



# THE CLEVELAND CIVIL WAR ROUND-TABLE

P. O. BOX 5028, CLEVELAND, OHIO 44101

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DECEMBER, 1977

VOL. 22 NO. 4

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----- 176th Meeting, Ladies' -----

Date: Wednesday, December 7, 1977  
Speaker: Professor Frank L. Byrne  
Subject: "Confederate Experiments with Prisoners as Manpower"  
Place: The Hermit Club, Dodge Court  
Preliminaries: 6:30 p.m.                      Dinner: 7:30 p.m.

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IMPORTANT: This is Ladies' Night. Please note that the date is Wednesday, December 7; also that festivities have been moved back one half hour -- Cocktails from 6:30 p.m. and Dinner at 7:30. You must make reservations. To reserve call Charles Spiegle at (office) 464-5335 or (home) 461-9096.

Professor Byrne is a member of the History Department at Kent State University. He received his Doctor of Philosophy degree at the University of Wisconsin.

Professor Byrne's contribution to Civil War scholarship include:

Books:        ed., The View from Headquarters: Civil War Letters of Harvey Reid (1965).

co-ed., Haskell of Gettysburg: His Life and Civil War Papers (1970).

Articles:    The section on "Prisons and Prisoners of War" in Nevins, Robertson and Wiley, Civil War Books: A Critical Bibliography, Vol. 1 (1967).

GETTYSBURG, O GETTYSBURG !!!

The October issue of "The Bugle Call," the newsletter of the Hagerstown, Md. CWRT contained a group of interesting articles about the Gettysburg battlefield situation as it is today. They provide a revealing picture of preservation problems that are with us now, and which may intensify in the years to come. We include all four articles herewith; they are (1) a story from the Washington Post about Ottenstein's efforts to avoid an amusement tax, (2) an editorial from the "Preservation News" of the National Historic Trust about the Gettysburg situation, (3) a comment by the editor of the Hagerstown Newsletter, and finally (4) another Washington Post article about efforts to get an original draft of THE address.

GETTYSBURG TOWER OWNER IS NOT AMUSED, BALKS AT TAX

By Judith Valente

Washington Post Staff Writer, August, 1977

Gettysburg, Pa. -- Most people in this historic community think of Tom Ottenstein as the man who built a 307-foot steel observation tower overlooking the Civil War battlefield - thus sparking a bitter controversy that pitted him against historians, local residents and history buffs who thought the tower a "sacrilege" on such hallowed ground.

That was three years ago. Time and familiarity has begun to chip away at the old hostility, according to officials of Cumberland Township, where the tower stands. People are beginning to grow accustomed to the sight of the spindly silver structure overlooking the foothills and the rolling plains of the battlefield.

Now Ottenstein, a Bethesda businessman who promoted the tower as an "economic boon" that would produce tax revenues for Cumberland Township, has reopened the old wounds by refusing to pay a 7% amusement tax on each \$1.75 admission ticket he sells.

The tower, he now contends in a suit filed here, is an "educational experience" rather than an entertainment subject to an amusement tax. It is "something meaningful," he said.

Ottenstein's suit has generated wider concerns here because of the fear that if he wins - all the Civil War museums and battlefield-related amusements will suddenly see themselves as "educational experiences" also exempt from the tax, draining this tourist community of its financial lifeblood.

Ottenstein's move has baffled Cumberland Township officials who had individually endorsed the tower's construction in anticipation of the additional tax revenue for the township. But now, according to one observer familiar with the controversy, the supervisors "have been left holding the bag."

"There's no other way I can look at it (the suit) except as a complete turnabout on Mr. Ottenstein's part," said H. Wayne Cluch, a supervisor, who estimated Ottenstein owes the township in excess of \$10,000.

Cumberland officials say they can't understand why Ottenstein suddenly last summer decided to stop paying the tax. He paid it until July, 1976 -- a total of \$41,461.32 -- and didn't inform the township that he was discontinuing tax payments until last December.

The first two years the tower was open, Ottenstein charged \$1.50 per adult admissions with the 7% tax included in that price. This year, he raised the price of \$1.75.

# THE CIVIL WAR ROUND TABLE OF CLEVELAND, OHIO

FOUNDED FEBRUARY 19, 1957

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## NEWSLETTER

EDITORIAL COMMITTEE: Neville Bayless, Ray Swanson  
P. O. Box 5028, Cleveland, OH  
44101

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Ottenstein said he was too busy fighting court battles over the tower (the state had tried several times to prevent construction) to consider the basic fairness of the amusement tax before last year. Before last July, he paid it without much thought, he said.

The amusement tax accounts for 50% of the tax base in Cumberland Township and for 17% of the tax base in Gettysburg.

"We would just automatically stop paying the tax" if Ottenstein is successful, said Treva Weikert, manager of the Prince of Peace Museum, a religious museum located amid the fast food restaurants, hotels and gas stations that line the main street in Gettysburg.

To thwart Ottenstein's efforts, the township Board of Supervisors recently enacted an ordinance providing for an admissions tax to "any place or activity" in the township.

In return, Ottenstein amended his original suit to force the court to decide the legality of such a tax. "They figured they were going to lose so they changed the law," Ottenstein said bitterly.

"I'm not saying a person who visits the tower (called the National Gettysburg Battlefield Tower) goes away with a Ph.D. in history, but he does go away more knowledgeable about the Gettysburg battle," said Ottenstein.

Shaped like an hourglass, the tower has four observation decks, the two lower decks are enclosed and the top levels are open. Each level provides a panoramic view of the town of Gettysburg and the battlefield.

Before ascending the tower in a whirring elevator, visitors are

given a leaflet that identifies what they can see from the top.

On the first enclosed level are various photographs of Civil War scenes and its famous participants, Lee, Grant, Custer and others. There are also dolls, paintings, flags, posters and telescopes.

Music of the Civil War era -- lots of drums, flutes and horns-- is played continuously on overhead loudspeakers.

The crux of Ottenstein's argument, however, centers on a 12-minute tape giving a brief narrative dramatization of the three days of bloody battle, which is played over and over on the second observation deck.

Visitors, as they walk around the deck, are able to view that portion of the battlefield being discussed then on the tape.

The attorney for the township maintained in a legal brief that the "tower is of limited educational value to the uniformed. . . . On the other hand, in terms of entertainment and enjoyment, a beautiful view is provided which pleasurably occupies the sense of sight."

The township's argument also addresses the fact that Ottenstein has two concessions on the tower grounds that sell popcorn, cotten candy, sno cones, hot dogs, hamburgers and soda, and give the grounds an amusement park aura. In a sort of mini-zoo, rabbits, geese and sheep are on view beneath the tower.

When asked whether the tower is educational or aumusing, visitors most frequently respond that it's a little bit of both.

#### A SPECIAL PLACE

Editorial from Preservation News, September 1977

The reawakening of interest in the tower comes just as the Advisory Council on Historic Preservation, which opposed the tower from its beginning, is preparing to publish a major study regarding some of the still-unanswered larger questions about preserving the historic and scenic Gettysburg area in general. Gettysburg, the report notes, is a special place, but one that "has been special so long that it has been taken for granted." Over the years a number of problems have developed. The National Park Service still uses a preservation plan that dates from 1895, the report says. Furthermore there is no zoning in Adams County and, as a result, "Steinwehr Avenue at the foot of Cemetery Hill is becoming one great fast food complex, a monument to the importance of the hamburger in American life."

The council appointed a task force with Thomas Muths as chairman and representatives from the National Conference of State Historic Preservation Officers and the U.S. Departments of the Interior, Transportation, Treasury and Housing and Urban Development to make recommendations on implementation of the report. Those wide-ranging suggestions were approved by the full council in April.

The study asks HUD to examine how Gettysburg might become eligible for community development block grants (it does not have a large enough resident population to qualify, but, the study notes, consideration could be given to counting the visitors attracted there by a federal entity, the national park). The Federal Aviation

Administration is to review its procedures for controlling aircraft intrusion over national landmarks as a way of reducing the adverse effects of helicopter flights over the battlefield. DOT will explore with the state the construction of a highway bypass to relieve some of the traffic congestion.

Most of the suggestions, however, relate to the Department of the Interior. The Secretary should take steps, the task force says, to increase the land area in Gettysburg under federal control; repair and restore some of the monuments in the park; screen nearby commercial development; provide technical assistance for property owners who are planning to restore buildings within the Gettysburg Battlefield Historic District; and lastly, take action "to remove the National Gettysburg Battlefield Tower from the scene." (*italics added*) The National Park Service could condemn the property for acquisition and pay the owner the fair market value, or exercise a number of other innovative land use control techniques that are available to the federal government, and that must be exercised if national parklands are to be protected from the adverse development of adjacent lands.

What happened at Gettysburg must not be allowed to happen again at another of America's special places. It is through joint efforts such as this study that we can correct our mistakes. The council's report and recommendations are an excellent starting point for future action and are deserving of close attention.

#### COMMENT BY THE EDITOR OF THE "BUGLE CALL" (Hagerstown CWRT)

Frankly, I for one hope that Ottenstein wins his case. The town of Gettysburg has made a disgrace of the battlefield and all it stands for, with the carnival atmosphere it has allowed to be created. Now let the town and the citizens who elected willful men who would do such things find out what the messy end of the stick is really like.

But if this hassle were not enough, this town, which honors one of our Nation's most historic sites with an assemblage of fast food stores, animal shows and junk shops and all the litter, tinsel and noise that accompany them, has the gall to ask the Federal Government for the copy of Lincoln's Gettysburg Address. The following article from the Washington Post tells of their efforts.

#### GETTYSBURG ASKS FOR CUSTODY OF ITS MOST FAMOUS ADDRESS from the Washington Post

Gettysburg, Pa. -- Although this famous Civil War town houses endless memorabilia of the Gettysburg battle -- from guns to flags to Union soldiers' belt buckles -- there is still missing one major ingredient of the town's history.

Gettysburg has never owned any of Lincoln's original drafts of the Gettysburg Address.

Officials here tried unsuccessfully to get the Library of Congress to give Gettysburg one of its two original drafts of the address in 1975. But the town recently renewed its efforts to obtain one of the originals by getting two Pennsylvania legislators to sponsor bills in Congress on Gettysburg's behalf.

In addition, the Gettysburg Travel Council has started a petition drive and over the past two months has obtained 70,000 signatures representing visitors from the 50 states who support efforts to obtain one of the original drafts for Gettysburg.

"To many of the four million annual visitors to Gettysburg, the original Gettysburg Address remains the missing link in the interpretation and appreciation of the story of Gettysburg," said James Cole, executive director of the travel Council. The council is a state-funded agency that offers a free information service for tourists.

The Library of Congress refused the request from Gettysburg officials in 1975, stating that the Library -- the repository for many Presidents' personal papers would be setting a "highly undesirable precedent" by giving up one of its drafts.

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#### MORE ON "CUMP"

When one of our less sensitive members indicated that the 53rd O.V.I. had engaged in some shameful "wind sprints" at Shiloh, our speaker, Mrs. Barrington, having ancestors attached to this unit, decided to challenge the slur. She insists there were extenuating circumstances which contributed to its behavior at Shiloh and that its deportment in subsequent engagements more than compensated for its earlier frailties. Be that as it may, the mental processes of its command cannot be questioned as this quote from The American Heritage's The Civil War will attest: "The Federal camp was blissfully unaware of Johnston's approach. When a nervous colonel of the 53rd Ohio warned William T. Sherman of activity on his front, Sherman snapped, "Take your damn regiment back to Ohio. There is no enemy nearer than Corinth." - Chillicothe, Ohio CWRT Newsletter.

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