognized him after all; Schoeppe had actually ordered from him the key used in the theft of Count Blankensee’s funds, *Harrisburg Patriot*, January 27, 1870.

73. *Baltimore Sun*, January 17, 1870.

74. *Easton Gazette*, August 27, 1870.

75. “Ich erwartete, einen schurkisch aussehenden Deutschen zu sprechen, fand aber einen würdig und sehr fein aussehenden Herrn,” *Der Zeitgeist* (Egg Harbor, N.J.), January 1, 1870.

76. *New York Herald*, July 29, 1870.

77. Efford describes the Franco-Prussian War and German unification as a turning point in the way the German American community defined American citizenship during Reconstruction. Efford, *German Immigrants*, 143–70.

78. *Philadelphia Inquirer*, February 20, 1871; *Easton Gazette*, February 25, 1871.

79. Among other reservations, Geary argued that Senate Bill 206 violated the Constitution by essentially allowing the legislature to grant a new trial. *Pennsylvania Archives*, 8:1080–84.

80. Sadler, “Review of Homicide Cases in Pennsylvania,” 14–21; Francis Wharton, *A Treatise on the Law of Homicide in the United States* (Philadelphia: Kay and Brother, 1875), 627.

81. *Schoeppe vs. The Commonwealth*, 65 Pa. 51 (1870). The Schoeppe case “caused a fierce conflict in the Legislature before the bill was passed.” *Debates of the Convention to Amend the Constitution of Pennsylvania*, vol. 6 (Harrisburg: B. Singerly, State printer, 1873), 293. Justice Agnew noted in reference to the Act of 1870 that “the offspring of feeling are seldom wisely framed.” I. J. Wistar called it a “vicious measure,” *Lippincott’s Monthly Magazine* 57 (January–June 1896): 824. Despite these attacks, the law was incorporated into the Pennsylvania Constitution of 1874.

82. Sadler, “Review of Homicide Cases,” 17.

83. B. K. Goodyear to Governor Geary, Carlisle, Pa., November 29, 1870, February 15, 1871, Clemency File, PSA.

84. J. R. Bixler to Governor Geary, Carlisle, Pa., October 21, 1871, Clemency File, PSA.

85. For a description of the last day of testimony, including the crowd's "blank astonishment" at the judge's refusal to hear the "moral evidence" against Schoeppe, see *New York Herald*, September 7, 1872. The judge remarked, "It was God's providence which alone saved the Court and the former jury from committing a great wrong." The jurors, weeping with joy, were granted the unusual request to embrace the young man they had saved from the gallows. See *Galveston Tri-Weekly News*, September 11, 1872; *Macon (Georgia) Weekly Telegraph*, September 10, 1872. The acquittal was listed in *Important Events of the Century* (New York: U.S. Central Publishing Company, 1876), 174. For the names of the jurors, see Cumberland County (Pa.) Court of Oyer & Terminer Docket, 1872, 2:183–84, Cumberland County Historical Society. For the judge's decision to speed up the proceedings due to the sickness of several jurors, see *New York Herald*, September 5, 1872.

86. *New York Herald*, September 9, 1872.

87. *Philadelphia Freie Presse*, September 1872, clipping in Scrapbook "Schöppe Mordprozess."

88. *The Galaxy: A Magazine of Entertaining Reading* 17, no. 3 (March 1874): 411.

89. *Chicago Daily Tribune*, April 28, 1874.

90. *New York Sunday Times*, March 15, 1874.

91. Horwitz adamantly denied that he had anything to do with the arrest. *Chicago Inter Ocean*, April 17, 22, 1874.

92. *Chicago Daily Tribune*, April 28, 1874.

93. *Fitchburg (Mass.) Sentinel*, June 23, 1875. Schoeppe based his rights to the fortune on the claim that he and Steinecke had secretly been married.

94. *Harrisburg Patriot*, October 4, 1877.

95. In this regard, the use of Schoeppe by the German American community resembles that of Sigel, who also became "a symbol irrespective of merit." Engle, "Raised Consciousness," 13.