

Rifles, Residents, and Runaways:
The Conflict over Slavery Between Civil and Military Authority in Maryland, 1861-1864

by

Brian Thomas Dunne

A Thesis Submitted to the Faculty of
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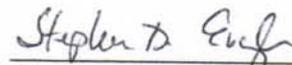
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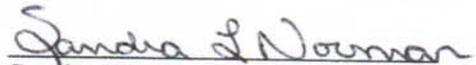
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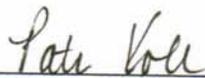
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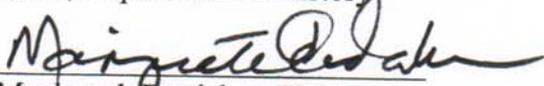


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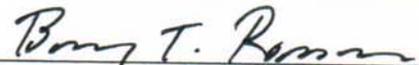
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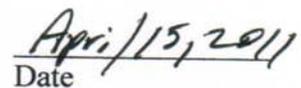
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Abstract

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In the fall of 1864, Maryland became the first Border State to abolish slavery with the adoption of a new state constitution. In order to best understand the evolution of this event, the purpose of this study was to examine the civil-military relations of Maryland during the Civil War and how these relations affected the institution of slavery in the state. Therefore, the main argument is that the conflict between military and civil authorities in Maryland during the war revealed two points: first, that the federal government maintained a faithful vigilance over the state during the war and second, that the federal government exploited a fading slavery system to not only eliminate any possibility of Maryland entering the Confederacy, but also destroy any degree of Border State neutrality.

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I. Introduction

Towards the end of the antebellum period, the charismatic abolitionist Reverend J. S. Lane on a mission for the Philadelphia Annual Conference came across a Maryland slave cutting wood one day. He asked the slave, "Are you free?" The slave simply responded, "Ah! no, massa!" Reverend Lane reacted, "they say that Maryland is to be a free State," to which the slave answered back, "Ah! I'se heard dat too often, massa!"¹ Whether he was referring to the growing abolitionist movement, the rising number of free blacks in Maryland, or still other evidence for his belief, the abolitionist, nonetheless, begrudgingly accepted the slave's answer. Indeed, throughout the South and even Maryland, slavery remained an institution often bent but never broken. The spirited words of abolitionists and politicians for years had ignited several fires, some perhaps collectively formed a holocaust or two of trouble for the defenders of slavery, but ultimately the defenders of slavery were able to constantly wash away any threat. Though hopeful that the day would one day come, the slaves knew perhaps the best that freedom for all men remained far-off.

But then the year 1860 came and changed everything. Uniquely for Marylanders, slavery had been weakened greatly during the antebellum years, but refused to pass away entirely. The institution clung to a social deathbed supported by regional traditions and rhetoric. The efforts of owners within Maryland's borders and the southern culture they belonged to and faithfully promoted preserved slavery. While the internal individualism

of Marylanders ultimately defined their existence in mid-nineteenth century America, they still sought inspiration and guidance from both their northern and southern neighbors. The national conflict between the pro-slaverites and abolitionists had reached a new vicious stage where once whispers of secession had become loud threats of division. After failing to address the issue of slavery, choosing instead to leave it to his successor to tackle, James Buchanan left office and an unstable, upset country behind. Views on the protection of the institution divided the Democratic Party into regional camps that year, permitting the Republicans the opportunity to gain power. Northerners and southerners, disappointed with compromises, exhausted from tirades and speeches, and shocked by recent acts of violence including John Brown's raid, knew that the next president would be forced to finally decide the future of slavery. Therefore, the election that year was arguably the most important in the young nation's history.

With four candidates and platforms to choose from, voters split their support allowing the soft-spoken statesman from Illinois to seize the election. Considered to be one of the most capable and influential figures of the Republican Party, Abraham Lincoln received contention from citizens who could not look past his known belief that the nation or "house" could not survive with both free and enslaved persons. Aside from its clear results and consequences, the presidential election revealed a divided Union, as if to suggest that no clear solution to the problem of slavery was visible on the horizon. In a very close race in Maryland, demonstrating a divided citizenry, southern Democrat John Breckinridge beat the Constitutional Union party candidate John Bell by only 722 votes for the state's eight electoral votes. Of the 92,502 voters, Lincoln, the President-elect, received poor support from Marylanders with just 2,294 total votes.²

Before Lincoln's inauguration in March, seven states led by South Carolina seceded from the Union to form the Confederate States of America. After the bombing of Fort Sumter in April, four more states joined the revolution. The battle lines forged by the Confederacy officially confirmed the cultural, economic, and social divide between North and South, a divide which had been developing for decades. These same lines produced a bitterly contested middle ground of states considered Border States where those within and without questioned loyalty, tradition, and identity. Although the geographic, intellectual label suggests a uniform existence for this collection of states torn between North and South, the individual characteristics, aspirations, and history of each state made the status very difficult to embrace.

Maryland was one of the four slave states forced by the Union and the Confederacy to decide its path before wartime factors chose for them. Geographically, the state was the best definition of a Border State. While Pennsylvania lay to its north and Virginia to its south, the nation's capital itself also rested at times uncomfortably and yet other times fortuitously near by. Although any identity certainly begins with personal location, two opposing intellectual poles had pulled the state since the antebellum period. As they surged into the mid nineteenth-century, Marylanders found themselves searching for a regional identity since their past was rooted in southern culture and tradition but economically they resembled their industrial neighbors of the North. On his turbulent journey toward freedom, a young Frederick Douglass saw these dramatic distinctions since he was familiar with both the plantations of the Eastern Shore and the booming markets and enterprises of the port city of Baltimore. Even perhaps in social terms, residents started to bear a stark resemblance to the makeup of a free state with an

impressive immigrant population and an ever-growing number of free blacks within the state's boundaries. Distinguishing Maryland, as either a northern or a southern state was as difficult as predicting which side she would ultimately support. Therefore, for the purpose of this study, Maryland will be considered a melting pot of influence from the antebellum period and beyond.

Believing that if the Union should be lost, then the South should at least be preserved, slave owner Curtis W. Jacobs later predicted, "we are a border State, and the horrors and first shocks of civil war, (which may Heaven forbid,) will break upon our State."³ During the secession crisis, perhaps no resident was more torn than Thomas Holiday Hicks, the Governor of Maryland. He was the living embodiment of the mixed feelings his state and nation produced. He was a native of the South, of Maryland, and possessed a number of slaves. Therefore, by his own admission, his sympathies rested with the South and yet he could not imagine, nor support the complete destruction of the Union.⁴ In his executive position, Hicks led Maryland to a position that indirectly supported the Union, even if it just meant not backing either the Union or Confederacy. He realized Maryland's physical and ideological divisions, and embraced neutrality early as the best course, amidst the secession of sister southern states. Aware of opinions like those from Jacobs, Hicks sought to "preserve the people of Maryland from civil war," and "invoke the assistance of every true and loyal citizen to aid" him with that goal.⁵

The Lincoln administration and the Union feared the possibility of the Border States eventually seceding given the close vote in the recent Presidential election. Maryland possessed the greatest degree of attention since it, along with the Confederate state of Virginia, bordered the nation's capital. Therefore, had Marylanders joined the

Confederacy, the capital would have been completely cut off from Union support and communication, making it crucial that the civil-military relations during Maryland's occupation remain cooperative and effective throughout the war. However, the presence of slavery significantly affected the delicate balance of civil-military relations. The presence of Union troops further complicated the relationship between the federal government and state authorities since they not only occupied the state but also supervised the institution of slavery. As the Union war aims changed to include confiscation and emancipation, Maryland naturally became the focus of civil and military authorities who competed to maintain the upper hand in the state.

The purpose of this study is to examine the civil-military relations of Maryland during the Civil War and to study how these relations affected the institution of slavery. As the war ultimately expanded the Union war aims to more than the preservation of the Union, the institution of slavery found itself caught in the middle of the state and federal governments as well as the military occupation. The thesis will argue that the conflict between military and civil authorities in Maryland during the war revealed two points: first, that the federal government maintained a faithful vigilance over the state during the war and second, that the federal government exploited a fading slavery system to not only eliminate any possibility of Maryland entering the Confederacy, but also destroy any degree of neutrality. Through trial and error, the federal army eventually realized that slavery was the hinge on the door that allowed Maryland to swing toward the Union and away from the rebel's cause. To control slavery was to control the direction Maryland would ultimately take and therefore, be that much closer to final victory.

If one views the vast civil war literature, Maryland has become perhaps the most underrepresented state, due in part to its Border State neutrality. But at the time of war, both sides literally fought over the state believing it to be an essential aspect of ultimate victory. *Rifles, Residents, and Runaways* attempts to emphasize a part of Maryland's civil war history that other scholars have only lightly stepped upon. While classic political and social works from Charles Lewis Wagandt and Barbara Jeanne Fields exist, there has been very little exploration on the importance of the strong, constant military presence in the state. Most current narratives only relay select episodes and events without properly connecting them to show the evolution of both the cantankerous relationship between military and civil authorities, and the growth from border state existence to one of a free state. As mentioned before, this study will prove that the military was the primary force that guaranteed the loyalty of Maryland and as a consequence of that purpose, the freedom of the state's slaves.

Scholars such as Bart Rhett Talbert, Daniel Carroll Toomey, and Harold Randall Manakee provide introductions of Maryland whether it is by detailing the military clashes on its soil or expressing the drama of the secession crisis. Richard P. Cox provides readers with a small taste of Maryland's place in Civil War history through a series of unrelated essays. Robert I. Cottom and Mary Ellen Hayward combine to create a brief overview of Maryland during the war period in terms of its more recognized events such as the Battle of Antietam and individuals such as former slave Frederick Douglas to forcefully construct a case for the state. At best, these scholars encourage deeper, more involved research and consideration for Maryland during the war. Stephen D. Calhoun moves farther away from simple popular scholarship and closer to the aims of this study

in a promising and specific history centered upon the Sothoron family of Maryland adjusting to the social and political changes to their state and nation, in addition to the reality of military occupation. However, Calhoun's family record is limited by its own construction, stressing the victimization of the Sothorons more than the larger themes of the era.

Possibly the most impressive of these narratives is found in the writings of Robert J. Brugger, who celebrates Maryland in a wide-ranging history that covers over three hundred and fifty years, as he promotes the significance of the often-overlooked state. Brugger is motivated by the search to answer what it was to be a Marylander and in that quest; he concludes: "the elusive character of Maryland may lie in its search for what we can abbreviate as a middle way, between extremes, where the human spirit thrives."⁶ Therefore, the state's role during the Civil War is tackled in a solid section solely to support the argument that the Marylander is the product of a combination of forces and influences. Brugger appears distracted or even overwhelmed by his subject matter as he lends his attention to topics such as Maryland's education system and transportation developments in the antebellum period before finding focus in the state's neutrality during the secession crisis and war. Although he addresses important events, themes, and individuals to explain how Maryland was a house divided the moment the nation separated, Brugger's writing suffers from his desire to show an attractive and idealistic story of Maryland, rather than one that is argumentative and ultimately valuable to the scholarship on the state and the Civil War.

While these general narratives provide a solid outline, two particular writers and their seminal works mostly inspired this study since they not only address Maryland's

place during the war, but attempt to explain the transformation from a torn, neutral Border State to a Free State that assisted the Union in its quest towards victory. The first is Charles L. Wagandt and his political history on the emancipation process that led to the official freedom of Maryland's slaves in 1864. Realizing that slavery and freedom were defined and defended by state constitutions, Wagandt argues that politicians both at the national and local level brought about the death of slavery. Through rich, well-researched details, Wagandt successfully guides readers through the highly complex world of border state parties, platforms, and personalities. As a result, he produces a convincing narrative that explains how Marylanders eventually emerged from an external conflict over their loyalty to decide their own future. Therefore, the revolution in Wagandt's title not only refers to Maryland's metamorphosis into a free state, but the "larger struggle throughout America for freedom...from an outmoded social and economic order" which included of course, the peculiar institution.⁷

Although he does point to the pressure from the war as the catalyst for change that Maryland guardedly sought during the antebellum period, Wagandt's sections on the military interaction with slavery and civilians are unfortunately, but understandably brief. Readers find the unapologetically active soldiers and officers who protected runaway slaves before enlisting them in the later years of the war are overshadowed by the words and actions of politicians, who to Wagandt always had the final say in the emancipation movement. Therefore, the effect of the military in Maryland is indirect to Wagandt, even though it inspired the political reaction and activity to acquire the degree of order that soldiers could not always guarantee to Marylanders. In other words, Wagandt claims that if the military complicated state affairs, politicians responding to the complaints and

concerns of their constituents, primarily to advance or protect their public careers, cleared the heavy air of unrest and uncertainty. This study reverses Wagandt's approach by positioning politicians and legislation in the background and exposing the direct interactions between soldier and slave, soldier and masters.

Perhaps the most impressive study on Marylanders during the Civil War and the conflict over slavery between civil and military individuals is found in the seminal work of Barbara Jeanne Fields. Declaring that her work is about the relationship between slavery and freedom, as they existed along a literal and figurative area of moderation and indecision (which Robert Brugger used as the basis of his study), Fields uses Maryland to exclusively express the challenges of the human experience in a specific, but important setting. Attempting to avoid a case study format, Fields demonstrates how Maryland, even with its neutral position during the majority of the war, echoed the internal and external conflicts of the two opposing sides, seeking to destroy the middle ground Maryland desperately clung to. At the heart of her study is the constant argument that the Civil War both complicated and simplified Maryland's social transitions, proposing that "the potential became reality," since the state struggled to produce a true identity from Border State status and politics.⁸ To Fields, there is little doubt that the war changed any degree of moderation Maryland displayed in its character before and during the secession crisis.

While her research involves a careful and convincing investigation into Maryland's personal transformation from a slave state to a free state, beginning in the late antebellum period and ending past the Reconstruction era, Fields still makes sacrifices in her writing including limiting her analysis of the war to just one chapter. Although the

details in this chapter are impressive, demonstrated through her great talent for narrative, Fields paints with a rather large brush when addressing the cause for the destruction of slavery in Maryland. Her lack of focus in this independent chapter slightly weakens the value of her work leaving the reader to assume the general conclusion that other scholars had earlier constructed: slavery in the nation (and in Maryland) ended for various reasons and factors. Fields needed to either isolate a single suspect in the murder case of slavery such as the power shift between slave and master or clearly address the fact that there were a collection of usual suspects ranging from heated politics to the strains and consequences of war. Arguably, in her effort to effectively address the middle ground of influence and decision during the war, Fields traps herself in a middle ground in terms of making a case for the birth of freedom from the death of slavery.

This study still acknowledges and follows in the footsteps of Fields' research since she at least teases out the importance of the military occupation within her narrative on the war. Although not stressing the absolute importance of the interaction between soldiers and officers with those in bondage and their masters the way this study intends to do, Fields does make claims that lay a strong foundation for further analysis including one of the first suggestions that soldiers gradually, but actively lead the destruction of the institution. She details how northern soldiers often received their first glimpse of the unsightly face of slavery in Maryland, how these initial and steady experiences encouraged them to become armed abolitionists, and finally how slaves themselves viewed Father Abraham's soldiers as saviors. Fields even addresses the most dramatic consequence of the interaction between soldier and slave, as she boldly argues, "full scale recruitment put an end to slavery in Maryland."⁹ While such a claim may on the surface

seem to be grounded in a larger argument about the destruction of the institution, any argument Fields makes about military occupation of the state emerges with little connection to her aims and themes. Instead of relying on brief episodes to defend some quick claims, this study intends to examine the development of civil and military conflict, from its cautious and experimental moments in 1861 to its direct and deliberate instances in 1864.

This study relies on individual experiences to illuminate the development of civil-military conflict. The story of Maryland and slavery involved regular individuals especially the residents in the State. It is the story of a abolitionist nurse Abigail Hopper Gibbons serving at hospitals in Washington and at Point Lookout, Maryland and the story of William Quesenbury Claytor, a slaveholding physician from Anne Arundel County. It tells the complicated tale of the men of politics from the Lincoln administration to those serving Maryland at the local level including Governors Thomas Hicks and Augustus Bradford. Then there was the war and military presence from notable military figures such as John A. Dix, Benjamin Butler, and William Birney to the common infantry soldier. Finally, the story of military-civil relations could not have been written without the black, free and slave. It is vital to remember that they did not passively allow the war around them to decide their fate, but actively changed it themselves. While the military did flex its muscle and intervene, in the very least cast its imposing shadow over the fields and factories of Maryland, the black had to run away, offer their labor to the army, and eventually enlist. Therefore, although this study focuses primarily on the civil and military relationship during the war, it does not overlook that importance of black participants, the last and paramount cog in the experimental freedom machine in

Maryland. Though the record of their words is rare, their actions and endless desire to be forever free guides the narrative with an invisible hand to turn each page of research and analysis.

Through proper analysis of the interactions between these groups, the issue of slavery in the state exposed an internal conflict that often historians overlooked, most likely due to the fact that Maryland was a border state. A variety of sources supported this study from these groups, including official war records, correspondence of both public and private figures, government records, and newspapers. Chapter two will present the first year of the war and address topics such as the secession movement, the Baltimore riot, the Confiscation Act of 1861, and the military occupation of the state. The focus of the next chapter will be the abolishment of slavery in the nation's capital and the Confiscation Act of 1862. The former topic will be addressed by highlighting the politics behind the decision and the effect on Maryland, as the free capital provided a near by runaway haven for slaves. The latter topic was important to Maryland since it allowed soldiers to question the loyalty of the slave owner, and thus, continued to encourage slaves to take refuge under Union protection. Chapter four will focus on two topics: Lincoln's Emancipation Proclamation and the recruitment of black troops in Maryland especially under General William Birney's supervision. First, the connection between the Emancipation Proclamation and Maryland will be made even though the document did not free the state's slaves. Second, the actions of General Birney will be examined to show how the military provided former slaves their freedom through service in the Union army. The fifth and final chapter will discuss how Maryland eventually arrived at the moment of emancipation: November 1, 1864. The background story and

the consequences of the state constitution will be examined to demonstrate how the state finally brought an end to a weak institution that had compromised the state's complete loyalty to the Union. Together, these chapters draw attention to the fact that the military found that disrupting slavery was the best way to achieve Lincoln's aims within Maryland, keeping it neutral if not loyal to the union.

II. The Shivering Volcano, 1861

On an April night in 1861, an English professor in New Orleans sat down to compose a poem. It was a simple work, nothing epic like Homer's *Odyssey* or Milton's *Paradise Lost*, just nine stanzas long. Inspired by a newspaper article he had read earlier, his pen dashed across the page motivated by what he later called the "conflagration of the senses."¹ Each word was laced with anger, surprise, and patriotism; reflecting upon what the newspaper article had detailed before describing the serious reality and consequences of the matter at hand. As his pen came to a stop, the professor reviewed it never thinking that it was more than just a personal emotional outlet. He had lost a friend, his home city was torn apart, and as he glanced over the last stanza, he wondered if any other possession he held dear would become but a faded memory.

James Ryder Randall was the name that belonged to the professor and his heated poem was titled "Maryland, My Maryland." Randall and his poem represented the patriotism, individualism, and growing anxiety of the citizens of the states. In terms of Maryland, the poem was a wake up call to her population, if not a call to arms. The work was soon put to music, and the Confederacy used it as one of their favorite battle hymns. Oliver Wendell Holmes declared that it was "the best poem produced on either side during the war."² In the early part of the twentieth-century, Maryland adopted the battle song as its official state anthem. Its inspiration, found in that New Orleans newspaper decades earlier, involved a riot in the city of Baltimore.³

At the outbreak of the Civil War, Baltimore was a city resting on unsound ground and the month of April in 1861 proved to be a feverish one for both the city and the state. Marylanders restlessly watched the pressure of the Civil War develop. On April 14, the exhausted defenders of Fort Sumter surrendered, which prompted President Abraham Lincoln to call for 75,000 volunteers the following day. Two days later, Virginia, Maryland's closest sister state in the South, finally joined the Confederacy. With Virginia's secession, some in both the North and the South believed that Maryland would instinctively follow shortly after. Still, it was difficult for anyone to confidently predict where the state's loyalty would eventually rest. Lincoln's decision to bring the troops needed to defend the nation's capital through Maryland, however, demanded that the state decide its fate through its reaction to a military presence. It also led to the dizzying evolution that permanently affected the state's traditions and interests.

The Lincoln administration quickly determined that soldiers called to defend the capital had to pass through Baltimore where they would be forced to change trains in order to reach the nation's capital. On April 19, the city's police, as well as the residents had very little warning of the noon arrival of these utility companies, which added to the shock and dismay of the people of Baltimore. Residents were unsure of these troop movements beyond the instinctual idea or feeling that their state was in the process of being invaded and occupied by the military. Although better communication could have relieved this civilian fear, it might have also given those who supported secession and the Confederacy more time to organize their resistance.⁴

Nevertheless, the volunteers from Massachusetts arrived in Baltimore around noon. Informed earlier that the companies would encounter hostile civilians in the city,

Col. Edward Jones warned his men of the Sixth Massachusetts Regiment that they would “undoubtedly be insulted, abused, and perhaps assaulted,” before ordering them to do their best to ignore any such civilian attacks.⁵ Jones was careful with his words and knew the situation was tense, but he remembered his duty to his men and their welfare.

Although stones and bricks may be thrown at his soldiers, he informed them that if they were “fired upon, and any of you are hit, your officers will order to fire. Do not fire into any promiscuous crowds, but select any whom you may see aiming at you, and be sure you drop him.”⁶ Fulfilling the prediction, outraged Baltimoreans barricaded the train track to the Washington depot and attacked the soldiers. Always determined to paint himself as the heroic statesman, the city’s Mayor George Brown claimed that he immediately headed to Pratt Street once he heard the news of the civil-military commotion and noticed that the crowd was placing anchors on to the tracks. The mob was also preventing anyone including even police officers from interfering with their labor until Brown demanded the track be cleared. Whether it was true courage or simply foolish pride, Brown next decided to risk his own life to serve as a physical buffer between the two combatants. He believed that once the crowd saw their representative, the attack on the soldiers would weaken or cease altogether. He was quickly proven wrong, and frustrated, left fate to settle the day.⁷

Altogether two Massachusetts companies, six hundred unarmed Philadelphia volunteers, and a military band met the fury of Baltimore. The confusion of the moment disoriented these groups who became separated for a time, fleeing for their lives. The soldiers moved quickly through the streets, even at one point marching on the double quick, trying to ignore the abuse. Residents hurled missiles down upon the soldiers

including a large piece of iron, which instantly killed a member of one of the two companies. Eventually, the furious mob drew their pistols and fired. For the next two and half hours, officers gave the order to fire upon the mob as each discharge was said to have “made a clean sweep” on the civilians.⁸ Still, the soldiers could not subdue the rioters, who had successfully chased the troops to the Washington depot by continuing to throw stones. Later in his report, Colonel Edward Jones recorded how he tried to calm his men who anxiously wanted to avenge their fallen comrades. By the time the dust and smoke cleared, four soldiers and twelve civilians lay dead, although the exact number of the injured was unknown.⁹

The Baltimore riot increased the volatility of Marylanders and the tenuous hold the Union held on the southern state. The country knew that war would spill the blood of soldiers on both sides, but the idea of civilian deaths, especially at the outset of the war, was unimaginable. What made the riot even more incredible was the fact that it was a military-civilian conflict, perhaps with echoes to the past to a similar heated mob skirmish-the Boston Massacre. The riot also stirred the ghosts of civilian unrest that fifty years earlier had emerged in a series of skirmishes in Baltimore over the war effort against the British in 1812. In the end, the location of the riot made sense to both its participants and outside commentators. Maryland, more specifically Baltimore, bitterly divided on the slavery issue in the past decade, consisted of multiple pockets of anxious secessionists and unionists. The state had yet to decide whether it would remain in the Union or secede and a riot was often an inevitable event that tended to emerge to break neutral inclinations. At the same time, both secessionists and unionists interpreted and employed the riot differently to best fit their platforms and needs.

A few hours after the Baltimore riot, the city's police commissioner board held a meeting to address, rather than control the event and arrived at two conclusions. First, the board realized the probability of a "fierce and bloody conflict at every step" if the government continued to send troops through Baltimore.¹⁰ Second, they approved the duty of good and loyal citizens of Baltimore and Maryland as a whole to "adopt any measures whatsoever that might be necessary at such a juncture" to prevent any more troop movements.¹¹ Therefore, not only did the board understand and approve of the earlier riot, but it also justified and supported future civilian action, ironically loosely allowing mobs to operate the city.

Instead of carefully reflecting upon the riot, Maryland's leaders soon after voiced their thoughts and opinions of the affair. At four in the afternoon on April 19, town leaders held a meeting, led by Mayor Brown and Governor Hicks. Speaking first and clearly playing to the excited crowd, Brown argued against the North conquering any part of the country. "The South could never be coerced," Brown shouted, "never, never, never!"¹² The gathered crowd erupted. Then Hicks offered his thoughts, carefully recognizing both sides in the conflict. In the emotionally charged atmosphere while malcontents groaned, shouted and hissed, he began by making a case for the restoration of the Union. As much of a politician as Brown was, this reaction influenced Hicks' next words. "If separate we must," the governor stated, "in God's name let us separate in peace: for I would rather this right arm should be separated from my body than raise it against a brother."¹³

At a late hour that same night, President Lincoln received a communication from Brown regarding to the riot. Exhausted and discouraged, Brown stated that "the

authorities of the city did their best to-day to protect both strangers and citizens, and to prevent any collision, but in vain; and but for their great efforts a fearful slaughter would have occurred.”¹⁴ Brown also advised Lincoln and the federal government to not send any more troops through Baltimore. Fearing that his words were falling on deaf ears, especially with rumors that new companies were on the move, the mayor received questionable, if timid consent from Hicks to destroy the bridges the troops were most likely to use. Marylanders were finally deciding their state’s future in the war, and the federal government realized that they had to attempt to forge a working arrangement.¹⁵

In the aftermath of the riot, a *New York Times* article best reflected the strong Union thinking toward Maryland. “We hold the fate of your State in our hands,” declared the editor, “We hold the key of the door that enters to horrors we dare hardly yet name nor think about. Permit not a faction among you to compel us to throw open those gates.”¹⁶ The northern press also argued that the government acted defensively since it was “constantly narrowing the ground to be defended.”¹⁷ The movement of federal troops through Maryland to defend Washington was just one more decision that supported this argument. Still, the Union clearly needed Maryland to remain loyal since a hostile state weakened the defense of the capital, allowing the enemy to surround it and perhaps force it to surrender. Therefore, the defensive strategy recognized the cold fact that blood, including Maryland blood would have to be spilt at times to protect laws, property, and soldiers.¹⁸

Bostonian John C. Pratt wrote to his brother Jabez, a Baltimore resident, that if Maryland was considered to be a problem, it would be conquered by federal powers. “Her secession will amount to nothing,” Pratt told his brother, “she will not be permitted

to go: we like your people too well to part company so easy.”¹⁹ Although the letter possessed hints of humor, Pratt’s words later became stern and direct, with slavery appearing as the major issue. “Let the South look out for its cherished institution,” he thundered, “let the war continue a few months, and the whirlwind now gathering will sweep within its vortex the South and slavery, and all will perish together.”²⁰ Here, Pratt not only was warning his brother of the future doom of the secession movement, but also that any tradition Maryland and the rest of the South clung to would be literally gone with the northern winds of change. Pratt’s letter also demonstrated the individualistic or isolated quality of the people of Maryland, as realized by those outside her boundaries in both the North and the South. The state was truly a complex, but valuable element set aside to be fought over by opposing factions.

The Baltimore Riot more than the surrender of Fort Sumter opened many eyes to the complexity of cause and sacrifice in the coming war. Countless opinions from both the North and the South emerged and unavoidably linked secession and slavery together. George Field of New York, for example, spoke for many in the North when he offered his bold opinion to President Lincoln with the phrase, “the devil must be fought with fire.”²¹ Here the devil represented the fledgling Confederacy and the fire represented slavery. Therefore, Field’s plan involved the Union army marching through Maryland and Virginia offering secessionists and slaves immunity and protection if they abandoned the rebellion. The important step of the plan was to strip the states of their slave population, which either forced the Confederates to survive without their labor or pay the U.S. government to retrieve them, either way, breaking down the rebels with their own weapon. Consistently arguing that slavery was the true cause for the conflict between the

states, abolitionist Frederick Douglass believed the Baltimore Riot revealed the “weak and contemptible tenderness” towards the slaveholding enemy by the Union and the government. “A lenient war is a lengthy war,” he also sternly warned, “and therefore the worst kind of war.”²² Meanwhile, Montgomery County resident Hester Anne Davis claimed that the northern press was convinced that abolishing slavery would not just be a result of the war, but that it would present the opportunity of taking advantage of the Confederacy. In other words, instead of capturing runaway slaves or stamping out insurrections, the soldiers would encourage both.²³

While some in the country debated whether slavery was the key aspect of the coming war or not, others were more concerned with Maryland’s direction. Journalist and novelist John Beauchamp Jones first heard rumors of the riot the night of the nineteenth and shuddered, knowing that nothing good could come from mob violence during such a turbulent period. The next day, when the rumors proved to be true, Jones considered the riot was a “brickbat ‘Plug Ugly’ fight—the result of animal, and not intellectual or patriotic instincts.”²⁴ The news was indeed shocking and sobering for many. For Jones, he simply believed that it might have answered the question of where Maryland’s loyalty would rest, believing the state was probably lost. Meanwhile, Lincoln refused such a notion and intended to fight for Maryland.²⁵

Offering his thoughts to a Baltimore Committee after the riot on April 22, Lincoln defended his decision to march troops through Maryland. “Our men are not moles, and can’t dig under the earth,” he noted, “they are not birds, and can’t fly through the air.”²⁶ The president matched if not surpassed the disbelief and frustration of Baltimore residents. He could not believe the hypocrisy involved as they asked the U. S.

Government for peace while they aided the Confederacy. He left the group with the stern warning that no military attack would occur unless citizens provoked such action.²⁷ The aggressive Lincoln believed that military occupation always had the possibility to transform into military intervention, in any aspect the forces felt needed their attention.

Not long after the Maryland tempest on April 19, a colorful man from Massachusetts appeared in southern Maryland. He was the son of a pirate, and as a self-taught lawyer coming from a poor existence he embodied the American dream. He was dangerously confident, incredibly ambitious, and at times, as stubborn as a child. His fatigued, plain face and bloated frame denied him the typical attractive, charming appearance of a hero, but he did possess a clever mind. Benjamin Franklin Butler would go down in history as one of the most infamous figures of the war. After successfully twisting the arm of Massachusetts Governor John Albion Andrew for a commission to lead a brigade in exchange for military funds, he headed south for Maryland. He would not only influence events in the Border State while stationed there, but also he would single handedly create a great national debate on the power of the military by thrusting slavery to the fore front.²⁸

Aware of the riot in Baltimore, Butler boldly informed Governor Andrew on April 20, "I propose to take the Fifteen Hundred Troops to Annapolis...occupy the Capital of Maryland, and thus call the state to account for the death of Massachusetts men, my friends and neighbors."²⁹ The Massachusetts chief executive was not the only one who learned of his plans. "The excitement is very great," indicated an alarmed Governor Hicks in his first communication with Butler, encouraging him not to land his men at Annapolis.³⁰ Always believing he knew best and aggressively tackling any

opportunity in his life, Butler quickly brushed Hicks' advice aside. He simply argued that since the bridges had been destroyed, Marylanders had forced him and his men to enter the state at the next best location. On April 22, Hicks tried again to change Butler's mind but it was futile. Perhaps another officer in the same situation would have been more understanding of the governor's honest apprehension. For instance, that same day Baltimore Police Chief George P. Kane pleaded with General Wikoff, who was stationed in Cockeysville with over two thousand Pennsylvania soldiers to find another route to Washington, avoiding Baltimore. Wikoff intended to do just that stating, "I am a Marylander, born in Montgomery County, and nothing would give me more pain than to be compelled to shed the blood of Maryland citizens."³¹

Pressing on, Butler attempted to distract the governor while at the same time reach out to him with immediate surveillance and protection. On April 23, Butler wrote to Hicks:

I have understood, within the last hour, that some apprehensions are entertained of an insurrection of the negro population of this neighborhood. I am anxious to convince all classes of persons that the forces under my command are not here in any way to interfere or countenance an interference with the laws of the State. I therefore am ready to cooperate with your Excellency in suppressing most promptly and efficiently any insurrection vs. the laws of the State of Maryland. I beg therefore that you announce publicly that any portion of the forces under my command is at your Excellency's disposal, to act immediately for the preservation and quietness of the peace of this community.³²

Without hesitation Hicks refused the invitation, as he tried his best to prevent any increase in the military presence. He believed that the civil authorities of Annapolis could handle any issue with the slave population. Butler may have been sincere with this offer, honestly respecting the legal restrictions of the State, but he may have also offered this to Hicks as a gesture of good faith. In other words, amid the April commotion of

emotions and rumors, violence and fear, Butler was demonstrating the favorable, stabilizing aspect of the Union presence. In the case of servile insurrection, it involved matters of the protection of life, order and property in Maryland.³³

Indeed, slave rebellions were a hard and cold reality at the time of Butler's decision. Just two days after the Baltimore riot, believing a Kent County insurrection had started with the burning of several houses, a telegraph announced "the beginning of horrors."³⁴ Another report from Harrisburg conveyed news of a "great stampede" of Maryland slaves running away as whole families were entering Pennsylvania. Since the "troubles began," the report estimated the loss of slaves to be up to five hundred.³⁵ The unclear "troubles" could refer to a number of events from the secession of South Carolina to the Baltimore riot a week earlier. Nevertheless, Butler's letter to Hicks was one of the first instances in the war that the military offered to intervene on slavery, and it ultimately opened a Pandora's box obscuring the lines between civil and military authority, yet in Butler's mind the focus of authority was clear, it belonged to the military and this was the crux of the issue. This is significant since for years the issue of human bondage had remained untouched by the nation, especially in terms of its politicians. By placing slavery before the gaze of soldiers, the force and purpose of the more practical military slowly began to overshadow the stagnant questions from the moral, social and political platforms. Ultimately, the stern, determined, and immediate action of the military through the growing conflict would prove to be more effective than the words, thoughts, and opinions from these three platforms ever were or could have been. From this point on, the role of the military would be questioned for its new tradition of involvement, as much as its relationship to slavery would be criticized until the end of the war.

Two days after the offer, an astonished Governor Andrew wrote to Butler for more information. Although satisfied with the general's actions to that point, Andrew felt the offer to suppress slave insurrections was unnecessary, arguing that the military was not obligated to aid Maryland's rebels. Therefore, he felt the matter should be considered exclusively within a military point of view, since any insurrection weakened the enemy, while intercession on such an event strengthened them. Andrew was not the only one to challenge Butler's decision. William S. Robinson, a correspondent writing for the *New York Tribune*, considered the offer to be a "military blunder" due to the fact that the military should offer protection and aid to only the loyal individuals of Maryland, without using race as a factor.³⁶ Robinson feared the larger picture of Butler's actions. Aware of the possibility that desperate secessionists may arm their slaves against Union forces, he questioned "how long will it be before the slaves will come to the conclusion that the northern people are their worst enemies," if the military continued to conquer slave insurrections and return runaways?³⁷

A response from Butler did not come until May 9. In a lengthy letter, the Union commander defended his actions with several arguments based on his first hand experience in Maryland. One point used the Baltimore riot as a foundation as Butler asked Andrew, "I had promised to put down a white mob and to preserve and enforce the laws against that. Ought I to allow a black one any preference in the breach of the laws?"³⁸ To Butler, the offer was neither based on political nor military influence, but founded on the benign purpose of his mission in Maryland. Recognizing Hicks' words of warning, Butler tried to offer a conciliatory hand of amity to the residents of the Annapolis area and in his opinion, it was successfully taken. Crediting his offer, he

boasted: “I believe to-day there is no city in the Union more loyal than the city of Annapolis.”³⁹ Butler’s defensive arguments then moved to matters of moral and military subjects. First, imagining an insurrection that could be “San Domingo a million times magnified,” Butler saw the defense of both loyal and disloyal residents as a moral duty, especially when it came to women and children.⁴⁰ Second, as a military question, Butler claimed that if any residents honorably implored that his military abilities be used against an insurrection, he would oblige them.⁴¹

Butler’s problems with the free black and slave population of Maryland did not end with his response. The next day, Hicks notified the general of complaints from an Annapolis resident complaining that several free blacks were assisting Butler’s men as servants and camp followers. The concerned resident also claimed that these blacks were armed and had even assaulted a storeowner in the city. The military was no longer just protecting residents from slaves, but now apparently interacting with local blacks. To residents, any interaction whether it was in large or small degree, depended on a moment of influence or encouragement, where blacks embraced the chance to act differently to improve their present condition. Although the individuals in this particular account were said to be free, it still kept the door open for a continued conflict between civil authorities and an increased number of blacks existing within Union lines.⁴²

Once again, Butler looked beyond Hicks’ distress and set his sights on a new goal—Baltimore. After already overruling two governors, Mayor Brown’s words of warning did little to deter the ambitious Butler. If anything, these questions and challenges to his efforts motivated him. By May 13, like a fox in the night, he had stealthily taken possession of the city and occupied the area just south of the business

district known as Federal Hill. The very next day he provided the city with a military proclamation that promised to protect the welfare of loyal citizens while at the same time, crack down on any action that supported the secessionist cause including displaying Confederate colors. Also on the fourteenth, a livid General Scott reprimanded Butler. Believing it was only by divine intervention that another civil-military conflict did not occur, the old legendary warrior chastised him. “Your hazardous occupation of Baltimore was made without my knowledge and of course without my approbation,” he fumed.⁴³ With little wonder, just four days later, Scott gave his disobedient general a new assignment.⁴⁴

On May 18, Scott reassigned Butler to assume the command at Fort Monroe in Virginia. Scott hoped the new position would ground Butler, distract him with the duties within the stronghold, and prevent him from roaming the countryside and creating any more controversy. The general-in-chief even provided Butler with four clear-cut objectives which included capturing any surrounding enemy batteries and preventing the Confederacy from erecting new batteries. Scott ended his correspondence with paternal advice, reflecting upon recent events. “Boldness in execution is nearly always necessary,” he declared, “but in planning and fitting our expeditions or detachments great circumspection is a virtue. In important cases, where time clearly permits, be sure to submit your plans and ask instructions from higher authority.”⁴⁵

A dismayed and insulted Butler questioned the order with the Secretary of War Simon Cameron. He felt blind sided by the demotion and eventually even offered to be relieved altogether instead of taking the command. Defending his actions including what he considered the successful occupation of Baltimore, he had the audacity to claim: “I

have acted solely according to what I believed to be the wishes of the President, General Scott, and yourself.”⁴⁶ Butler apparently just needed to strike back and defend his honor since he arrived at the fort on the morning of the May 22, 1861. Only two days later, he proved Scott’s earlier theory wrong and further complicated the slave question.⁴⁷

On Thursday night, May 23, three runaway slaves belonging to a local Confederate officer entered the Union picket lines surrounding Fort Monroe. The next day, Butler personally interviewed each one, and all three claimed that their owner intended on using them for the secession cause. Butler carefully analyzed what he was told and at the same time, remembered that he was in need of labor. Perhaps acknowledging the heat he faced from critics when he offered Governor Hicks his services to stamp out slave insurrections, Butler arguably made his most important decision during the war, one that had prominent enduring consequences. He decided to retain the slaves and employ them. The news of his decision spread swiftly. The following evening, Confederate Major John B. Cary held an interview with Butler soliciting his opinion on a number of war related issues including his earlier decision to keep the slaves. Cary argued that he had ignored the Fugitive Slave Act, in which Butler quickly replied that it “did not affect a foreign country, which Virginia claimed to be,” and that a loyal state like Maryland, was still represented by it.⁴⁸ Butler believed that by casting away their degree of loyalty, the states that formed the Confederacy had simultaneously sacrificed their privileges and rights previously protected before the collapse of the Union. To appease the major, but more importantly to prove his point, Butler offered to release the slaves if the owner pledged his allegiance to the United States. Of course, the owner did not appear at the fort. Decades after the war, an

admiring Cary reflected upon how absolutely resolute Butler was during the interview about his decision and his beliefs, remembering how that evening, Butler called the protected runaway slaves, contraband.⁴⁹

The fickle and ill-defined definition of contraband placed slaves in a precarious situation. While it bore the practicality of military intention, denying the enemy of any and all resources at its disposal to support their cause, it also created an amorphous image of the contraband. For a soldier, a runaway who claimed to be from an enemy state such as Virginia must be then what Butler had in mind with his policy. It was the words of the slave, not his physical appearance, along with the military's desire to use the runaway for their own purposes, which made the contraband. Thus, if viewed strictly in terms of the Union cause, the policy was not a machine for freeing slaves; rather, a primitive mode to attack the enemy. The problem or controversy with the contraband policy lay in trusting the runaway or the southern owner who claimed him, which then may have labeled it as a possible outlet for freedom. Nevertheless, the policy was one of the first war lessons that taught runaways that they could run to the *possible* protection federal army.

The news of Butler's contraband policy spread like wildfire. Just three days after he convened with Cary, Butler notified Scott that the number of runaway slaves, at times consisting of whole families, fleeing to his lines were "very numerous," and estimated to be at "the value of \$60,000."⁵⁰ Calling them "Virginia Volunteers," one woman stationed at the fort counted forty new contrabands of all ages on one day.⁵¹ What had started out as just one case of three runaways had now developed into an immense concern on Butler's hands. Still, believing the slaves were going to be forced to support the Confederacy (the men to be used primarily to build batteries, and the women and children

sold to new owners in the deep South), Butler accepted them all. Therefore, his contraband policy became one of beating the rebels to their own game and finding various Union military related jobs for the fugitives to perform, from digging ditches to nursing at army hospitals. The policy required quite the process too, as Butler directed some of his men including a Colonel Phelps stationed at the head quarters of the Department of Virginia to keep a detailed record of the rations and the labors of the contraband.⁵²

The idea of slaves fleeing to Fort Monroe and Butler soon became a popular one in the North, blurring the lines between the reality of life and the fanaticism of culture. For instance, illustrations, resembling political cartoons were created on envelopes, which both the literate and illiterate could have understood if they came across one. In one small illustration, as their master brandished a whip and chains, a slave couple and their two children head towards the distant fort in the background. A more detailed illustration depicted a similar scene. One side of the envelope depicted slaves in cotton fields, while the other side showed a bevy of slaves fleeing those same fields towards Fort Monroe. Again the outraged slave owner was shown shouting to the runaways, “come back here, you black rascal,” while one of his fleeing slaves turned around to answer back: “can’t come back nohow, massa; Dis chile’s CONTRABAN’.”⁵³

Complete with the U.S. flag strategically placed next to him, illustrators also depicted Butler on envelopes. One of the envelopes showed an alarmed slave owner resembling a poorly made scarecrow armed with cat o’ nine tails in his right hand and a furious dog in his left. On this same envelope, stood Butler with his saber outstretched in the face of the slave owner and his other hand reaching down to contraband, who was

clinging to his leg for mercy and protection. The title of the illustration said the following: “One of the F.F.V’s after his Contraband. General Butler ‘can’t see it.’”⁵⁴ The abbreviation F.F.V. referred to the first families of Virginia and the words “can’t see it” can be interpreted in a number of ways from Butler’s inability to view the contraband as the owner’s missing property to his intentional ignorance to acknowledge any property being lost in the first place. The last envelope showed Butler on horseback in front of five runaway slaves with shovels and picks in hand. Confessing to the general that they had little military skills, they happily offered their services for building fortifications and digging ditches. Although the contrabands depicted in all four envelopes were believed to be from the rebellious state of Virginia, the media also stressed universal points in the runaway slave situation. In each envelope, the runaway slaves showed an awareness of events, realizing that if they could make it to Fort Monroe, they would be safe and free. There is also the failure of the slave owners to compete against the military might of Butler and the Federal stronghold. Lastly, there is no definite way to determine that all of the contrabands were from Virginia especially as news of Butler and the fort continued to spread. For instance, Butler approved of an August 1861 expedition to disrupt commerce between the secessionist pockets of Maryland and the rebels in Virginia. There is little doubt that word of his contraband policy was successfully transferred at this point even if disruption of Confederate supplies was not.⁵⁵

By the end of May, the Lincoln administration finally reacted to Butler’s decision. Postmaster General and Marylander Montgomery Blair gave the commander his approval, believing that the Confederacy’s intentions to use slaves for their cause was “the essence of their military operations.”⁵⁶ Blair claimed to speak for Lincoln and Scott,

noting they too were pleased with the recent events, even though Lincoln showed some concern for the number of slaves the Union ultimately might have on its hands. Still, Blair shared with the Massachusetts general how Lincoln even labeled the decision, “Butler’s fugitive slave law.”⁵⁷ At the same time, Blair corrected Butler’s concern that some of the fugitive slaves he had accepted into his lines were to be traded south, using an example of a Maryland slave owner who could not sell his slave. Some maintained the argument that slavery was built to fail through growth over time. The Secretary of War also approved of the contraband policy, and even advised the general and his men to abstain from returning slaves to their assumed slave owners. Butler’s confidence was immense as the praise from Washington confirmed to him that he was indeed correct in his thinking and could be trusted in his actions. On July 30, he expanded in a letter to Secretary Cameron his beliefs on confiscation:

In a loyal state, I would put down a servile insurrection. In a state of rebellion I would confiscate that which was used to oppose my arms—and take all that property which constituted the wealth of that state, and furnished the means by which the war is prosecuted, besides being the cause of the war; and if, in so doing, it should be objected that human beings were brought to the free enjoyment of life, liberty, and the pursuit of happiness, such objection might not require much consideration.⁵⁸

Butler’s resolve and reasoning appeared sound, but it was not long before the Lincoln administration revisited the president’s previous concern about the number of slaves the general was accepting. With no comment on his ideas of confiscation, the cabinet later instructed Butler not to receive any more runaways into Fort Monroe. The *National Intelligencer* believed that the administration had the fear that “by the end of the war the Government may have a very extensive elephant on its hands, and no place to keep him.”⁵⁹ In other words, no specific plan existed or was even debated that would address

the social problems of a newly freed black population. Lincoln's cabinet, however, did not provide Butler with instructions on how to deal with the runaways beyond denying them access within the Union lines. Simply put, the cabinet told Butler to let the fugitive slave question alone. Although the administration's intervention on the question at this stage in the conflict did not specifically encourage the slaves to runaway, it also did not discourage them from doing so. Therefore, this "wait and see" approach left unanswered the question of intervention and consequently provided the opportunity for military commanders to personally judge matters primarily upon first hand experiences with runaways.⁶⁰

Whether it was due to his confiscation beliefs, his turbulent war career at that point, or his difficult personality, Butler found himself once more transferred, this time to New Orleans, far away from the fragile Border States. Even though he was no longer present in the Chesapeake region, his controversial policy for dealing with runaways remained. As he prepared for his next duty, the somewhat abused Butler shared with his wife Sarah a few thoughts. "This war cannot go on without direct conflict," he confided, "the negro will be free. It is inevitable. We may patch it as we please but the fact will work itself out."⁶¹ It was unclear whether Butler referred to the end of slavery as a result of the war's conclusion or through the direct effect of the war's events. Lincoln agreed with the general on the fact that the institution would be dealt its final blow by the war. Similar to Butler, he was not sure by what means the end would come. Unlike Butler, Lincoln knew he had to approach slavery with caution, setting aside his personal beliefs for the sake of the country. Nevertheless, the president realized that the question of

slavery stood in the wings ready to enter the stage of war and become part of the Union cause.⁶²

As early as the summer, in the wake of the Butler contraband policy, the president started to receive complaints from Maryland's representatives on matters of the army disrupting the peculiar institution. Maryland Congressman Charles B. Calvert notified Lincoln on July 10 that fugitive slaves had escaped to the protection of Union lines "by the encouragement held out to them by some of the Volunteer regiments," and that these soldiers were employing and taking the slaves with them into Virginia.⁶³ Calvert then advised the president to order that the Union camps refuse any black refuge in order to "calm the excitement at present prevailing on the subject," and gain more support from the residents of the state.⁶⁴

In the following weeks, an increasingly perturbed Calvert wrote Lincoln again, arguing that the problem had not been resolved, rather; it had been exacerbated. "The camps in Maryland and Virginia are filled with slaves from Maryland," asserted Calvert, "and it certainly is the duty of the Government to put a stop to such violations of our rights by arresting all such persons (who may now be found in the Camps) and delivering them to their rightful owners."⁶⁵ The Representative's tirade did not end there. He shared several stories to support his position, ranging from slaves being transported North in trains with soldiers returning home to slaves being picked up by the sloop-of-war USS Pawnee and later set free in Alexandria, Virginia. These stories demonstrated the creative and determined actions of the military when interfering with slavery, denying any claim that soldiers were entirely passive, accidental observers. Therefore, Calvert

demanded that the government once and for all take a firm position against such tribulations and appease the Border States if it intended on maintaining their loyalty.⁶⁶

As the president resisted interfering with slavery, congressmen withheld their opinions and power. Inspired by the military approach to the issue, the political leaders began to slowly twist the experimental knife against slavery, realizing that it could be the answer to ending the war. Still, Marylanders joined other southern slave owners, as they questioned the security of their property and rights against proposed legislation. First in July, the House of Representatives acknowledged the fact that Union soldiers were not expected to hunt down and return runaway slaves. Then, both legislative bodies produced the Confiscation Act of 1861 the very next month. The act permitted the military to confiscate property used against the government in support of the rebellion including slaves. While the act discharged slaves from their labors, it never defined whether they were free or not. Therefore, although progressive in its intent, the language of the act was just as cautious as Lincoln. Caution, however, left the act to be incomplete and open to interpretation and conflict.⁶⁷

Even though politicians possessed considerable influence when it came to the slavery question, the military on the ground were the paramount players. Butler was not the only officer that gave Lincoln trouble when it came to the issue of slavery. As the long summer ended in Missouri, the commander of the Department of the West General John C. Fremont plunged the state into martial law and proclaimed on August 30, that any slaves belonging to active rebels were now free. Fremont seized the freedom of interpretation, but failed to see the inherent problem with the moment. While his decision was a bold one that attempted to maintain Union feeling in the Border State, it

also noticeably enhanced the power of military authorities. Fremont had not only used the earlier Confiscation Act as the foundation of his proclamation, but also radically interpreted and adjusted it to fit his aims.⁶⁸

The president wasted no time responding to Fremont. He was uneasy with his proclamation, believing it would upset the southern Unionists, particularly in the Border State of Kentucky and advised the general to bring it in line with the Confiscation Act. Lincoln was firm but fair, he did not intend to reprimand Fremont, just express his prudence on the matter. He also maintained a faith in his officers on the ground, trusting that they could judge their situations better than he could from Washington through often-enigmatic telegrams and letters. By the following week, however, after Fremont had ignored the recommendation and even sent his wife to the White House to encourage the president to side with her husband, Lincoln ordered the general to modify his proclamation.⁶⁹

Lincoln realized that he would disappoint some faction of the population with the difficult political decision. By eliminating the proclamation, he angered the abolitionists. The month of September found the president's desk flooded with disappointed letters with full support for Fremont and the proclamation. A Bangor, Maine resident claimed that enlistments there had increased for a time after the Fremont proclamation was made, but decreased dramatically after Lincoln had ordered the modification. From New York came another complaint pleading with the president to courageously support Fremont and avoid following in the footsteps of the unpopular Buchanan. Still, had he allowed the proclamation to stand, he would have brought the outraged Border States including

Maryland led by their slave owners (loyal and disloyal) into the hands of the Confederacy. There was clearly more at risk with the latter.⁷⁰

Illinois Senator Orville H. Browning received a final response on the matter from Lincoln at the end of the September. No doubt exhausted by the great reaction from his constituents, Lincoln defended his stance and unapologetically labeled the proclamation a “dictatorship.”⁷¹ The president believed that according to military law, an officer could indeed seize property during war, but only for as long as it was properly used. For instance, Fremont could have seized the slaves the way Butler successfully did at Fort Monroe as long as he had put the slaves or “property” to some task that supported the Union army. “You speak of it as being the only means of saving the government,” Lincoln told Browning. “On the contrary it is itself the surrender of the government.”⁷² Clearly, he still believed at this stage, that the only cause for the war was the preservation of the Union and any strategy that distorted that original purpose surely proved to be a problem.

An arguably smaller, but equally important issue with a commanding officer occurred at Port Royal, South Carolina in October. During an expedition, General Thomas W. Sherman had employed civilians including fugitive slaves. Sherman had also promised compensation to loyal masters who provided their slaves for these Union labors. Once more, Lincoln stood against the military proclamation and Secretary of State William Seward commended the president’s position believing it would specifically “quiet Maryland for the present.”⁷³ Even though he had not armed the slaves with the proclamation, the notion that the army should indeed provide them weapons convinced the audacious Sherman. “We can hurt the rebels more by the use of the negro than by

any other means in our power,” Sherman stated. “Why leave him to labor for our enemy, and thus keep up the strife? Arm him—he is a man—he will fight—he can save the Union. I pledge you and the world they will make good soldiers.”⁷⁴ At that point, Sherman’s request (supported by several abolitionists) was abandoned, but not forgotten.

While commanders such as Butler and Fremont often attracted the most attention in the last chapter of the story of slavery, the regular soldier also played a crucial role. Indeed, the Civil War often provided initial encounters between the northern soldier and the slave. Maryland became a testing ground for the military as they experimented with tactics of tension against civilian challenges over the matter of authority. James Sawyer, a Connecticut private marching through Maryland, penned his impressions to his family. “The niggers were plenty enough and at the door of every log cabin near the railroad,” he told them, “they stood as thick as bees, shouting and waiving their hats as we passed along.”⁷⁵ Uniquely, Sawyer noted the slaves first in his letter before commenting on the similar elation of loyal Maryland citizens and the sullen disposition of the rebels they passed along the way. Sawyer’s letter nonetheless highlighted three groups of people and the way they perceived Union soldiers. Secessionists met soldiers with disgust and contempt; Union men greeted them with patriotism and approval; and the finally, the slaves welcomed the military with hope and relief. In terms of his letter, the slaves were the most dynamic to the soldier. While the slaves may have just been the first to meet the soldiers, Sawyer’s fascination and curiosity with the population could not be doubted. Through interesting and energetic initial moments with slavery like this one, northern soldiers who earlier may not have possessed an abolitionist mindset, may have been

unconsciously caught up in the moment, linking black and white as one general body of Union supporters.

It was inevitable that first encounters and observations led to interactions and experiences. In November, David L. Day of the 25th Massachusetts Volunteer Infantry also saw his first glimpses of slavery or what he knew as the “peculiar institution.”⁷⁶ He noted how several blacks, most of them runaways, were wandering around the Union Camps. He knew that since Maryland was considered to be a loyal state, he and his comrades could not provide protection to the runaways. Still, Day found a loophole that he called “English neutrality.”⁷⁷ Although they could not offer much protection to the runaways, Day and the other soldiers did provide the slaves with as much information as possible in terms of news of masters and hunters in the area. For added measure, the soldiers provided those searching for the runaways with false information, sending them “on the wrong track.”⁷⁸ Although limited in what he could do and without exposing his true intentions, Day clearly demonstrated how soldiers still were determined to go above and beyond in their interference with slavery. Whether it was to deceive the assumed slave owning enemy or to bring a slave closer to freedom, Day’s words reflected a man who knew he was doing what was right, even though he was not ordered to do so. A direct example of the other spectrum could be found with General Charles P. Stone, stationed at Poolesville, Maryland. Stone officially reprimanded his troops for exciting insurrection among the local slaves since they still had to obey the laws of the United States and those of the state they occupied. Stone ended his order by reminding his men that “loyal national soldiers sink all private opinions in their devotion to law as it stands.”⁷⁹

Perhaps one of the most dramatic moments of military intervention at this early stage in the war occurred in November as Governor Hicks reported to Secretary Cameron. He advanced the complaint of an Anne Arundel County resident; a man named Tucker who had attempted to check a Union camp for his missing slave. Upon his arrival at the camp, soldiers surrounded Tucker and chased him out of the area empty handed with shouts and cries of “Negro stealer” and “Negro catcher,” before arguing that the slave owner was beneath his slave in manhood.⁸⁰ Clearly, the commanding officers of these men forfeited their responsibility to manage their men and protect the surrounding population by turning a blind eye to the disturbance. Although honestly presenting Tucker’s case, Hicks was really notifying Cameron that he wanted to preserve order in his state. “I care nothing for the Devilish Nigger difficulty,” the slave owning governor confessed to the Secretary of War, arguing that his focus remained faithfully on Union and that slavery was just another “stumbling block” in the war effort.⁸¹

The stumbling block occurred the moment northern troops entered Maryland and the slave population instinctively reacted by fleeing to them for protection. Built upon a long tradition of running away for various reasons, slaves saw the war and the movement of troops not just as another chance at freedom, but perhaps the most promising one. As troop levels increased as the year sprinted on, the army reported more encounters with runaways and contraband. After completing a reconnaissance mission along the Potomac shore, Colonel Charles K. Graham remarked near Port Tobacco, Maryland, how a large number of determined runaways either boarded his gunboats or followed them with their own vessels. General Stone mentioned how he had picked up five runaways at Seneca, Maryland. While obtaining information from them, Stone asked another officer for

instructions for dealing with the slaves. Even the scandalous General Daniel E. Sickles encountered the runaway question when he discovered thirty to forty slaves, some returning from a mission with his troops. Echoing Stone's account, Sickles also believed that vital, trustworthy information could be gathered from the runaways while he asked for further instructions. Officers such as Stone and Sickles supposed that the runaways were not just weapons for their labor value or even by default for existing out of the rebels' hands, but were also useful to military intelligence. The Union army would find that runaways possessed a rich knowledge ranging from the local terrain to enemy troop movements. In addition, by appealing to other military figures for instructions, these commanders consciously postponed returning the slaves indefinitely.⁸²

Aside from the politics of slavery, the larger secession question still remained in Maryland. While Butler was still supervising Maryland, Hicks had finally called the legislature together in late April, which decided the state's fate. Remaining caught between two opposing forces, Hicks chose to move the meeting place at the last minute from occupied Annapolis to Frederick. Whether Hicks based this decision on his fear of another civil-military conflict flaring up while the legislature was in session or because he knew Frederick was more supportive of the Union, Hicks safely delivered the members while perhaps successfully influencing their final decision on secession. In this first session since the Baltimore riot, the legislature ultimately could not decide for or against separating from the Union; the increasing pressure of military occupation made leaving the Union a more difficult endeavor. While Hicks and his fellow Unionists could breathe easier for a time, they knew their decision did not alleviate the pressure the torn state still felt.⁸³

Relieved that some of the passions of April 19 had calmed, the Lincoln administration also realized that they still had to watch Maryland carefully in the months to come. For scare tactics as much as for practical reasons, a series of June arrests overthrew the Baltimore police board, which included the chief of police, George P. Kane. Along with sympathizing with the enemy, officials accused the board of supporting the Confederacy with supplies including quite the bevy of weapons. Appointed provost marshal for the city, John R. Kenly, a colonel of the First Maryland Regiment immediately organized a new police force made up of loyal Baltimore residents. Later, a concerned Secretary Cameron allowed Major General Nathaniel P. Banks to arrest any or all of the members of the legislature if he thought that they would call for an act of secession. By September, officials made fourteen arrests and sent the prisoners, which included Mayor Brown, to Fort Lafayette. Although some disagreed with the arrests, Governor Hicks noted how rebellious residents were apparently daunted into submitting to the military. “We see the good fruit already produced by the arrests,” remarked Hicks to Banks. “We can no longer mince matters with these desperate people. I concur in all you have done.”⁸⁴

While military occupation could be controlled and perfected, military action was unpredictable. In the middle of the muggy summer of 1861, the two great armies finally met for the first time along Bull Run creek. Arguably the Bunker Hill of the Civil War, the conflict left the underdog Confederacy victorious and the stunned Union reeling from the battlefield. The battle guaranteed a prolonged war between the states and more importantly, it validated the Confederate cause. The victory also rejuvenated the possibility of Maryland questioning its loyalty and future. The war began practically in

its backyard, less than fifty miles from its border and it was only a matter of time before the armies brought the destruction of warfare to their doorstep. The heavy presence of Union soldiers in the state not only confirmed this fact, but also necessitated that the state's influence would be closely watched and controlled. Always the vigilant fellow, Lincoln included a Maryland note in his military memoranda in the wake of the battle. He advised his military commanders to hold Baltimore "with a gentle, but firm, and certain hand."⁸⁵ Secessionist Edward Spencer felt this occupation of the city and the state as he compared Maryland to a "volcano, shivering already with the eruption to take place" from the offensive nature of the Union soldiers.⁸⁶ Arguably, the Battle of Bull Run provided the best chance of Maryland seceding since the Baltimore Riot in April, since both illustrated the aggressive failure of the broken Union and the attractive hope behind the young Confederacy.

Between the complaints from slave owners and recommendations from abolitionists, but more importantly to continue the welfare and loyalty of the Border States, Lincoln continued to delay dealing with the slavery issue. By relying on stolid military figures like General John A. Dix, he was able to keep the attention exclusively on the existence of the Union. The personal belief that Maryland could not be left to its own devices and thus required a heavy military presence "until a better feeling prevails" motivated the sixty-two year old Dix.⁸⁷ He also recognized a problem when he saw it and therefore, literally avoided slavery like it was a patch of poison ivy. Dix advised his men that they should not interfere with the institution or take in any black within their lines. He was especially careful about disturbing the residents of the Eastern Shore of Virginia and Maryland, even though he had notified Governor Hicks, President Lincoln,

and General George McClellan of the strong presence of secessionists there. Still, Dix recognized the value in the Confiscation Act and warily promoted it. He reminded General Henry Hayes Lockwood that if any acts of hostility were made against him and his men, then he alone as commander could decide what measures to take in retaliation, including the seizure of slave property.⁸⁸

As the year of 1861 marched on, Maryland found itself embroiled in an incredibly important election. Dix notified Lockwood in October that while Maryland had to be held in order to protect the capital, the rights of both the loyal and disloyal should be respected. Advocating a military presence at the polls, however, Dix demanded that the Marylanders “should be made to feel that no act of open hostility to the Government” would be allowed at any point.⁸⁹ General George Sykes reported a quiet election at the precincts he guarded, crediting the fact that none of his men interfered with voters. Still, Sykes also noted how the number of votes registered was lower compared to previous elections. There is little doubt that the sense of military intimidation, whether intentional or unintentional, had a say in the election results. In gloomy Baltimore, authorities made several precautionary arrests to prevent tampering with the election and to protect Union voters.⁹⁰

At the end of the election, pro-Union politicians controlled Maryland’s legislative bodies and the state had found a new executive leader in Augustus Bradford, the man who would hold the position for the majority of the war. Besides perhaps being more resolute in his policies, Bradford was similar to his predecessor in terms of his slaveholder background and strong pro-Union stance. Lincoln found some much desired comfort in the results, and Marylanders, including Reverdy Johnson, seized the moment

to encourage the president to release the state's political prisoners. Lincoln was uneasy about the request and eventually refused it, but by the end of November of the next year the government had released the last prisoner.⁹¹

Historian Barbara Jeanne Fields has suggested that the fear of the poisonous secession movement was all but erased in Maryland by November. She contends that although Union progress was indeed made in the state by that time, the possibility of Maryland joining the Confederacy lingered at least into the second year of the war. Studying just the president's writings reveals a respectful caution towards Maryland and the other Border States. Granted, this feeling may have been more relaxed by the fall compared to its presence during the state's turbulent spring, but it continued to exist all the same.⁹²

In early December, when he gave his first annual message to Congress, Lincoln started to see the war in a different light. Although he was busy addressing countless issues, including the coastal blockade and the safety of the District of Columbia, his attention carefully shifted to the question of slavery. He began by mentioning the Confiscation Act and the slaves forfeited through legal claims, encouraging the government and the states to acknowledge the freedom of these individuals. It was at this point that Lincoln began to consider an initial, amorphous solution to the social problem of what to do with the newly freed population. He proposed that the government should acquire territory to colonize the former slaves and perhaps the existing free population too. The idea for colonization automatically generated two points of conflict: first, that it was doomed to fail since it required financial assistance which was a tough request during a costly war and second, the fact that it was presented at such a large scale hinted

towards Lincoln's awareness that slavery was approaching its end.⁹³ Still, in the larger picture, a political administration finally recognized *and* addressed slavery.

Whether the colonization idea was a legitimate one or not, Lincoln reminded Congress that the principle goal of the war was still to preserve the Union. While plainly trying to prevent more violence with an open struggle over slavery, the president offered innovative words for the sake of that Union: "We should not be in haste to determine that radical and extreme measures, which may reach the loyal as well as the disloyal, are indispensable."⁹⁴ After these remarks, Lincoln segued to a brief discussion of the Border States. Before commenting upon the Missouri and Kentucky cases, he proudly presented Maryland's yearlong story. "Maryland was made to *seem* against the Union," he stated, reflecting upon the events of the Baltimore riot, before commending the state for righting itself, eventually supporting the Union cause with volunteers and votes.⁹⁵ Clearly, it was a conscious effort to recognize and intensify the pro-Union feeling in the state. His confidence in Maryland was stronger, but he refused to rest his laurels on her neutral position.

III. A Very Extensive Elephant, 1862

The year 1862 was debatably the most important year for Maryland during the entire Civil War. For the most part, the state remained a neutral “Border State” observer, but its residents continued to be torn between restoring the Union and preserving their cherished interests and institutions, specifically slavery. The military occupation of the Old Line State had initially protected it from the secession crisis, but also opened it up to the incredible destruction of war. In just one year, Marylanders would helplessly witness the continued flights of their slaves to military lines, the emancipation of the nation’s capital, and the bloodiest single-day battle in American history. These factors and more combined to ensure the state’s loyalty to Lincoln and the Union, and guarantee the death of slavery within its borders. Blaming abolitionism for the breakup of the Union, one Maryland man noted the following in 1862: “It now appears to many that the only way to put down the rebellion is to completely destroy slavery. If this is or can be done, will not the goose be killed which laid the golden eggs? Most certainly.”¹

Although the question of slavery tightened its grip on Lincoln’s mind in 1862, the president reminded outspoken New York journalist Horace Greeley that his main objective indeed still was to save the Union. “If I could save the Union without freeing any slaves I would do it;” stated the president, “and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that.”² While one could argue after noting these words that Lincoln

continued to approach the war cautiously, at the same time the year 1862 became a turning point for him. He came to recognize slavery as an opportunity or even a weapon for preserving the United States the way other military officers earlier had done. In the spring, he expressed concern for abolishing slavery in the capital, but by the end of the summer, instead of a position of caution, Lincoln would hold one of confidence. By the close of the year, he threatened to end the war by eliminating slavery partially or completely. This fact became quite clear to Maryland politician Reverdy Johnson when the president told him that he would “not surrender this game leaving any available card unplayed.”³

Having won the race for governor and sensing that his state was a large part of the war game, Augustus Bradford offered the state legislature his inauguration address on January 8. Fearlessly, he addressed the question that rested on most Marylander’s minds—what would be the fate of slavery? He recognized the losses in slave property since the beginning of the war. He addressed the formation of the Confederacy, rooted in its worship for the peculiar institution. He questioned Maryland’s future as a Border slave state. But perhaps the most important message on slavery Bradford presented was his hope that President Lincoln would keep his own inauguration promise to refrain from directly or indirectly interfering with slavery in the States where it existed. “I rejoice to believe that this confidence is still unshaken,” Bradford stated, “and that his whole subsequent course has justly confirmed us in the conviction that he means to conduct this war with the single purpose of preserving the nation.”⁴

Military intervention on the slavery issue concerned Bradford and other Marylanders. The Union occupation of the state had certainly restrained residents, but

interference with the state's institution had also insulted and challenged them. As much as slavery had divided a nation, it was dividing a state. In 1862, Lincoln understood that Maryland walked a steadier, but still dangerous tightrope between the Union and the Confederacy. At the end of May, Assistant Secretary of War P.H. Watson notified Secretary Stanton that "much excitement exists in Baltimore" as a clan of radical Unionists attacked some secessionists, attempting to stab and hang them.⁵ Threatening military retaliation, General Dix had stopped the plot from developing into another Baltimore Riot. In August, also echoing the chaotic April from the previous year, Union generals shared information on plots to destroy railroad bridges to stall or prevent troop movements. A soldier in Williamsport, Maryland informed his father that the residents were for the Union while the military was present, but for secession when the military was away. Thus, Lincoln had to continue to approach the topic of Maryland slavery cautiously, silently observing and relying upon the military to manage the state's welfare.⁶

Fascinated with the Border State and its tribulations, outside observers continued to form opinions on military intervention in general and in relation to Maryland in particular. Not to be outdone by other Union officers for instance, General George McClellan threw his hat in the slavery arena by the middle of the summer. In January, he advised General Burnside not to divert from the army's mission of restoring the Union and defending the government by meddling with residents and their property. He also provided Lincoln a few thoughts on military policy towards the institution. Even though he believed that military power should not interfere with slavery, he also was of the opinion that slaves should receive military protection and that the government should

compensate owners for their losses. He supposed in the case of the Border States, even Maryland, that a universal policy should be timely created and followed “upon grounds of military necessity and security.”⁷

Also that summer, Secretary of the Treasury Salmon P. Chase confided with a friend on the matter of slavery. It was none other than the new commander of New Orleans, Benjamin Butler. Chase began a late June letter by admitting that he was wrong about the matter of interfering with slavery since he never expected the war to last over a year. To Chase, it could no longer be debated whether slavery had to be eliminated, nor did he doubt whether the military had the direct ability to destroy it. He told Butler that to hesitate attacking slavery was to morally and physically restrain the North from victory over the South. The next month Chase wrote to Butler again, this time illustrating the strong public mindset against slavery through their hope to see the country no longer divided. “The people are resolved not to give up the struggle for territorial integrity,” Chase argued, insisting that nothing would stand in their way: “If state organizations—they must fall; if negro slavery—it must be abolished.”⁸ Chase’s northern vision of military intervention against the institution may have been meant for the Deep South such as Butler’s Louisiana location, but it still possessed a general thought. The secretary simply believed that “Negro slavery should first fall where it has done most mischief, and where its extinction will do most good in weakening rebellion,” which arguably did not eliminate turbulent Maryland from the equation.⁹ Nevertheless, in a unique moment towards the end of the letter, Chase practically but unofficially recruited the infamous Butler to lead the military example against slavery.¹⁰

Representing a common Maryland slave owner, concerned about the future of his plantation, his slaves, and what the war would leave in its wake, Anne-Arundel County slave owner and physician William Claytor clearly outlined his thoughts on the crisis between the states. Even though he looked forward to the restoration of the Union, he greatly opposed the Lincoln administration and the purported influence of the abolition movement. Perhaps his deepest regret rested on the reality of his Maryland becoming the battleground for the two opposing forces, laying direct and indirect destruction in their wake. Claytor brought up the starkest consequence: “The servants are running off from this neighbourhood in large parties—and it will be surprising, if we can obtain labor enough to secure our crop of tobacco and put in the wheat.”¹¹ Through brief, but stirring diary entries, he records his daily life in direct relation to Maryland’s wartime experience, with stark reminiscences to what life was before the secession crisis.

As slave owners like Claytor continued to encounter difficulties recovering their slaves from military forces, six Maryland legislators appealed to Secretary of War Edwin M. Stanton. Although primarily motivated by their increasing frustration, the group which included Dr. John H. Bayne, most likely hoped to gain the favor of Stanton, who was still settling into his newly appointed position. While unyielding in their arguments, their letter to him was cordial and fair. The group claimed that several generals, from Dix to Halleck, had actively attempted to prevent slaves from entering their Union lines; it made sense for the war department to proclaim a universal order that all officers and soldiers could pursue faithfully. The group also emphasized the importance of the loyalty of Marylanders more than any other state since they had saved the capital and therefore, the entire Union. It was clearly a desperate strategy to have the state and its residents be

rewarded for their services. Interestingly enough, along with general support from the War Department, the legislators also advocated for a specific military police force to be formed to investigate Union camps for missing slaves of loyal owners. Ironically and humorously, in a sense, they asked the military to literally police the military.¹²

The group had attached to the letter a few examples of owners helpless in dealing with the Union forces. One convincing example involved a man by the name of A. J. Smoot who had entered Camp Fenton near Port Tobacco, Maryland, searching for three of his young slaves. Even though he had gained approval and entry from the commanding officer, and had learned that indeed the slaves were within the camp, it was not long before news of Smoot's purpose reached the soldiers who disagreed with him. He claimed that a large crowd gathered crying "shoot him, bayonet him, kill him, pitch him out, the nigger Stealer the nigger driver," before hurling countless stones at him to force him out of the camp.¹³ Smoot found no relief from the officers of the camp who were either lukewarm in their advice to him to leave before being shot by the soldiers or even ignored by their men. Fearing for his safety and realizing his efforts were futile, he left empty handed. Once again, the soldiers and runaways had succeeded to diminish the power of the slave owner.¹⁴

A. J. Smoot was not the first and certainly would not be the last Maryland slave owner to complain about their rough encounters with the military. Claiming that he had lost three of his slaves to the local Federal soldiers, one F.B.F. Burgess complained to Representative Charles Calvert that the military camps have "been opened as receptacles for our slaves," and the soldiers there conceal them from their owners.¹⁵ Burgess on one occasion, with authorization in hand, entered General Joseph Hooker's camp to search for

his runaway slaves. According to the owner however, once his business was known the soldiers removed the slaves from the camp, preventing him from claiming them. Richard Green, a Montgomery County slave owner, attempted to retrieve his runaway slave from a Union camp in late February. Once again, even though an officer, who promised that he would not be molested in the process, gave him access the soldiers rose to drive him out of their camp without the slave. In Green's case, soldiers knocked him down and threatened him with small stones and dirt before he fled to safety. Although the soldiers in these episodes could have had abolitionist backgrounds or inclinations, probably the belief that the slave owner was the enemy as much as the Rebel soldier motivated their strong actions.¹⁶

Instead of facing the potentially dangerous wrath of members of the military, some owners simply notified officers of their missing slaves. It was often a poor, ineffective option that reminded owners that their antebellum power had greatly decreased. Annapolis resident Thomas J. White wrote to General Ambrose Burnside about leaving a full description of his runaway slave. White suggested that it was the military's duty to retrieve the slave since military forces encouraged him to leave in the first place. Claiming to be holding the slave "in Trust for other parties, and should fail to get him, may have to pay his full value, which would be hard to me, especially at the present time," the resident demanded immediate action.¹⁷ Ezra Scheckell also implored Burnside to return two slaves that he and his neighbor claimed Connecticut regiments obtained. "We are both devoted Union Men," Scheckell pointed out, "and we deem it hard that Union soldiers should thus deprive us of our property."¹⁸ These examples illustrate the desperation of the slave owner, as he relied on talking points like answering the

question of their loyalty in addition to their refusal to concede that the Union cause during the war mattered more than their individual rights and property. To the military, the war demanded sacrifice from all involved while to the owner, the war should have encouraged the military to prevent damages from ever occurring.

Military officers like Burnside had their reasons for holding on to runaways, from using the former slaves as laborers to denying the Confederacy assets they could use for their own cause. And still others felt a patriotic, if not abolitionist desire to grant slaves the freedom the enemy denied them. While stationed at Camp Baker in Maryland, General Joseph Hooker grew concerned with the number of contrabands he encountered. “To permit them to go at large in this secession district,” he stated, “would, I have no doubt result in many of them being returned to their rebel masters, and I hope that it will not be permitted.”¹⁹ Of course, others did not have any qualms with returning slaves, simply obeying orders from their superiors. Also at Camp Barker, officials gave nine Maryland slave owners complete access within military lines to look for their lost property. Joseph Dickinson, the assistant Adjutant-General demanded that if any of the gentlemen encountered any obstacle, it should be reported to headquarters immediately. This seesaw effect of successfully claiming slaves or not suggests that there was no real guarantee in any war time policy for dealing with slaves, which created a sense of hope for owners that their property could be returned and also left the door open for future civil-military conflict.²⁰

While the final decision on whether to return a slave or protect him, as contraband mainly remained the commanding officer’s responsibility, Congress supported the military by passing an article of war on March 13. Dangling the threat of a court martial

for disobeying it, the article prohibited any member of the military from returning a runaway slave to their owner. On the surface it simply kept the military's eyes on the prize, winning the war on the battlefield, but it also continued to provide the armed forces the ability to interfere with slavery. While the article forbid returning contraband, it also neglected to mention anything about accepting them in the first place. Passed by Congress in the middle of the summer, the Second Confiscation Act or Treason Act, further increased the power of the military while it continued to strangle slavery. The act freed slaves of anyone supporting the Confederacy, in addition to claiming all property of officers of the Confederate government. The Act provided the army with another reason or excuse for disrupting Maryland's institution, allowing officers and soldiers to base their evaluation of a slave owner's loyalty upon fact or opinion.²¹

Still, neither of these acts by Congress was as lethal as the one dealt indirectly against Maryland's peculiar institution on April 16, 1862. On that day, responding to the fact that it was the base of the Federal Government and had previously witnessed several cases of runways to its territory, Lincoln abolished slavery in the District of Columbia with the stroke of his pen. While former slave owners in the capital did receive compensation, their neighbors in Maryland were left to deal with the repercussions. As Barbara Jeanne Fields argued, "the abolition of slavery in the District of Columbia gave new allure to an escape route with which many slaves were already familiar."²² Slaves from Virginia and Maryland felt that if they could reach the capital, they had a stronger chance at freedom, which was important since running away was truly a leap of faith. Once again, Maryland's location on the border of the nation's capital had damned it.

In the aftermath of the act, one New York newspaper warned Marylanders that they had no right to interfere with the affairs of the District of Columbia since Congress alone could control it. In other words, the fact that Maryland still clung to the institution of slavery and geographically bordered the District, did not automatically suggest that the capital then had to follow its example. “Maryland has no more right there than Wisconsin,” the article claimed, “no more claim to control affairs in Washington than in Philadelphia.”²³ The *New York Evangelist* proclaimed that the “free men of the North, and strangers from abroad, will no more be sickened at the sight of men, women, and children, held as slaves in the sight of the very Temple of liberty.”²⁴ The newspaper also remarked upon the higher goal, that the emancipation of the capital would eventually inspire Maryland and Virginia to become free soil states through their own acts. The *Evangelist* boasted that, “the day is breaking,” referring to both the end of slavery and the end of the war against the Confederacy.²⁵ Meanwhile, an article in the *New York Times* first applauded the abolition of slavery in the District and then acknowledged the problem of slave hunts for runaway slaves from Maryland and Virginia. The newspaper introduced two solutions in the case of Maryland. First, to have the president and the government reach out to the border state in an “earnest desire to aid in the emancipation of Maryland slaves,” and second, if any Federal intervention is discouraged by residents, the Emancipation Commission would hold runaway slaves and provide compensation to owners who proved their loyalty to the Union.²⁶

The *New York Times* was correct when it recognized the large problem behind the slave hunts. While runaway slaves entered Washington in great numbers, their owners and bounty hunters naturally followed soon after. One newspaper reported that they

prowled the streets like “ravenous hyenas.”²⁷ The fact that Lincoln believed that the Fugitive Slave law should be carried out increased their numbers, knowing they could be successful in their mission to reclaim their lost property. The Washington correspondent for the abolitionist paper the *Liberator* noted that many runaways were indeed being returned, even though they appeared to be half-starved. The poor state of the slaves, along with the fact that the claimant could be rebellious and still protected by the Government when it came to their property, outraged northerners.²⁸

The fact that the president believed the Fugitive Slave law should be honored did not always guarantee that it would be. Bewildered especially after hearing that the government directed the Marshal of the District to make no arrests, Governor Bradford asked Attorney General Edward Bates about the effectiveness of the law. A congenial Bates replied to the Governor acknowledging the fact that Maryland slaves took advantage of the free territory of Washington, while also expressing his ignorance towards the law being denied. In spite of such moments of reassurance from Washington, and recognizing the mounting pain of Maryland’s slaveholders, the General Assembly passed one resolution that acknowledged the problem in the District of Columbia. “The agitation of the subject,” the resolution detailed, “is calculated to disturb the relation of Master and slave within this state; and the success of the agitation in this scheme would strike a serious blow at the interest of the people of Maryland.”²⁹

Charles Calvert also provided a voice for Maryland’s slave holders, as he reported to Lincoln of the “great losses from their slaves” since the act freed the District.³⁰ Upon hearing of difficulty of working with the United States Marshall, Calvert questioned the present value of the Fugitive Slave Law in retrieving Maryland slaves. Bradford

continued his fight, blaming the movement of slaves to the recently freed District of Columbia for causing “great anxiety and complaint in our community,” which was only exasperated by the failure of the 1850 law within the capital.³¹ Bradford concluded that only two types of politicians existed behind the legislation: those influenced by party politics, and those motivated by their property concerns. Dr. William Claytor felt and shared the slave owner’s frustration by claiming that slaves ran away on a daily basis, forcing owners to be wary at all hours. Just over two weeks later, Claytor reported in his journal that he was anticipating a stampede of fleeing slaves.³²

The sore subject of an emancipated capital was only further exasperated when paired with the awareness of military intervention upon slavery. Now, more than any other time, the powers of the military would be increased and depended upon by the government. Writing to Secretary of War Edwin Stanton, John H. Bayne addressed again an issue that had not been resolved: “the admission of slaves within the lines of the Federal Army.”³³ Bayne claimed that the “partial enforcement of the fugitive slave law” in Washington had encouraged runaway slaves from Maryland to enter the surrounding area of Alexandria, and therefore, receive military protection under the orders of the Provost Marshall. Claiming that perhaps thousands of slaves had fled to the protected area, Bayne stated that the decision was “tantamount to issuing an emancipation proclamation in the Counties of Maryland bordering on the Potomac River.”³⁴

As slaves continued to flee to Washington, Bradford met with troubled citizens from the counties of Prince George’s, Anne-Arundel, and Calvert on May 16. They asked him to form several posses and patrols to monitor with the federal forces the cases of runaways. The Governor ultimately refused their request, believing that it would

prove to be too costly in terms of arms and men, while also providing inconsistent results. In addition to these reasons, the interests of the citizens who were not involved with slavery also concerned Bradford. It was perhaps, the Union man in him speaking. And yet the slave owner in Bradford also surfaced, as he continued to defend his decision by bringing up his history of questioning the government's decisions including their changing attitudes on the Fugitive Slave Act. To perhaps gratify the citizens of the counties, Bradford assured them that the act was indeed still actively honored since Representative John W. Crisfield had informed him of one owner successfully retrieving his slaves.³⁵

No matter how much the governor placated Marylanders, for the rest of the year the flood of runaways inundated the capital. As whole families slipped into Washington, the government set up "make-shift facilities," or camps to house the slaves or, as they considered them, future military laborers.³⁶ In early November, a contraband camp located in Washington at Camp Barker boasted 675 contrabands including women, children, and the elderly. At the camp, blacks received an education, were nursed back to health, attended religious services, found local employment, and obtained goods from the National Freedman's Relief Association located within the city. Under the leadership of Danforth B. Nichols, over three thousand contrabands (both inside and outside of the District) successfully registered between the months of June and November. While to the slaves the capital was an evolving Promised Land of freedom, the Union army considered Washington to be a warehouse for useful contrabands. The very same way he would fill out a requisition form for shoes or guns for his soldiers, General Halleck advised General McClellan to do the same for needed contrabands. Halleck suggested that it was one of

the assumed responsibilities of the military governor of Washington to support regiments with laborers. Besides performing odd labor intensive tasks, the army also valued contrabands for their uncanny ability to obtain desired intelligence, reveal the location of secessionists, rebels, and spies, and of course, serve the army as guides with an excellent knowledge of the local surroundings. While the last talent relied on their native experience as a slave, it was no doubt perfected through their dangerous experience as a *runaway* slave. Clearly, the military saw slaves as assets to their cause; individuals who needed to work for their keep and freedom.³⁷

Through it all, the slave owners of Maryland refused to stand on the back of their heels while their slaves continued to flee and the military persisted in offering the runaways protection. Leading a committee investigating the preservation of slave owner property, the fervent John Bayne demonstrated to Governor Bradford that a link existed between Union support and slavery, or in the larger picture, general state interests and property. Bayne believed that the people of Maryland would not completely support the Union without the guarantee that the government and military respected their institution. Bayne argued:

The people will not voluntarily embark in a cause which they believe will be suicidal to their interests. I know there are many cities of Maryland who are as loyal as Mr. Lincoln himself, and whose farms are uncultivated because their slaves are now fugitives and are under the protection of the Federal Army. There are at this time hundreds of slaves from Maryland now in the streets of Alexandria enjoying the most perfect immunity and defiantly confront their masters.³⁸

In other words, Marylanders wondered why they should support a cause when the cause refused to support them. Bayne went on to ask for a remedy from the Governor since he believed the Fugitive Slave Law in Washington did not matter since slaves fled to

military forces in Alexandria, Virginia where the 1861 contraband policy protected them.³⁹

In the end, however, no matter how loudly slave owners cried foul, there appeared to be little to no chance of avoiding the great emancipation movement started in Washington. And still, there was the worn, gaunt man who had signed the April act into law in the first place. In addition to expressing his uneasy feelings about emancipating the slaves of Washington, at least in terms of time and manner, Lincoln did not lose sight of the Border States in a letter that March to radical Republican Horace Greeley. He believed that perhaps states like Maryland would eventually follow the example of the District of Columbia and move beyond the ills of slavery. Through perhaps a gradual evolution, the president advocated for compensation and the voter's ultimate decision to eliminate slavery within the neutral states. In a larger context, he even told Greeley that the North should "persuasively, and not menacingly" suggest to the South that they abandon their hallowed tradition.⁴⁰

As the year marched steadily forward, the unrelenting Maryland slaves were determined to reach the freedom of Washington. Even when at times the military tried to crack down on fugitives from the Old Line State entering military lines, the slaves simply crossed into Virginia to enter the capital from the south. Of course, some took their chances in rebellious Virginia and remained there knowing they had a better chance of falling under the contraband policy than back in Maryland. Captain Joseph K. Stearns in Manassas noted how several contrabands sought Union protection including some who claimed they had walked twenty-five miles in one night, perhaps coming from the

neighboring Maryland. John Boston, a Maryland fugitive was just one of the many who decided to run further south.⁴¹

A simple letter to his wife from Virginia solidified Boston's place in history. "This Day i can Adress you thank god as a free man," Boston informed her, "I had a little trouble in giting away But as the lord led the Children of Isrel to the land of Canon So he led me to a land Whare freedom Will rain in spire of earth and hell."⁴² Boston most likely claimed that he was from the rebellious state of Virginia and not from the border state of Maryland. He also displayed some recognition of the Old Testament, as he compared his people's fight for freedom to that of the Israelites. The Boston letter reveals a larger theme from the history of slavery, the separation of family members. He continued, "i trust the time Will Come When We Shal meet again. And if We dont met on earth We Will Meet in heven Whare Jesas ranes."⁴³ Boston's hope in a day of reunion with his wife was one that most separated family members cherished, whether it was a time when Boston's wife ran away to join her husband or when a victorious Union brought an end to the war. It should be noted that the former mode often depended on the success of John Boston and other spouses, who found various ways to bring their family members out of bondage. For Boston, not only did he want to see his wife again but also others as he ended his letter with "kiss Daniel for me" and "Give my love to Father and Mother."⁴⁴

Boston's story illustrates a relatively smooth transition from slave to free man after he successfully reached the New York regiment in Virginia. Of course, more uneven roads to freedom challenged other slaves who still found salvation from the military. John Bayne notified Abraham Lincoln of the case of one Maryland fugitive

slave found in Alexandria, Virginia. After being returned to his master, the army intervened and recaptured the slave on his way back to Maryland. Soldiers placed the slave in the custody of the Provost Marshall, who then declared him free. “The Provost Marshall said he was a Pennsylvanian,” Bayne stated, “and would not only misrepresent his people, but would be unfaithful to his Government if he were not to release the Negro.”⁴⁵ The provost marshal sent Bayne over the edge when he declared the freedom of any future fugitive slave within the lines of his Department. “I can not believe the President will allow any assumption of power which will supersede all civil law and deprive loyal men in a loyal state of their Constitutional rights,” Bayne stated, before asking: “Is it not expedient to conciliate and promote the conservative sentiment in Maryland and all the Border States at this time by protecting their interests?”⁴⁶

While some runaway slaves continued to flee to Union lines in Virginia and Washington, others found protection with soldiers in Maryland. In the wake of the emancipation of the capital, soldiers stationed in Maryland felt they now had “virtual permission” to hold and protect runaways.⁴⁷ Located on the state’s Western Shore in St. Mary’s County is a peninsula known as Point Lookout. Once considered as the ideal spot for a vacation resort for the wealthy, the war swiftly distorted the original plans and the land developed into an army hospital in 1862. Consisting of twenty buildings, the hospital uniquely resembled a wheel, and the government expanded the grounds the following year to house prisoners of war, especially after the Battle of Gettysburg. While Point Lookout’s reputation and business changed, one thing remained constant during the war—it provided a haven for fugitive slaves. Doctors, nurses, and, of course, members of the military all protected the contrabands from southern Maryland and Virginia.⁴⁸

While stationed at Point Lookout, abolitionist and nurse Abigail Hopper Gibbons encountered several cases of contrabands and recorded their turbulent freedom story. She mentioned her account of one case in August 1862 as she visited a slave “who had been unmercifully whipped by his master” from “neck to heels” and “the skin being taken off at every stroke.”⁴⁹ Gibbons went on to note that the evening after the slave worked a day for the Union army, “his master appeared, took the oath of allegiance, and the poor mutilated boy was given up.”⁵⁰ Outraged, Gibbons pleaded to a Captain Wood that the slave should not have been returned and that he could be put to use at Point Lookout. Wood coldly informed her of his duty, that if an owner took the oath, “he was bound to believe him,” and return the slave.⁵¹

Frustrated, Gibbons was powerless against the repeated cycle of owners claiming slaves, and Wood and his men who, in the nurse’s opinion possessed “no sense of responsibility, or common decency” returning them.⁵² Still, she would write later in the entry with glimpses of hope that “their time will soon expire and I devoutly wish that a better class may take their places.”⁵³ Another similar case occurred days later when slaves “were seized, tied to a tree, and afterwards returned to their masters,” even though Gibbons argued that Maryland was the most disloyal state in the Union.⁵⁴ A Colonel Rogers after this case, however, did allow the contrabands to remain if Gibbons would name them in a note as Virginians, not Marylanders. The awareness of the contrabands themselves is demonstrated in the last section of her entry as she mentions how they “all declare now they are from that State.”⁵⁵

Stories of despair like those witnessed by Gibbons did not deter the runaways. In a September entry, she counted over forty individuals in just two days entering Point

Lookout's grounds. Gibbons simply wrote in the entry the following: "They are making the most of moonlight nights."⁵⁶ Captain H. J. VanKirk wrote to Capt. R. W. Dawson about the large number of contrabands entering Point Lookout. He asked Dawson what he should do with the surplus that remained after sending a number of them to the Post Quartermaster and what he should do with the contraband with loyal masters. His biggest concern was the possibility of a Confederate or secessionist raid on his exposed position, with the large contraband population the leading reason for such an attack.⁵⁷

Returning to the topic he alluded to with Horace Greeley after the emancipation of Washington, on March 6, 1862, Lincoln presented a plan for gradual emancipation to Congress. The resolution offered to "compensate for the inconveniences public and private, produced by such change of system," in those states that decided to free their slaves.⁵⁸ The president was convinced that to slowly move away from slavery not only would demoralize the South by demonstrating the loyalty of the Border States to the Union but would also bring the war to a swift end. To accomplish these goals, he needed to gain the approval of both the Congress and the states. Just a short month after sending his plan to Congress, both houses comfortably adopted them, but the president had to give the states more time to decide.⁵⁹

Writing the president only a few days after he announced his plan, the difficult Dr. Bayne illustrated his pleasure with the plan, but worried that if slaves kept running away, there would be none left to benefit Maryland's slave owners. As slaves continued to flee to the military for protection, aid, and even employment, Bayne could not imagine why his state had to suffer. He and other Marylanders had supposed that their state's "political status" and "geographical position" justified their expectations for protection of

self *and* property.⁶⁰ Whether aware that the Government offered compensation or just desperate when the military would not respond to their pleas to return their slaves, owners from Maryland turned to their representatives in Washington. W. Veirs Bowie of Montgomery County asked the U.S. Senate for compensation for one of his slaves who had joined the 102nd Pennsylvania Regiment. His argument was clear, speaking not only for his own welfare but also for that of his fellow Marylanders.

A large number of slaves—perhaps several hundred—have been carried away by the Government troops from their owners in this County. Our slave population have been greatly demoralized by the Government troops, which has inflicted upon our people a heavy loss, hard to estimate. The effect upon our agricultural interests and upon the general welfare of the Community is exceedingly disastrous.⁶¹

In a May letter to Congress, Harford County resident Thomas Hope asked for “the lowest estimated value of the services” his slave George Giles would have performed had he not been encouraged to run away to the free and protected soil of Washington.⁶²

As the time-tested institution finally began to be attacked from various points including the possibility of voluntary emancipation, many Marylanders questioned its future in their state. Unionist and author Brantz Mayer wrote a popular article for the *Baltimore American* in June discussing the problem of emancipation in Maryland. In his introduction, he recognized the causes of slave owner anxiety by highlighting first and foremost the problems that occurred with military occupation and intervention. He also focused heavily on statistics including census records and foretold the unstable social setting if the state’s slaves found freedom, whether gradually or immediately. The prediction that Maryland would have more problems on its hands if they released 87,188 slaves into a population that already boasted 83,718 free blacks concerned Mayer. “We are but greatly embarrassing ourselves,” he wrote, “when we attempt to add rapidly to the

number of the emancipated, when we do not know how to get rid of the multitudes of free blacks already among us.”⁶³ Mayer’s arguments directly attacked the popular abolition slogans such as “the interest of Maryland is freedom,” which he considered to be just “vague, exclamatory phrases” that refused to mull over the social ramifications of such a dramatic event.⁶⁴

Mayer had manumission or the slave owner’s decision to free his slave on his mind when he wrote about Maryland high number of free blacks. Manumission had been banned in 1860 due to John Brown’s raid on Harpers Ferry because the General Assembly worried about the threat of resistant, unruly blacks supporting future slave uprisings. In other words, in order to protect the general population, some of the rights of slave owners had to be sacrificed. It was a point the military would make time after time when it came to the Union cause and Maryland’s safety. Before going into effect, however, a surge of owners across the state freed their slaves. At least twenty-five slaves in 1860 gained their freedom this way in Anne-Arundel County. Still, the ban on manumission would stay in place until late 1864.⁶⁵

While the compensation plan sat on the table and the spring quickly moved into summer, Lincoln continued to deal with problems with his overanxious, self-involved generals. Stationed at Hilton Head, General David Hunter declared martial law out of “military necessity” in three states—Georgia, Florida, and, of course, South Carolina.⁶⁶ It was the rest of his proclamation that created the controversy. “Slavery and martial law in a free country are altogether incompatible,” the proclamation stated, “the persons in these three States...heretofore held as slaves, are therefore declared forever free.”⁶⁷ Hunter’s true “military necessity” was one that Lincoln, Stanton, and the rest of the

administration had earlier ignored. The general was of the opinion that blacks would make excellent soldiers and eventually he formed the First South Carolina Volunteers. Although he did not receive any support from the war department, Hunter still moved forward with the force, attempting to recruit the wary blacks of the area. Thus, he felt that a proclamation of freedom would foster trust and inspire them to join the ranks.⁶⁸

Similar to Fremont's proclamation the previous year, news traveled quickly from South Carolina and many across the country fashioned opinions for and against Hunter's actions. Even though he considered it to be premature, General Carl Schurz reported to the president that those not involved in party politics received the proclamation well. An irate Reverdy Johnson had other opinions, informing Lincoln that the proclamation was "fatal to all our hopes."⁶⁹ He demanded that the president not only renounce the order immediately, but remove the general from his service in the South. New York resident Peter Sturtevant wrote Lincoln threatening that if his administration did not come down hard on the proclamation he would protest by relinquishing his property, which was worth millions, into the Confederacy's hands. He argued, "this act has done us more harm than a loss of two battles and has made Kentucky and Maryland almost against us if not wholly."⁷⁰ Both the Fremont and Hunter proclamations struck a cord for the radical, unthinkable aspects of the war and the unsettled Border States felt the reverberations the most.

Indeed, Lincoln's greatest concern involved the threat Hunter's actions posed to the fragile Border States. On May 19, he struck back with a proclamation of his own. In it, he simply but strongly revoked Hunter's proclamation, and denied any previous knowledge or involvement with the general's decision. "I further make known," Lincoln

decreed, “that whether it be competent for me...to declare the Slaves of any state or states, free, and whether at any time, in any case, it shall have become a necessity indispensable to the maintenance of the government, to exercise such supposed power.”⁷¹ There is little doubt that Lincoln directed his response at the Border States as he used the crisis as an opportunity to promote once more his plan for compensation through the gradual abolishment of slavery. Asking the states if they would embrace the plan, he reassured them the “change it contemplates would come gently as the dews of heaven, not rending or wrecking anything.”⁷² It was a brilliant chess move: distract the Border States by killing Hunter’s drastic proclamation while reminding them of the opportunity of paid, measured emancipation. In the end, Lincoln had successfully put out another fire caused by one of his generals and prevented another from starting in the Border States. The *Farmer’s Cabinet* claimed the president had left the next decision on slavery to be in the hands of these states. Still, Secretary Chase confessed to General Butler that revoking Hunter’s order was a mistake and that he confidently felt an executive act against the military intervention of slavery would not occur again.⁷³

On July 12, 1862 the president sat down with Border State congressmen to once again sell them on his plan for compensated emancipation. During that meeting Lincoln recognized the military interference of slavery in those states, essentially suggesting that such moments were necessary evils. He told the Border State representatives that the consequences of war could not be evaded and that even though slavery was not to end immediately, they needed to act against it at once. He remembered what John Bayne had earlier told him as he told the group, “If the war continue long, as it must, if the object be not sooner attained, the institution in your states will be extinguished by mere friction and

abrasion—by the mere incidents of the war.”⁷⁴ Therefore, the slave owners would have nothing valuable left after the destruction of slavery. In the end, everything from patriotic flourishes to sincere requests for understanding and agreement filled the meeting. Mentally and emotionally exhausted, Lincoln did his best with the congressmen and lay the country’s future in their hands. Startled by his bold conviction, the congressmen felt he “intends to do just what he intimates.”⁷⁵

Two days after the meeting, the majority delivered a reply that fought against compensated emancipation for reasons ranging from expense to fostering the secession feelings of loyal slave owners. These reasons attempted to disguise the outrage the slave owners of the Border States had for the president, since he had the audacity to suggest such a plan in the first place. Therefore, Lincoln’s moderate political approach to dealing with the Border States had all but failed, and as a result, lengthened the war and fostered the destruction of relations between civil and military powers.⁷⁶

Many factors went into the equation of preserving the Union by defeating the rebellion including improving volunteer levels and keeping the Border States content. Still, none may have been as paramount as protecting the nation’s capital. Traditionally in the art of war, the combatants deemed a capital for an army and a cause to be both the backbone of support, and also the mind through leadership and management qualities. Without the capital, the very power behind a military force was greatly and at times permanently destroyed. During the Revolutionary War, the Americans benefited from a mobile capital, which therefore successfully avoided a centralized British attack. As Washington still settled into the swampy grounds of its foundation, the British stormed

through the capital with great, devastating destruction with the next conflict between the powers.

Now during the Civil War, Lee realized that Washington was the open prize of the North and Lincoln endlessly feared for its safety. Wisely, early in the war he knew that to preserve the Union, one needed to preserve the capital. This tactic, of course, was costly in the short term with the Baltimore riot in April 1861, but priceless in the long term with victory in April 1865. Lincoln's concern even wore off on the stolid Secretary Stanton, as he knew that Stonewall Jackson roamed Virginia with a strong "considerable force" with the ability "to move on Washington."⁷⁷

By the early summer, in addition to a possible rebel attack on the capital, the Union army began dealing with news of an invasion of Maryland. One report on May 26 reached Stanton from "an intelligent mulatto" who believed it was the intention of the Confederate army to invade the state and "liberate their friends" there.⁷⁸ The next day, the rumor seemed more real as communication informed the secretary about the elated people of the Blue Ridge Mountains who heard that a large rebel force planned on moving through Maryland and striking Washington. Finally, Stanton received confirmation from General Nathaniel Banks fighting in Virginia that the Confederacy did indeed intend to follow such a bold plan. Still, some in the military such as General Irvin McDowell did not suppose that the Confederate army could successfully cross into Maryland and threaten the capital. "They are neither bold nor strong enough," McDowell claimed, "and we are neither weak nor timid enough, for that."⁷⁹

Meanwhile, Lincoln's aggravation with his commanding general grew to new heights. Whether it was due to his extreme cautious side or his guarded fear, McClellan

had postponed taking Richmond claiming he needed more men before attempting such a grand mission. If his generals refused to fight the war completely, Lincoln in Washington would do all in his power to change the tide. Thus, it was at this time that the president informed veteran statesman Robert J. Walker that “we are beaten—we must change our tactics. I think the time has about come to strike the blow against slavery.”⁸⁰ Walker viewed the first draft of the Emancipation Proclamation before the Cabinet, and later noted how the administration unanimously approved Lincoln’s plan. Secretary Seward was however concerned about the timing of the proclamation, and advised the president to wait for a victory as a selling point. Otherwise, Seward believed the public would question the power of the government and the direction of the war effort. Always the good listener, Lincoln prepared for the victory by working on a second draft of his proclamation.⁸¹

In the meantime, the rumors of bold Confederate movements finally came true in early September. After repelling the Union army during McClellan’s peninsular campaign, Lee decided that the time was right to take the war to northern territory. It was a risky endeavor, but embodied the zeal of the Confederate cause. Labeled both as a campaign and an invasion, Lee supported by 55,000 troops crossed the Potomac and blazed a trail through Maryland’s western counties to gather support in the state. On September 8, Lee delivered a brief, but straight proclamation to the people of Maryland. By first stating how the Confederacy “have seen with profound indignation their Sister State deprived of every right, and reduced to the condition of a conquered Province,” Lee enticed the Border State with the promise to restore their stolen powers.⁸² The clever general’s proclamation offered armed support to free the state without naming an exact

price for the service, whether that price was Maryland's last minute decision to secede or just to aid the Confederacy with recruits, arms and supplies. Scholar Charles Wagandt, however, argued in his study on Maryland during the war, Lee's words "ignited no sparks," besides the occasional joyful welcome extended to the marching rebels.⁸³ In fact, some perceptive Marylanders found the hypocrisy behind the proclamation that promised salvation since they knew that the Confederacy had imprisoned Union citizens without trials, offered worthless currency for supplies, and oppressed Richmond.⁸⁴

In Washington County, the Union army under McClellan and the Confederate army under Lee at last clashed in the epic Battle of Antietam on September 17, 1862. Before the battle, Lincoln had telegraphed his leading general a short, but unmistakable order: "destroy the rebel army if possible."⁸⁵ Perhaps overestimating the fighting ability of his men, along with knowing the reluctance of his adversary, Lee took an expensive chance on staying in Maryland for a fight against incredible odds. In just one day, both armies combined to suffer over 23,000 losses, making it the bloodiest single-day battle in American history. Physician Thomas Ellis wrote that Antietam dwarfed any other battle fought at that point in the war, while Judith White McGuire, a Virginia refugee referred to the clash of armies as "the most desperate battle of the war," unsure as to which side truly was victorious.⁸⁶

Although the Union lost more men in the battle, they dealt a greater blow to the Confederacy since their rebel numbers were already dramatically shrinking. Thus, while those Union soldiers who had survived bore wounds and carried heavy hearts away from the Maryland battlefield, they also embraced a victory all the same. Less than a hundred miles away back in Washington, Lincoln claimed a victory too. Similar to the way the

Americans seized the Battle of Saratoga during the Revolution to secure an alliance with France and turn the tide of the war, Lincoln used the Battle of Antietam to institute a new war strategy in the great conflict between the states. The confidence in one's cause was one of the spoils of war for the victorious, and unlike General McClellan, Lincoln did not hesitate to use it. Therefore, blood spilled at Antietam presented the long awaited opportunity for Lincoln's dramatic, uncanny proclamation for freeing slaves as a way to once and for all destroy the rebellious Confederacy.

On September 19, General McClellan proudly proclaimed Maryland free from the enemy. Assistant Secretary of the Navy Gustavus Fox estimated that while the rebels recruited 140 individuals from Maryland, they lost at the same time 1500 by desertion. "They have been driven out," Fox announced, "with curses of Maryland upon their lips."⁸⁷ As Union forces turned away their Confederate enemy from the state, they also eliminated any strong possibility of the state plunging at the late hour into secession. In fact, a song, based on Randall's original ballad from April 1861, surfaced in New York titled "My Maryland" written by the world famous composer, Stone-Wall Jackson. It praised Maryland's pro-Union position to ignore the Confederate last minute offer to become the twelfth state to secede. The song ends with the following stanza: "I'm not exactly deaf and dumb--/I know the sound of shell and bomb,/Farewell! Again I'll never come,/Since you don't welcome Southern scum/Maryland, my Maryland!"⁸⁸

While the invasion solidified Maryland's stance on the war, it did not redeem it from its slavery troubles. With such a great concentration of military forces from both the Confederacy and the Union, Maryland was once again tossed into pure chaos. With the constant movement of troops, slaves found running away an even more successful,

quicker act since they did not have to travel as far. The battle of Antietam and other skirmishes during the campaign had distracted Marylanders, while they also offered slaves the chance to seize opportunities to flee to the freedom of Union lines or of the capital. A newspaper estimated that thirty to forty fugitives registered at one camp in Washington at one time after Lee had entered the state.⁸⁹

Still, with a victory in the field and the conviction that Maryland would remain in the Union, the president immediately returned his focus on his emancipation proclamation. In the early afternoon of September 22, Lincoln brought his cabinet together. Chase noted in his diary that the president began the meeting with some humor, before his tone and demeanor became grave. Lincoln may have been lighthearted with his confidence, but his seriousness overshadowed that condition. The president began:

Gentlemen: I have, as you are aware, thought a great deal about the relation of this war to Slavery: and you all remember that, several weeks ago, I read to you an Order I had prepared on this subject, which, on account of objections made by some of you, was not issued. Ever since then, my mind has been much occupied with this subject, and I have thought all along that the time for acting on it might very probably come. I think the time has come now. I wish it were a better time. I wish that we were in a better condition.⁹⁰

A determined Lincoln reminded the cabinet how he wanted to issue an executive proclamation, complete with a second draft, after the rebel army had been pushed out of Maryland. He was resolute in his decision to act against slavery. He hesitated only once to reflect upon a promise he had made with God to do what he believed was right when the opportunity presented itself. Chase then mentioned how the president proceeded to read the second draft to the cabinet, and aware that there would be debates and questions, stopped to remark on every section. Chase seemed truly impressed in his diary, not just

by Lincoln's conviction with the proclamation but also in his general energy and knowledge on the subject.⁹¹

Two days after he went public with the proclamation, a crowd had gathered outside the White House to congratulate, thank, and hearten Lincoln. He provided them with a few words. "What I did, I did after very full deliberation, and under a very heavy and solemn sense of responsibility," the president assured the crowd, as they quickly answered with applause and praise. Lincoln concluded briefly, believing that God, the country, and the world could judge the proclamation at that point, perhaps even act upon it. Lincoln also received numerous letters and telegrams congratulating and thanking him for his efforts. Three days later, Vice President Hannibal Hamlin praised the proclamation for its wisdom in statesmanship and patriotism. That same day, Francis Hoffman, the Lieutenant Governor of Illinois, considered the proclamation to be "a great and imperative War measure" that was an essential part to winning the war and preserving the Union.⁹² The president also received criticism and advice. Henry J. Raymond, politician and founder of the *New York Times* offered Lincoln his opinion on the proclamation. He believed that the proclamation had the potential of transitioning the Union cause to one influenced and controlled by the abolition movement. As it stood, Raymond feared it would break up the Union for a number of reasons, including the ability to anger the Border States, confirming their feeling that the determined government would challenge their institutions. Raymond's advice was to emphasize the proclamation solely as a military weapon, taking the form of a military order instead of an executive proclamation. The advantages included avoiding any legal disagreements and any public dissension.⁹³ Both Hoffman and Raymond, although the latter had

reservations about its presentation, clearly saw the proclamation as a strategy for ending the war.⁹⁴

While the majority of northerners were jubilant to hear of Lincoln's great proclamation, abolitionists questioned the fact that the order's policy exempted several loyal, semi-loyal, and occupied states including Maryland. They questioned how effective a proclamation striking down against slavery truly was when it allowed some traces of the institution to exist.⁹⁵ And of course, there was the reaction within Maryland. "The President's Emancipation Proclamation has fallen like a thunderbolt on the Union men here," noted Frederic Bernal, the British Consulate for Maryland.⁹⁶ He noted how the conservative Unionists of the state felt betrayed by Lincoln who appeared to be leaning towards the abolition persuasion. Bernal went as far as to suggest that the proclamation revealed the president's weakness and "inability to withstand pressure," which consequently, pleased the secessionists.⁹⁷ Charles Morse, a Massachusetts soldier stationed at Maryland Heights believed Lincoln announced the proclamation to create a servile insurrection. "There is no mistake about it," Morse said, "if the fact becomes generally known among the slaves of the South that they are free as soon as within our lines, there will be much more general movement among them than there has been before."⁹⁸ Finally, believing it would hasten the doom of slavery, the *Baltimore American* felt that with the already Free State of Pennsylvania to the North and the soon to be Free State of Virginia to the South, Maryland's slaves and owners would be isolated and forced to move beyond the institution. Although not a direct attack at Maryland, the vast amount of opinions with a focus on the future of the state's institution suggests that

the threatening or beneficial effect or “thunderbolt” of the proclamation was indeed being felt.⁹⁹

On September 27, Lincoln received the loyal governors at the White House, who presented him with an address of encouragement. In the address, the governors offered their respect to the president, supported his constitutional authority, pledged their aid in all measures, and finally congratulated him on the emancipation proclamation. Uniquely, Maryland’s governor was the only one to refuse to sign the address. Bradford feared the future effectiveness of the proclamation and therefore unflinchingly withheld his consent against the wishes of his peers. Although most likely setting his personal welfare aside, he had to have been also influenced by a genuine concern for those in the slave owning community. To completely lose the governor to the emancipation movement at this point would have plunged the state into disorder since slave owners would have been bereft of their greatest local representative.¹⁰⁰

Still, Addison C. Gibbs, the Governor of Oregon, asked Maryland’s executive for a response to Lincoln’s emancipation proclamation. Bradford refused for two reasons. First, he believed that any state government intervention on correcting those slaves who believed they were free on the first of the following year would do little to discourage their quest for freedom. Bradford would rather the slaves remain ignorant of the national proclamation for as long as possible, therefore embracing the path of gradual emancipation the way Lincoln hoped the state eventually would. Second, he did not want to plunge Marylanders into a state of panic fearing that their slaves were on “the eve of a revolt” and therefore, demanding state government intervention on the matter.¹⁰¹

Even before Lincoln's great proclamation officially attacked the Confederate states, knowing it was not created to directly harm any Border State, the Marylanders questioned slavery's future. Some viewed the Emancipation Act as just the latest on the growing list of legislation that began with the First Confiscation Act; it was just another indirect step coming between Marylanders and their slaves. In October, the Frederick based *Examiner* newspaper predicted that, "the value and utility of slavery in Maryland have already been destroyed by the war...The time has past when we could delude ourselves with the hope that slavery would survive the ordeal of rebellion and come out of the fire unscathed."¹⁰² With no victor yet in sight and many great battles still to be waged, including conflicts at Gettysburg, Vicksburg, and Cold Harbor, both residents and soldiers counted the peculiar institution as one of the mortally wounded.

In December, before 1862 faded, Lincoln met with three members of Congress from the Border States of Maryland, Kentucky, and Missouri. The vague purpose of the meeting was to lay at the president's desk various evils their states currently faced and request sympathy and awareness, if not relief. Nevertheless, it is believed based on the fact the meeting occurred just a few days before the effective date of the Emancipation Proclamation, that the meeting was concerned with the executive order. In other words, it was a last ditch effort to change the mind of a determined man. Again, even though the details of the meeting are unknown, Lincoln would exit it unaffected by anything representatives Crittenden, Crisfield, and Hall had to say. A new year was on the horizon, and with it, a new strategy for winning the war.¹⁰³

IV. The Goose and the Golden Eggs, 1863

At one celebration in Washington for the Emancipation Proclamation, the contrabands present sang, danced, shouted, and shook hands with joy. They also realized whom the document freed and whom it did not, knowing that slaves from Maryland, among other locations, were still slaves. Therefore, they *all* cried, “I am free” as if they were all from the portion of the country in rebellion and as if their word mattered!¹ It was just one of the moments that demonstrated the sweeping repercussions of Lincoln’s great plan.

As the third year of the war began, the military had transformed not only into an emancipator but also into a new method for runaway slaves to obtain their freedom—the military considered them, at this stage not only as contrabands or laborers, but also as soldiers. But what about Maryland, one of the few slave states that politically avoided the Proclamation’s terrible swift sword? By 1863, especially after the failed Confederate invasion in the fall of 1862, Maryland had arguably all but declared itself part of the Union. While the state continued to be occupied by the military due to its pockets of secessionists, close proximity to the capital, and unavoidable battleground setting, the purpose of the soldiers nevertheless began to change. To ensure the state’s loyalty once and for all, the army transitioned to more direct cases of interference with slavery. For the first two years, unstable conditions forced them to tread relatively lightly, and politicians and soldiers dismissed any disruption with the institution as merely a

necessary evil or one of the many consequences of war. In 1863, with more loyal Marylanders, the Union felt comfortable enough to push the envelope, believing they had the power to completely destroy slavery by exploiting it further and ultimately, bring the war closer to a conclusion. But they also found support in the blacks who filled recruiting rosters and continued to run away at times in stampedes so frequent that they eventually garnered little surprise from residents. And indirectly, it all began on the first day of the year.²

With the Emancipation Proclamation now official, more reactions, opinions, and criticisms surfaced. A week after it was made official, Lincoln offered a conclusion about his great decision with one of his generals: “Still, to use a coarse, but an expressive figure, broken eggs can not be mended. I have issued the emancipation proclamation, and I can not retract it.”³ Later that year, challenges forced Lincoln to defend his decision again, this time sternly remarking, “it can not be retracted, any more than the dead can be brought to life.”⁴ Frederick Douglass agreed with Lincoln since he believed that to recall the proclamation would empower the enemy, illustrate the weakness of the federal government, and lower the morale of the North.⁵

The *Liberator* confidently reported that the proclamation had not only reinforced the Border States’ loyalty to the Union, but that the people of Maryland concluded: “that slavery is no longer fit to live in that State, and that it must speedily die.”⁶ But in a speech before Congress, Maryland Representative Henry May argued that the loyal Border States were victims, that “the sword of the presidential wrath pierces their vitals through the sides of the bleeding Constitution which they have so faithfully supported.”⁷ Frank H. Stockett, one of the state’s disgruntled slave owners, followed May’s thinking.

He presented the president his story of his time in Washington trying to retrieve his runaway slaves. He had received the proper permission to search a contraband camp until his case reached General John H. Martindale, the Military Governor of Washington. Martindale argued that the particular runaways were under the military protection of the United States Government and his warrant was not effective. An outraged Stockett appealed to the president for intervention in his case since he argued that the loyal slave owners, who worked to support the government were treated “worse than those residing in the Disloyal States.”⁸

While defending his decision and believing he could not rescind the proclamation, Lincoln grew impatient with its effectiveness. The president confided in a letter to General Dix concerning the proclamation and the use of colored troops. “Now, that we have it,” Lincoln stated, “and bear all the disadvantage of it, (as we do bear some in certain quarters) we must also take some benefit from it, if practicable.”⁹ With it in place, the president wanted to put it to any and every possible use including making blacks into soldiers, a process started by Hunter the year before. He suggested one idea: “I therefore will thank you for your well considered opinion whether Fortress-Monroe, and York-Town, one or both, could not, in whole or in part, be garrisoned by colored troops, leaving the white forces now necessary at those places, to be employed elsewhere.”¹⁰ Dix responded to this message the next day, with strong signs of reluctance about using colored troops. He first questioned Lincoln’s decision to either ignore or not inquire as to Dix’s personal opinion on the issue. Then, Dix added that he believed no location that he knew of should be guarded exclusively by colored troops and that at least half of any garrison should be made up of white troops.¹¹

Although not commenting on the use of black soldiers, Easton resident Leonidas Dodson felt that “windy proclamations” could not effectively free slaves since they were merely words on a piece a paper.¹² His solution was to depend solely on the army, as it marched, invaded, and occupied the lands of slavery, strangling the institution with its potent presence. Dodson’s idea was nothing new, and was no doubt based upon the effective interference he had already witnessed first hand. “A bombshell has fallen in our midst,” exclaimed Dodson after watching one recruiting officer take eighty to a hundred slaves with him aboard a vessel!¹³ Not only was the number recruited impressive, but Dodson was also elated by the incredible social change that the war had inevitably brought before him. According to Dodson, the recruited slaves, led by the officer, marched right past their former owners who could only watch the procession. While such moments guaranteed the continued conflict between military and civil authorities in 1863, it also complicated and damaged relations between the two powers during the war.¹⁴

As Governor Bradford welcomed General Robert Schenck to his new position as commander of the Middle Department in Baltimore, he offered a speech that promoted the loyal men of Maryland and their goal of a restored Union. The Union that Bradford and other conservative Unionists envisioned was one that would continue to protect the “interests and institutions,” which would explain the main theme jotted on one page of the speech which read: “Preserve Slavery Along With Union!”¹⁵ These men believed that the peculiar institution had to be respected, upheld, and guarded by the Federal powers, not sacrificed or ignored by them. The main objective of Bradford and his fellow Maryland slaveholders may have been the restoration of the Union, but with the

major stipulation that slavery be maintained, a tough request in the wake of Lincoln's proclamation. These individuals believed that with slavery gone, they could place no trust in the future of their other interests and institutions. Still, Schenck was well aware of the different political factions, including the sects of the Unionist party. When appointed to the Department the previous December, he argued: "In the unhappy contest, therefore, arising from the present causeless and unnatural rebellion, there can be but two sides, with no middle ground on which any honest man or true patriot can stand."¹⁶ It was a belief that he faithfully clung to throughout the year; to Schenck, you were either completely with the Union or completely against it.

Certainly, Schenck and other commanders continued to hold the state in the palm of their hands, making sure residents were aware of their presence. In one cryptic message to General Henry Hayes Lockwood, Schenck inquired about the affairs in Maryland's volatile Eastern Shore. Although he asked for troops to patrol the region, it is difficult to ascertain what exactly made Schenck concerned. In his message to Lockwood, he mentioned contrabandists "having high holiday" but also that the "secessionists are growing saucy, and threatening."¹⁷ Therefore, it is difficult to determine which Schenck wrote the message. Was it the strict Union man who tried to maintain civil order while ensuring Maryland's loyalty, the general who believed that blacks should be recruited, or a combination of the two? By requesting troops, he had to know that the secessionists would be further restrained while the contrabands consequently would run to military lines. "Maryland," wrote Julia LeGrand Waitz, "is torn and oppressed by Federal soldiers, and she, for her undecided course, the scorn, the pity of the world. Oh, is it not best to die early?"¹⁸ Waitz, like other residents and

observers before her noted how the state was to be constantly punished for its status as an occupied Border State filled with a vulnerable, but unused black population.

Still, the strong military presence in Maryland depended on the overall number of the enlisted. Military occupation and defense endlessly competed with the battlefield demands of the army. After suffering two years worth of casualties especially at the battles of Fredericksburg, Second Bull Run, and Shiloh, in addition to losses from disease and desertion, President Lincoln realized that his troop levels were running low. As a direct result of a devastated, prolonged war, he also realized that he had to deal with the increasing difficulty of enlisting new volunteers. Thus, the demanding needs of war forced the president to tear a page from the Confederate playbook. In mid-April 1862, the Confederates began conscripting men and about a year later, the Union did the same.¹⁹

It was an unimaginable, unpopular practice, but the conflict at hand was an incredible, costly war. In New York, a draft officer was seriously beaten by stones and clubs, while in New Hampshire, a deputy provost marshal barely escaped with his life after a mob had burned the hotel he had stopped in to serve notices to drafted men. Besides inciting violence, the Lincoln administration unintentionally fashioned the draft to fail. Drafted wealthy men could either pay a \$300 fee exempting them from the service or hire substitutes (usually immigrants). While money saved the wealthy, it also corrupted the substitutes, who reported for duty only to desert soon after, before signing once more at a new location. Crippled by tricks and stipulations like these, it is no wonder why the draft did not produce the numbers Lincoln needed.²⁰

As mentioned earlier, Lincoln and the Union had to worry about providing numbers for both occupations and the front. Aware of the possibility of armed insurrections in the states of Western Virginia, Pennsylvania, Ohio, and Maryland, Lincoln on June 15 called for 100,000 militia members to be raised to serve for six months. Of that number, the war department asked the Old Line State to produce 10,000 members. Later in the fall, the president asked the loyal states for 300,000 volunteers to serve for three years. Using the next draft as a threat, he assured states that they would be credited if they achieved their individual quotas and punished if they did not. The next day, Governor Bradford appealed to the “patriotism and praise of every Marylander” to answer the president’s call for the 10,000 to prevent “any compulsory process.”²¹

There is no doubt that the enlistment numbers backed the president into a wall in 1863. He again pondered the subject of using blacks as soldiers. Lincoln inquired of Andrew Johnson, military governor of occupied Tennessee, for his thoughts on raising a black military force, while slowly revealing his own visions. “The colored population,” he told Johnson, “is the great *available* and yet *unavailed* of, force for restoring the Union.”²² Lincoln then imagined thousands of black soldiers along the Mississippi, where just the sight of them there would “end the rebellion at once.”²³ Clearly, Lincoln believed that these soldiers also held a psychological value, as the enemy would not only be frightened by their numbers but also by their seemingly equal appearance and status to white soldiers. No doubt the biggest proponent of black soldiers since the beginning of the war, Frederick Douglass was more concerned with the effect their appearance and actions would have on slaves. “The slaves would learn more as to the nature of the

conflict from the presence of one such regiment,” the abolitionist claimed, “than from a thousand preachers.”²⁴

Out of a combination of desperation and design, Lincoln finally moved to enlisting free blacks and slaves. Earlier in the war, he had avoided such a dramatic decision since he did not want to upset the Border States. By May, however with the solid support of abolitionists and Radical Republicans, the War Department established the Bureau of Colored Troops. Towards the end of the year, a report from Secretary Stanton published in the *New York Times* claimed that the bureau had sent “fifty thousand dusky warriors into the field.”²⁵ In the same report, Stanton recommended that black soldiers receive the same wages as white soldiers.²⁶

Of course, no one from either the Union or the Confederacy accounted for the most costly battle of the year, and for that matter, of the war, to occur that summer. Although the flux of troop movements insisted that all parties involved (the military and local residents) be on their guard, it was difficult to ever tell whether a chance skirmish would ever amount to a prolonged struggle. It was also often challenging to predict where the two armies would meet each other next. In late June, Anne Arundel resident Dr. William Claytor observed: “Intense excitement in the neighbourhood relative to the military condition of Maryland especially—we are certainly approaching a great crisis—on the eve of another great battle on Maryland or Pennsylvania soil.”²⁷

With a second Confederate invasion of Maryland, motivated more by strategy than necessity, Lee’s army of Northern Virginia settled in the southern Pennsylvania town of Gettysburg. Lee hoped to achieve a great victory in northern territory, therefore bringing about a turning point in a stalemated war. Arguably, it was also the last

stubborn attempt to gain the favor of Marylanders. Over three days of fighting culminating in the aggressive, legendary Confederate thrust known as Picket's Charge, led to over twenty-three thousand Union casualties. The loss for Lee's army was even more devastating as one Confederate soldier reflected: "You have probably heard all the particulars of the terrible battles around Gettysburg. Our losses have been enormous as far as I can learn...Maryland is lost to us **forever** and thousands of brave men have perished uselessly."²⁸

After the Battle of Gettysburg, the military converted the Union stronghold at Point Lookout once again, this time to house the large number of Confederate prisoners the Union had on its hands. Its location was ideal. On one hand it was close to the battlefields of Pennsylvania and Virginia, on the other hand it discouraged restless prisoners with its remoteness. While it quickly prepared to greet prisoners, the medical teams and military of Point Lookout also continued to welcome runaways, even if they had to find creative ways to hide and protect them. Abigail Hopper Gibbons wrote about two slaves named Tom and Joe. "The first day, they were under the floor of the laundry, but, after that, for several days, they were both between the ceiling and roof of the Hospital Building, and they had to keep very quiet."²⁹ Indeed, the war torn atmosphere, especially after the startling conflict at Gettysburg, remained ideal for slaves to run.³⁰

State Attorney G. Fred Maddox futilely used Maryland's laws to fight the harboring of slaves at Point Lookout. He also attacked the fact that the army protected runaways inside and outside the Union lines. Maddox directly challenged Governor Bradford to act with force against those who held slaves in this manner, suggesting that a sheriff and posse should put an end to such crimes. The attorney's main disagreement

was with Lincoln's proclamation, as he believed the following: "We are excluded and worst served—worst served, because this proclamation bears upon its face protection to us, and comes into our midst in Peace and cheats us of our property—In the South where the proclamation is to take effect, the officers who are to carry it out, do not feel comfortable in going."³¹ Attempting to remain urbane, Governor Bradford simply reminded Maddox that a war unlike any encountered before consumed the state and that circumstances were of "a very extraordinary character."³²

Some officers were not complacent with the controversial issue of harboring slaves within Union lines and did try to correct it. General Lockwood at Point Lookout provided his troops with a circular on how to deal with the runaway slave question. To put it simply, it was an intricate "seesaw" set of orders. For instance, while some orders were direct in their language such as the matter of retrieving and paying for information from protected sources from both white and black individuals, others seemed open to loose interpretation. "Negroes entering the Camps clandestinely, must be placed without the lines," one order stated, "but in no case *delivered*—either *directly* or *indirectly*—to their Masters, Nor should they be placed without the lines, when their masters or others seeking them are in the Neighborhood of the Camps."³³ Lockwood arguably hoped to relieve his camp of the large numbers of runaways, but his order may have only exasperated the problem as it protected any runaways from Virginia, any slave who could be returned to "the illicit trade" or illegal trade with the Confederacy, and any free person or Virginia slave whom the Union employed.³⁴

Even after the Emancipation Proclamation had gone into effect and the military further tightened its grasp on slavery, the search for runaways continued. Sally Gibbons

Emerson noted in her diary one episode when slave owners arrived at Point Lookout to search for their slaves, who they accused of being thieves. At the first sight of their approach, the contrabands became terrified and hid. Officers allowed the owners to search the grounds for most of the day, only because their slaves were accused of being thieves, and the army did not want to harbor any criminals. Although they were unsuccessful in finding their runaways, just the presence of the owners had the blacks of Point Lookout “almost frightened to death.”³⁵ Emerson’s interesting entry did not end there. The group belonged to the Second Maryland Regiment of the Confederacy, and the soldiers of that regiment were not fond of the business of “nigger hunting.” She went on to mention how one captain from the regiment even claimed that, “if he were set on their track, he would run very fast, but would make sure they were running faster.”³⁶

Nevertheless, the slaves running to Union lines, including those at Point Lookout, still had to make a risky leap into the relatively unknown. While freedom may have been dangled before them, the runaways were not sure if they would entirely shake off the metaphorical restrictive chains around their arms and legs. The *National Intelligencer* did note that in dealing with the large number of contrabands in Alexandria, instead of recruiting any, General Hooker had instead organized the blacks into gangs to cultivate abandoned plantations. Gibbons observed the cautious side of the runaway slaves. “They never engage to work for anybody, nor will they believe Colonel or Quarter-Master, unless they come first to me to know if all is right.” But in the same entry, she commented on how Union forces treated them: “Some of General Lockwood’s men are good fellows, and very kind to the contrabands in their camp.”³⁷ Gibbons also wrote that she entered military headquarters to meet General Gilman Marston, the individual in

charge of transforming Point Lookout into a prison camp. He was “a true friend of the contrabands” and according to Gibbons, at one point an owner entered the headquarters looking for his slave and less than five minutes later, “retreated.”³⁸

Several individuals realized that decreasing recruit levels and the increasing number of runaways were all part of the same equation or solution. On the night of June 30, General Schenck telegraphed Lincoln from Baltimore that not only did he have thousands of blacks working on fortifications, but also that they were anxiously and eagerly willing to continue to support the government in some role or fashion. This led Schenck to suggest the idea of immediately raising one or two regiments of black soldiers from Maryland while their interest for the cause was strong. With no response, the general again contacted Lincoln on the matter, this time requesting that someone be sent to “to accept the services of and organize these blacks who are now willing to be enrolled.”³⁹ By Independence Day, the president had finally responded, but only to say that he needed a little more time to decide how to handle the interesting suggestion. Still, shortly after Lincoln’s reply, Schenck at last received the news he had been waiting for, courtesy of Secretary Stanton.⁴⁰

Three days after the costly Battle of Gettysburg, Stanton informed Schenck that the Bureau of Colored Troops would issue an order approving the organization of a black regiment from the Middle Department and that Colonel William Birney would be responsible for that mission. Born in the Deep South, Birney was the son of the acclaimed abolitionist James G. Birney and followed his father just as fervently down the road of abolition. Arguably the single most influential military figure to hit Maryland since Butler, Birney was truly enthusiastic and energetic about his new position.

Recruiters led by Birney even used black bands in parades and aboard ships to attract blacks to the army. Only a month after Stanton had tapped Birney on the shoulder, one impressed recruiting commander claimed that Birney, “readily acquires the confidence of the negro, and is a thorough organizer of a regiment.”⁴¹

On occasion the military blurred the recruiting lines between a Union slave owner and a Confederate one, a loyal resident and a disloyal one. To Birney and the other recruiters, one was just a slave owner and possessed the numbers the army desperately needed. The conscious and unconscious disrespect displayed towards the slave owner and his private property since Union soldiers first appeared in Maryland reached a feverish level in the war’s third year. At this stage, the word “consent” entered the slavery lexicon, just as the word “contraband” had in 1861. Both civil and military authorities fought for and defended consent, but its hallowed tradition did not always ensure that it would not at times be ignored or forgotten. Although the war department ordered Birney only to recruit free blacks, he had no intention of refusing any runaway slaves he encountered or enticed along the way. After all, the military found potential in all new runaways and recruits. Thus slave owners felt that their consent had little value when waved before the teams of military recruiters who saw free blacks and slaves as only one thing, a possible recruit. The owners also held on to the belief that as much as they did not want their slaves to leave their farms, plantations, factories, and stores, the slaves also had no desire to leave. Some owners accused recruiting officers of threatening to fire upon blacks if they did not enlist. One Union soldier, marching past Maryland’s plantations, noted that while the owners were strong secessionists, “the slaves all appear to be contented and satisfied with their lot; say they “are a heap better off than

their brethren at the North.”⁴² Of course, Birney told the other side of the story. He claimed that if any owner protested, he would turn to the newly recruited slave and ask if he wanted to return to his owner. Faced with the options of slavery or freedom, the slave always embraced the latter. With such moments becoming all the more frequent, Birney soon realized that he could kill two birds with one stone. As he watched the dramatic events unfold around him, the colonel in Baltimore informed Chase that, “a sure revolution is going on in popular feeling. I feel sure not only of raising a regiment but of striking a heavy blow at the ‘institution’ in this state.”⁴³

With a touch of abolitionist naivety, Birney spoke as if revolutions occurred overnight and that the institution that had survived centuries would crumble without a contest. But he and the Union he represented would quickly learn that as hard as they pressed forward, Maryland’s secessionists, politicians, and even loyal slave owners pushed back with just as much force. Arguably, the conflict between military and civil authorities was never clearer than it was in 1863. One such clash occurred when the *Baltimore Sun* noted that Col. J. P. Creager, a citizen recruiter for Birney escorted seventy colored volunteers away from the Carroll County neighborhoods of Union Bridge and Liberty. Three days later, the newspaper had an article about the arrest of Creager, who authorities held in a jail in Frederick city under a \$1,000 bail with the charge of enticing slaves to escape. The arrest occurred after Creager had allegedly addressed the congregation of an African-American church, successfully encouraging several to enlist. The *Sun* reminded its readers sternly in regards to the case: “Under a law of Maryland every person convicted of enticing slaves to escape, is subject to an imprisonment in the penitentiary for not less than six nor more than fifteen years.”⁴⁴ As

Creager sat in jail, he wrote to Birney not to claim his innocence but to continue to promote recruiting Maryland's slaves, especially those who ran away to Washington and Baltimore. While his letter could indeed be considered as an admirable, patriotic gesture, it most likely was an attempt to gain the government's support and money to free him so he could continue his recruiting efforts.⁴⁵

In the end, the Union War Department refused to post bail for Creager, arguably fearful that it would reveal other shadowy recruiting operations. In addition, after one Thomas Hammond had presented evidence of Creager's conduct, Brevet Brigadier General Morris delivered an order suspending the recruiter's further action. Even though it was a clear victory for Maryland civil authorities, but the recruiter's work showed its effect. The *Sun* later reported that the enlisting of negro soldiers by Creager has almost completely drained another town in Carroll County of "citizens of African decent."⁴⁶ The citizens of the town had even noticed "several whose faces are familiar" in military parades, dressed in full soldier uniform.⁴⁷

William Birney responded to the Creager case in a letter to the War Department's Bureau of Colored Troops. "It intimidated the people of color; giving them the impression that the United States was powerless to protect them against their enemies in this state," Birney argued as he believed that perhaps two hundred recruits were lost after the arrest.⁴⁸ While the colonel also claimed that his recruiting agents were also fearful to face the consequences of continuing their work, his concern was for the free black recruits. "The enemies of the enlistment of U.S. Colored Troops have within the last week resorted to the most inhuman outrages against the families of free men of color," which ranged from citizen arrests to destruction of property.⁴⁹ Whether they were being

resolved or not, the complaints of the Maryland's slave owners were at least definitely being heard. C. W. Foster, the Assistant Adjutant-General, informed General Schenck that Birney's recruiting agents were "creating trouble" on the Eastern Shore by interfering with slavery. Apparently, the problem was that civilian recruiters like Creager acted like commissioned officers, and in the process created a false and bad reputation for the military. Therefore, Foster recommended that Birney immediately strip any power these civilian recruiters possessed.⁵⁰

Another civilian recruiter by the name of William T. Chambers brought a problem to the desk of the Secretary of War. By first insisting that recruiting only free blacks took away sources of labor from loyal Maryland citizens and benefited the disloyal slave owners, Chambers pleaded to Stanton that the government consider enlisting any slave eager to fight for the Union. "If you will allow the slaves to go," he told Stanton, "you strike a deeper blow against the rebellion than can be given in any other way."⁵¹ Chambers was correct in his thinking; the moment Birney officially began recruiting in Maryland, small farmers who used free blacks instead of slaves complained that they would have to rely upon the slave market to make up for the labor shortages. Baltimore Criminal Court Judge Hugh L. Bond also wrote to Stanton arguing that restricting Birney to recruiting free blacks exclusively only aided the disloyal slave owners who would make profits since there would be a shortage of laborers. While believing both free persons and slaves should be recruited, Bond leaned towards the possibility of a majority of recruits coming from the institution. As fervent as he was in his views that the blacks should fight for the Union cause and for their freedom, Bond was perhaps more passionate about stamping out the remaining pockets of disloyal residents in Maryland.

Arguing against compensating owners who relinquished their slaves for military service, he maintained that any such plan would be unfair, show favoritism, and go against the decision of the state's Congressmen the year before. "The Government makes no such allowance to a poor father whose son is enlisted," Bond stated, "nor to a mechanic whose apprentice is drafted."⁵²

As the push for enlisting Maryland's slaves and the controversy of the Creager case remained heated topics of discussion, the military intervention continued to assault slavery and generally interfere with the state's black population. Lincoln met with a group of frightened St. Mary's County slave owners who complained about the presence of armed black troops and contacted General Schenck for answers. That evening, Schenck informed the president about the true behavior of black troops. He explained how he sent Birney by official order to look for a location for a camp of "instruction and rendezvous for colored troops" and that Birney and the rest of the recruiting squad had caused no harm.⁵³ The general informed the president that secessionists made up the region and that "the only danger of confusion must be from the citizens, not the soldiers - - but Col. Birney himself visited all the landings, talked with the citizens, and the only apprehension they expressed was that their slaves might leave them."⁵⁴ Indeed, both civil and military powers understood that the presence of the Federal Army attracted free blacks and slaves since they viewed the force as an army of freedom especially with Father Abraham as its leader.

In his response to Lincoln, Schenck also brought up the death of one of Birney's recruiting officers, a Lieutenant White, arguing that the secessionists were the ones causing disturbances. White had heard that known secessionist Col. John H. Sothoron of

Charles County had tied up two of his slaves to prevent them from running away to recruiters, and headed to the plantation with two other soldiers to demand their freedom. In addition to demanding the two slaves, the ambitious White also targeted the owner's fields to recruit any of his other slaves. These actions enraged Sothoron and his son, who threatened White with defensive acts of violence if they attempted to take any of his slaves. Both parties had their guns drawn when suddenly the Sothorons fired at White and his men, bringing the lieutenant down and forcing the two soldiers to retreat. While the Sothoron men fled to the sanctuary of the South, a Union guard found White's body with several gun shot wounds and a battered head. The next month, as a form of revenge and display of power, black troops overran the Sothoron property, literally eating Sothoron's family out of house and home. Requesting twice to meet with him at the White House, Lincoln told Schenck that, "the fact of one of our officers being killed on the Patuxent is a specimen of what I would avoid. It seems to me we could send white men to recruit better than to send negroes, and thus inaugurate homicides on *punctilio*."⁵⁵

In addition to Schenck's aid and encouragement, Birney constantly had to defend his actions and the work of his recruiters against Maryland residents. In one case in late October, eight residents along the Patuxent River complained to Senator Reverdy Johnson of a steamboat full of black recruits and slaves, who departed into the countryside to threaten the slaves working in the fields to join their ranks. According to Birney it was just a vessel observing future recruiting locations with just three colored soldiers aboard. Against the complaints of citizens, Birney contended that, "there was no 'harrassing,' 'plundering' or 'abducting.'"⁵⁶ Birney unleashed his frustrations with the disruptive slave owning class of the Western Shore in a few theories, which included

direct accusations for the murder of Lieutenant White and the sudden and the suspicious deaths of four soldiers.⁵⁷

Although Birney and the Union encountered a very bumpy road recruiting, they continued to draw from the ranks of black freemen and slaves right through the summer and into the fall. Arguably, he succeeded in his mission more than he failed. For instance, under specific orders from Schenck, Birney and two other officers broke up Camlin's slave pen on Pratt Street in the city of Baltimore. Birney accomplished this crackdown while searching for the slaves belonging to cavalry commander General J. E. B. Stuart and any other known rebels. The use of slave pens or jails was a way for one to hold on to one's property against any law that cracked down on the institution, such as the 1862 emancipation of Washington's slave population. Of the fifty-nine slaves found and released at Camlin's slave pen, twenty-six men showed interest in enlisting. In his correspondence, Birney also revealed the unpleasant conditions of the pen, details that abolitionists had typically seized on for decades to use in their propaganda. He noted everything from the brick walled setting with stacks of cells down to the intricate shackles some of the slaves shared between them. While the raid at the pen was successful, Birney could not release Stuart's slaves since civil authorities held them at the Baltimore City Jail, which was not specified in Schenck's military orders.⁵⁸

Using the jail to house slaves for safekeeping or to prevent the slaves from running away was indeed quite popular with owners. On one day the Baltimore Sun reported the arrest of twenty-one slaves from two counties by district police. The slaves were kept in the jail until their owners had a chance to claim them, after paying housing fees. From 1860 to 1864, the Baltimore City Jail Runaway Docket listed 225 runaway

persons (mostly slaves or accused slaves). While some slave owners found the system beneficial, the jail walls were not impenetrable to the military for long. The well-kept, detailed records list some slaves being freed to enlist in black regiments in late November, by order of Schenck. Charles Jennings and Jacob Taylor, held captive at the jail since December 1861, were among the runaways who finally found their freedom this way.⁵⁹

The abrasive nature of the military and recruiting officers left some Marylanders expressing their anger and searching for relief. Four residents from Charles County reported that a steamboat had made a few stops in order to illegally recruit slaves. At one of the points, over fifteen slaves had fled to the ship's safety. "These slaves far from being prevented," the group informed Governor Bradford, "were openly invited and received aboard the boat."⁶⁰ Interestingly enough, the four residents went on to attack the character of the Union soldiers rather than the active resistance of the local slaves as the true source of the problem. They even believed that the soldiers were corrupting and disheartening the slave population by presenting them with opportunities to flee from their owners and in turn, receive military protection. Four more residents of Prince George's County also turned to Bradford, after a failed conference with Lincoln. They briefly detailed the circular process of the military accepting slaves as recruits—the army recruited the slaves who in turn recruited more slaves themselves. The slave owners could not look past the race restrictions as they were horrified by the injustice dealt to the entitled free white Marylanders as runaways and armed blacks watched over them. They concluded their letter by informing the Governor of the president's final response. Lincoln informed the group that he "had no desire to offend, insult, or needlessly injure"

the residents of the state, while also expressing a general ignorance of any difficult military group when it came to matters of recruiting black soldiers.⁶¹ This executive response came in the wake of both the Creager and White episodes, which had become popular stories. As much as the officers, recruiters, and soldiers saw only the good in the works, the president too allowed a handful of controversial matters to slip through the cracks of wartime occupation.⁶²

Acknowledging Birney's works, and gaining little if any ground at an earlier meeting with Lincoln and Stanton, Governor Bradford shared with Montgomery Blair his immense displeasure with unauthorized enlistments. Believing that the government seemed fervently against Maryland, trying to create a local war within a national war, Bradford attacked the government on its ignorance of the wrongs done against his state. He mentioned how the process of recruiting slaves was continuing and strengthening each day, with the Eastern Shore a prime location for the military to haunt and encourage slaves to leave their owners. Demonstrating his understanding and brandishing his political compassion, the governor spoke on behalf of the people who merely wanted answers. "Let the practice be openly recognized or openly repudiated," he begged Blair, "And let such recruiting either be expressly ordered or positively forbidden."⁶³ The slave owners were dejected and exhausted from existing on a middle ground where they were not sure where the government stood on the issue of slavery and whether it was willing to protect loyal slave owners. Aware of this feeling, Bradford even warned Blair that Marylanders still had the power to unite through democratic rule; a power that only military threats and pressure could destroy.⁶⁴

At the heart of his correspondence, Bradford rested upon the tried and true talking point of the Maryland slave owner—that the military was still unjustly interfering with slavery. In his example, the Governor detailed an episode where four owners boarded a steamer to search for their slaves. According to the men, they tried to prove that their slaves were indeed in possession of the military only to ask for compensation from the government at a later date, not to retrieve their runaway slaves. Not only did the ship's officer officially deny their request, but the slaves aboard were also armed with clubs to prevent any close inspection and capture from ever occurring. This active, violent slave resistance was not new or rare, but still interesting since this episode supports the idea that both the military and slaves were armed against slave owners. In this particular account, the military allowed and most likely provided the slaves (not black soldiers) with weapons to defend themselves. With frightening memories of John Brown's great vision, armed black resistance was the very image owners had feared since the first slaves arrived on the continent.⁶⁵

After Bradford had complained extensively against military intervention and unauthorized enlistments, he finally addressed his original reason for writing to Blair. By meeting with the four gentlemen from the previous episode, Bradford realized that many residents were upset with the possibility of a “regiment of negroes” marching through their towns and pillaging them for military supplies.⁶⁶ The racially fueled image was unimaginable for the slave owners, who were willing to offer the government anything they needed, but not through the works of inferior individuals. In other words, it was one thing to be occupied by white soldiers; it was another thing to be occupied by black soldiers whose past was traditionally defined by slavery. Bringing a black regiment

through Maryland “without the shadow of necessity” would only prove to “inflame, terrify and disgust our Citizens.”⁶⁷ While Bradford was sure about the residents’ reaction to the presence of black soldiers, he was not convinced as to why the government insisted on using them in strong slave-owning areas such as the Eastern Shore.

The presence of black soldiers also offended some Baltimore residents, who could not help but look beyond the uniform and see only an armed black man. According to the black soldiers, Birney had given them permission to be armed as long as they avoided any quarrels and used their weapons for self-defense. Nevertheless, disturbances did occur such as one fight between white and black soldiers over the trivial issue of black soldiers wearing brass shoulder ornaments. Another report in the *National Intelligencer* noted how one black soldier disrespected an officer, knocked over a child, and fired his revolver, nearly hitting a bystander. The report appeared to have blamed the blacks’ misbehavior on their ability to acquire liquor. Stories like these focused on the theme that perhaps blacks were not fit to be soldiers, and that the sense of power went to their heads and it was simply too much for them to handle.⁶⁸

And yet by the end of the summer, the president specifically credited the use and aid of black soldiers for the Union successes. He also noted that the use of the black soldiers was not entirely influenced by Republican politics or the abolition movement, rather, through the understanding that enlisting blacks was a military necessity. On the first of October, in a fascinating communication with the president, Secretary Stanton linked the states of Maryland and Tennessee together by the fact that they were at the hearts of the Eastern and Western theaters respectively. Therefore, he argued that there was a “military necessity” in these states for enlisting any one able and willing to fight

for the Union “without regard to color, and whether they be freemen or slaves.”⁶⁹

Stanton was well aware of the president’s earlier memoranda on enlisting blacks. Clearly stated, the president was for the use of free blacks, slaves of disloyal owners, and slaves of loyal owners with their consent. He was against using slaves of loyal owners without their consent (unless it was absolutely necessary) and offensively, senselessly carrying away slaves not suitable for the service.⁷⁰

In spite of the memoranda, on that same day, the president, ever the close observer, suspended any future recruiting in Maryland, as he perhaps realized at that beginning of the month that the cons overshadowed the pros. No doubt the leading factor for this decision involved the complaints about military-civil collisions over slavery, especially since Lincoln instructed Col. Birney to do nothing about the case of one General Vickers of Kent County. While he obeyed the president’s order, Birney shortly after displayed his dismay and disagreement with it. Since the summer, the ambitious colonel had been making a name for himself by successfully recruiting Maryland’s blacks. But at this stage, he felt that Lincoln was unwisely limiting his ultimate potential by acknowledging the cries of the residents over the works of the military. As if Vickers was the one cog missing in the great recruiting machine, Birney released his frustration by investigating on his own the man’s personal history during the war. He informed the Adjutant-General that while Vickers was at one time a Union man, the threats to slavery had transformed him into a “virulent enemy of the Government” who was connected to a secessionist plot to attack a Government steamer used to transport colored troops and advising slave owners to actively fight any recruiting officer.⁷¹ Not only did Birney try to tarnish Vickers’ loyal reputation that had for the time being saved him by revealing what

he believed to be the truth, but he was also making a case that recruiting kept the secessionists in check. And as far as the matter of military-civil conflict, Birney vouched that the majority of the Eastern Shore population (secessionists excluded) supported his recruiters with aid and sympathy.⁷²

Nevertheless, while no written response from Lincoln has been found resuming the recruitment of slaves in the state, in late October, military authorities produced a circular announcing the creation of nineteen recruiting stations for black soldiers statewide. It was a clear push for the state's available manpower. Apparently, Lincoln realized in less than a month that it was more costly to be without Maryland's blacks than to have them and field complaints from a bevy of disgruntled owners. The multiple stations stretched across the state with locations including St. Mary's County, Anne Arundel County and the City of Baltimore. A presidential appointed board, stationed in Baltimore, would review each slave owner's claim. One of the three gentlemen on the board was one of the biggest proponents of enlisting blacks into the army, none other than Judge Hugh L. Bond. Government officials allowed only loyal owners to place claims before the board for their approval, and the war department ordered Birney to personally work with the board, producing muster-in rolls as evidence of enlisted slaves. Finally, if the board approved a slave owner's claim and the owner provided evidence of manumission, he would then receive from a recruiting officer a certificate for compensation in the amount of \$300. Along with a military surgeon, Birney had to also sign each certificate making them official. Also at that point, the enlisted slave "shall be forever thereafter free."⁷³

While slaves continued to run away or be recruited, the offer of \$300 compensation made the decision of relinquishing one's slaves a little easier, especially when their value in the state was greatly decreasing. The *Baltimore Sun* had reported a few days earlier that sixteen slaves of Rev. Thomas Bayne of Talbot County "were sold for the sum of 2,945, which is about one-third the amount they would have brought five years ago."⁷⁴ Dr. William Claytor wrote in his diary about his day at a neighbor's house where a Dr. E. Burwell and William Shepherd took inventory of the personal property there. Claytor did not mention anything about the property except that the "negro property which was appraised less than two years since at over \$9000, did not reach at this time \$1000.00."⁷⁵ With notions of emancipation in the air, the drop in value was simply another sign of the times.

Compensation may have been an effective system of receiving the consent of owners, but it did not eliminate the problem of slaves entering the service *without* their owners' approval. Former Governor Hicks, now a senator, told Lincoln of his opinion on recruiting blacks. "I do and have believed that we ought to use the col'd people, after the rebels commenced to use them agst. us," he wrote, while at the same time believing that blacks recruiting slaves without the consent of owners was detrimental to the state's welfare.⁷⁶ Meanwhile, Bradford asked Stanton that recruiting officers provide claimants with descriptive lists to check whether their slaves were in a Union camp or not. Knowing that the lists could be distorted, unclear, and incomplete, the governor also asked that personal inspections of camps be allowed. Against the welfare of the residents, the War Department eventually stopped providing owners with enlistment lists when they discovered that the lists kept slaves from recruiting. The possible recruits

feared that their owners could easily retrieve them from Union lines and thus deny them their freedom. Once more the opinions and ideas from the political sphere were swiftly becoming as worthless as a saddle for a dead horse. The administration and, more importantly, the military made sure they always had the last word.⁷⁷

Truthfully in 1863 Maryland politics fell to the background of the war stage behind the primary actions of soldiers and commanders. As mentioned earlier, the Emancipation Proclamation had transformed the military into fighters for the slave through their cause. Free States and Border States no longer were separate when it was understood that to be for the Union, emancipation inevitably had to take root. At a meeting of Union Leagues in Baltimore, with Governor Bradford in attendance, organizers announced one resolution that requested that slavery no longer be recognized or protected by Maryland law. While no one voted for or against any of the resolutions, the *National Intelligencer* reported that those gathered were in “too high spirits...to be critical of anything that was read or said to them.”⁷⁸ But the fervor for the Union would not distract Marylanders for long, especially as more and more slaves found their way to freedom. Even though it lacked proper unification, the emancipation movement in the state was a popular one since it had developed into a political necessity through its existence as a military necessity.⁷⁹

As scholar Charles Wagandt argued, “Maryland was ripe for such action” in 1863.⁸⁰ Political heavyweights such as the former mayor of Baltimore Thomas Swann and Representative Henry Winter Davis vigorously offered their opinions on the future of slavery. Meanwhile, conservative Unionist Governor Bradford believed the best option for Maryland was a State convention, using the constitution to answer the slavery

question once and for all. He attempted to soothe the conflict between military and civil powers. He felt that the matter should be removed from the military's hands and thus, hold the people responsible for their future.⁸¹

The year solidified the strong political ideologies of the Union party in Maryland that had been developing since the beginning of the war. While both sects (the radicals and the conservatives) recognized the direction in which the state was moving in terms of emancipation, their platforms on it differed to create heated rivalries. The radicals instantly wanted a free Maryland not weighed down by the complicated program of compensation, while the conservatives felt loyal slave owners should be paid for their freed slaves. The two sides also debated over matters of social equality as a result of abolition. After the November election, the radicals reigned as the influential power of the party and the state. They had received a practical mandate from the people to do so since they had won four out of five Congressional races, the comptroller position, and seventy percent of the seats in the General Assembly. Perhaps their greatest victory rested in the fact that the radicals, with the majority in the state legislature were capable of calling a convention in the next year to finally make Maryland a free state.⁸²

The fall election for congressional and state seats further advanced the exhausting presence and intervention practices of the military. Dr. William Claytor reflected in his diary upon the election day: "The military were present at the polls. Considerable dissatisfaction existed in the minds of many voters, because the oath was required from some as a test of loyalty, and some refusing to take the oath, their votes were put aside for further consideration—they were not actually rejected at the time I left the polls."⁸³ The oath process stipulation request angered Claytor and said if asked to take one he would

not have done it, since he believed all eligible voters should be allowed to express their opinions. A disordered last minute dispute between civil and military authorities before the election resulted in matters of oaths and soldiers.

Days earlier, Bradford had received information of troop movements and interactions planned for the election. “The interference is unavoidable that these military detachments, if sent,” the Governor informed president Lincoln, “are expected to exert some control or influence in that election.”⁸⁴ He was also aware that General Schenck had issued on October 27 his controversial General Orders No. 53. It had approved provost marshals and military officers to arrest all “evil disposed people” that threatened to infiltrate the polling locations and approved election judges to demand an oath of allegiance to any one they suspected as not being loyal.⁸⁵ It came down to a matter of opinion through profiling. The marshals and officers were also to report any judges who refused to demand the oath from individuals when the moment called for it.

On November 2, Lincoln responded to Schenck’s orders and to Bradford’s earlier complaints by defending his general’s genuine concern. In terms of the orders, the president revoked the first proposition that gave marshals and officers the power to arrest since it awarded these “exclusive judges” a power that could be abused.⁸⁶ That same day, Bradford issued a proclamation attacking Schenck’s orders.

The military order, therefore, is not only without justification when looking to the character of the candidates before the people, and rendered still more obnoxious by the means appointed for its execution, but is equally offensive to the sensibilities of the people themselves and the authorities of the State, looking to the repeated proofs they have furnished of an unalterable devotion to the Government.⁸⁷

Even though the president had already approved his orders Schenck felt he had to defend them against further attacks from civil authorities, a tradition many in the military came

to embrace. In a proclamation of his own the next day to the loyal people of Maryland, the general once again stressed the fact that Bradford's words had created an open invitation for disturbance, which would be instigated by residents and not by soldiers.⁸⁸

With a steadfast strong military presence, the year came to a close with promising signs for emancipation. The radical Unionists were in power, shouting for the immediate death of slavery and more importantly, the military process or necessity of recruiting blacks within and outside Maryland, the new way of freeing slaves, was thriving.

Between July 6 and December 1, Colonel William Birney proudly shared with Representative John A. J. Creswell that he had mustered and recruited 3,110 blacks. Of that number, the Eastern Shore counties Talbot (401) and Somerset (395) turned out the largest numbers, while the southern counties of Anne Arundel (7) and Prince George's (5) produced the smallest. The numbers not only demonstrated the energy and enthusiasm of the blacks to fight for the cause and thus gain their freedom, but also illustrate the difficulty in obtaining new recruits. The prayer of one black individual in late 1863 spoke volumes: "Great Doctor ob doctors, King ob Kings, and God ob battles help us to be well. Help us to be able to fight wid de union sojers de battles for de Union. Help us to fight for de country—fight for our own homes and our own free children and own children's children."⁸⁹

V. Forever Thereafter Free, 1864

Great change defined the fourth year of the war. The war had turned the military, political, and social spheres of Maryland upside down, while finding order and unification on the question of slavery. The Union army certainly transformed that year. Anxious for a military leader he could consistently rely on, President Lincoln named Lieutenant General Ulysses S. Grant commanding general of the United States Army on March 10. Two days later, the war department appointed Major General Lew Wallace as the next commander of the Middle Department in Baltimore, replacing Brigadier General Henry H. Lockwood. Late in the year, Major General William Tecumseh Sherman began his legendary march to the sea, changing the very way the war would be fought. Of course, the appearance of the Union soldier had and was continuing to change as well. Of the 186,000 blacks that ultimately fought for the Union cause, Maryland produced 8,700 soldiers who formed six USCT regiments. By the end of March 1864, two more regiments of black soldiers (the Thirtieth and Thirty-ninth) were formed.¹

Maryland was likewise evolving; it was gradually, but completely stripping its previous characteristics as a border state away to reveal a free state complexion hidden underneath. After evading Union authorities from the beginning of the war, rebel sympathizer W. W. Glenn returned to Maryland that year in disbelief when he wrote that the “negro population is in a state of ferment. Few servants can be trusted any longer and it is scarcely possible to get along with decent comfort.”² In terms of politics, the state

legislature convened on January 6, welcomed by a message from Governor Bradford encouraging the representatives to act quickly to answer the great slavery question, but with special regard to the industrial arena that linked to slavery and the slave himself. The legislature kept its promise, immediately introducing a bill that called for a state convention to eliminate slavery. Convinced that slavery was on its deathbed, one Marylander was still concerned that “if the Convention Bill is beaten it will be considered as an evidence that our loyalty is conditional on the existence of slavery, which has caused so many difficulties and trouble.”³ Confident a convention would be approved, the *Baltimore American* begged the state’s representatives to move towards unconditional and immediate emancipation, instead of a gradual evolution since “who would advise a thief to gradually quit stealing?”⁴ Marylanders would go to the polls to vote on the bill in early April, and it would not be the last time their opinions would be solicited that year.⁵

Indeed, while the future of slavery would ultimately be placed in the hands of the people, the matter arguably would not have been even brought to the surface had it not been for the years of encounters and interactions between Maryland and the military. While occupation endeavored to retain the state’s neutral Border State status, it had also brought about its unavoidable, but perhaps foreseeable metamorphosis in 1864. As demonstrated in the previous chapters, individuals like General Birney eventually realized with eventual ease that slavery was a valuable weapon in the fight for Maryland and the Union. Therefore, this study agrees with Barbara Jeanne Fields when she argued that full scale recruiting of blacks ended slavery. This last ploy of the military to brandish a dying institution sustained throughout that year and reached new extremes.⁶

The work of Birney and other recruiters continued to engender a series of complaints. Residents accused one recruiting officer of exercising “arbitrary discretion,” stripping one town of its black population and leaving behind another untouched, ignoring the loyalty of the residents.⁷ John F. Dent, a member of the Maryland House of Delegates, wrote to Lincoln on February 16 to inform him of Birney’s effect on slave labor in St. Mary’s County. Dent claimed that due to the large number of slaves running away to join the military, “less than half the usual quantity of our lands can be tilled this year—and great loss, and much suffering, and in many cases, entire ruin must inevitably follow, without any equivalent advantage to the Government.”⁸ His complaints did not end there. Without providing specific details, Dent claimed that members of the military had mistreated the people of Maryland and therefore, had caused irreparable damage to the lives of these individuals. “We believed secession wrong,” argued Dent, “but we believe coercion worse...we owe obedience to the laws, and render it; and we are entitled to protection, and claim it.”⁹ While Dent’s words were initially inspired by his concern for the welfare of slavery, they transformed into a critique on occupation. Dent concluded that a Marylander’s loyalty was essentially worthless, especially at this late stage of the war.

Dent was also not alone in his concern over the behavior of soldiers. Elizabeth Sothoron, whose husband was responsible for the death of a recruiting officer the year before, wrote to President Lincoln pleading for relief. She mentioned the three-month house arrest she and her family suffered at the hands of black soldiers, a humiliating situation since she “had been educated to regard and treat [blacks] as servants.”¹⁰ During that time, the soldiers seized property valued over \$30,000 dollars and freed one hundred

slaves. Perhaps the most incredible complaint was the matter of the Sothoron house being made into a hospital for black soldiers suffering from small pox. Sothoron claimed that the order came from Birney, who threatened that if her family did not vacate the premises, he would begin placing the sick around them. Another appalled resident from Prince George's County complained to General Halleck that his private property had been invaded by recruiting black troops, who entered his plantation, barns, servants-quarters, and even his kitchen. Coming to the defense of the commander of the troops, Birney maintained that the army had been invited through a lease with the resident. Meanwhile, the presence of black troops from the Nineteenth Infantry Regiment upset residents including Unionists in Anne Arundel County. They whipped through the county like a tornado, caused all sorts of havoc from pushing a resident into a wharf to seizing a widow's pigs and tobacco. These stories were significant since they shed some light into the highly emotional, challenged experiences of civilians, who complained even more since their trials and tribulations were caused by blacks. Not only did residents attempt to illustrate how incompetent black soldiers were, but they also tried to exploit the racial differences to justify their case even more.¹¹

Of course, some of the most interesting and critical impressions of race relations emerged from daily encounters. While black troops in 1864 were drilling, fighting, and recruiting, others were used to guard the Confederate prisoners at Point Lookout. John Jacob Omenhausser was one inmate at the camp from the summer of 1864 until the summer of 1865. He was known for his sketches of daily life at the prison that detailed everything from prisoners playing cards to cleaning tent areas. Truthfully, the sketches resemble a cartoon format, especially when showing the comedic interactions between

the white prisoners and the black guards. Omenhausser's sense of humor reveals the racially charged tension between the parties particularly over matters of authority. One illustration showed a black guard pointing his bayoneted rifle at a prisoner asking who was there. The prisoner answers back "a friend" which leads to the guard correcting him: "Look here white man, don't you say Friend again, you's a Rebel and prisoner, and I'se put here to watch you - how you like dat."¹² Another illustration shows a prisoner near a fence, which leads to another black guard to warn him: "Git away from dat dar fence white man or I'll make Old Abe's Gun smoke at you I can hardly hold de ball back now. De bottom rails on top now."¹³ In both of these illustrations, the prisoner is depicted as the meek, innocent victim, while the black soldier is the aggressive individual, trying to create a violent incident. Though undeniably biased, these works provide a solid critique on the possession of power over another race.

According to Omenhausser's sketches, black guards challenged even the prisoner's most private moments. One illustration shows a guard interrupting a prisoner praying in his tent and threatens to punish him if he does it again. In another, threatened by a guard's revolver, a prisoner is forced to pray for President Lincoln and the United States, before he is told to pray for the colored people. The prisoner responds: "Oh Lord, have mercy on the niggers-No I mean the colored people and deliver them from slavery."¹⁴ But Omenhausser also at times challenges the responsibility of the black soldier, as he depicted for instance in a scene between two inept black sentinels discussing a stolen knapsack while the prisoner-thief runs right by them. In spite of Omenhausser's sketches, the commanding officer at Point Lookout still noted: "I think

the colored troops are the only guards from whom no prisoners have escaped, and they, as you are aware, are very prompt to use their pieces, perhaps too prompt.”¹⁵

While commanders and recruiting officers were responsible for the behavior of black soldiers, they first and foremost had to continue to defend their recruiting practices. A Dorchester County resident notified Governor Bradford of a press gang of black troops, who forced every male slave and free black into enlisting. According to the account, some tried to run away from the patrol, but the troops lifted their guns, threatening to shoot if they would not stop and return to the lines. Bradford immediately relayed the case to Montgomery Blair, labeled the problem as “chronic” throughout Maryland, and mentioned that the state anxiously waited for a solution or redress.¹⁶ A slave owner from Anne Arundel County, Henry Tydings witnessed the forceful enlistment of a friend’s slaves. In one case, surrounded by bayonets a soldiers forced a slave to leave with them, while some black soldiers threatened to shoot his owner for questioning the act. Another man questioned the recruiting party authority, and also threatened, by the soldiers who put their hands on their swords, replying “by this and by our muscle.”¹⁷ Approached by a recruiting officer, who asked if he wanted to enlist and receive a \$400 bounty, one free black by the name of William Jackson claimed that he even though he declined the offer, soldiers still forced him to join the military. Jackson had been suffering from Epileptic attacks and submitted medical certificates as proof, but was repeatedly ignored, as the military officers believed he appeared to be in good health and fit to be a soldier. It would take over a month for Jackson to receive a discharge from President Lincoln. It is difficult to determine whether episodes like these demonstrate the

immense, practically unchallenged power occupation and duty awarded recruiting parties or just the desperation of the army to acquire new troops.¹⁸

Meanwhile, General Birney personally maintained his position that neither slave nor free black were recruited against their will. In an interesting January letter, Birney claimed the following: “Slaveholders have frequently offered me their slaves, provided I would take them by force.”¹⁹ If Birney’s point was true, it suggested three things. First, there was the matter that slave owners were concerned with the way their neighbors viewed them, and did not want to be regarded as giving up their interests and institutions too easily. If Birney’s men displayed some force in the removal of the slaves, it would give the appearance of the soldiers overpowering the citizens and therefore, not harm their personal sense of honor. Second, it could be an invitation or declaration to an actual fight over property rights. Finally, if the slaves were taken by force, it would provide owners the evidence to mount against Birney’s recruiting process and further encourage general civil resistance. Nevertheless, Birney resisted the invitation, and ignored the belief of owners that their slaves would rather stay with them than join the army. “If their families could be cared for or taken with them,” Birney affirmed, “the whole slave population of Maryland would make its exodus to Washington.”²⁰

General Wallace recognized that the problem of recruiting was asking blacks to volunteer, since their owners or employers stomped out their opinions and wishes. Therefore, he confessed rather cryptically that his “arbitrary” measures may have created moments of “harshness,” which he was willing to review had complaints been officially brought to his attention.²¹ But he defended his actions by his realization that the Maryland constitution and Governor did not recognize blacks as subject to militia

service; he argued that this gave the military authorities the power to organize them as soldiers. General Gilman Marston wrote to a St. Mary's county resident who disagreed with black enlistments. "Those people who seem to think it a great wrong to have the negroes exposed to the chance of battle would manifest a little more sincerity and be entitled to more respect," Marston responded, "if they would send their sons or go themselves to the field in defence of their government and country."²²

Finding little aid from the military or politicians, some residents depended on physical force rather than words. For instance, disgruntled slave owners retaliated against those slaves who had run away to enlist only to be rejected for service for health reasons. In addition to suffering acts of physical violence, slaves were denied their basic needs for clothing and food. Confirming these terrible stories, Col. A. L. Brown, while stationed in Wicomico County on the Eastern Shore questioned the disposition of slaves who were rejected for service. "They come to me for protection," he said, "and refuse to go back to their masters," who claimed them as fugitives under Maryland's laws.²³ He knew that the masters who behaved in this manner were either openly or covertly supportive of the rebel cause. Another report claimed that the women and children men left behind in order to enlist were cruelly refused support from their owners. This forced the military to keep the families together when recruiting, for the "sake of sheer humanity."²⁴ Responding to these facts and the reality of large numbers of slaves at recruiting stations, Quartermaster General Montgomery C. Meigs informed General Wallace that Secretary Stanton had ordered that all slaves be accepted; those fit for military service were to enlist and the remainder were turned over to the Quartermaster's Department as laborers. Essentially, the cruelty of some owners was another chapter in

the conflict between civil and military powers, as it insisted that soldiers step in and correct any wrongs being done, which most of the time meant removing slaves altogether.²⁵

Stanton's order may have dealt with the men recruiting parties had collected for military service, but it is important to not lose sight of the other family members these new recruits and laborers left behind. A widower for almost five years, John Q.A. Dennis wrote Secretary Stanton for aid and advice in bringing his three children out of slavery. Dennis had received his freedom in 1863 by enlisting with a regiment of the U.S. Colored Troops, but now was crippled with little to live on. It was a logical request since the military was able to make him a free man when "the Good lord sent the Cornel borne" [most likely referring to Col. Birney].²⁶ Annie Davis, a slave from northern Maryland, wrote to the president for advice on her status as a slave. Denied the chance to visit her family on the Eastern Shore by her owner, Davis frankly told Lincoln: "It is my Desire to be free."²⁷ Hoping for his intervention or advice, Davis never received word from Lincoln.

On February 12, Colonel Samuel Bowman of the Eighty-fourth Pennsylvania Infantry relieved Birney as chief mustering and recruiting officer for colored troops in the State of Maryland. Meanwhile, the war department named Birney commander of the Seventh and Ninth Regiments of the U.S. Colored Troops at Hilton Head, South Carolina. General Wallace noted that Bowman, similar to his predecessor, quickly made himself popular among blacks and "has proven himself their devoted friend."²⁸ Unlike Birney, Bowman hated his new position. He admitted to one officer that the role was "difficult to fill, disagreeable and distasteful," especially since hardships occurred in the

recruiting process, knowing for every recruit their was a victim especially with employers and slave owners.²⁹ Although not content with his situation, he did his best to fulfill his duty. Still, the distorted Maryland around him and the cautious black population who had transitioned their attention and hope to a new state constitution, convinced Bowman that recruiting had to end. Bowman argued, “Negro recruiting in Maryland is hurtful; negroes by force of circumstances and the costoms of the county have heretofore performed all the labor...whenever the U.S. gets a soldier, somebody’s plow stands still; or somebody has lost a slave or servant of somekind.”³⁰ At least initially, Bowman’s duty and responsibility, and the Marylanders he encountered on a daily basis tore him in two. He had a difficult time promoting the cause of the Union by neglecting the welfare of a state.

Still, Bowman’s success rate with enlisting black troops in Maryland moved beyond the state’s borders. By the end of July, he was in Kentucky offering General Lorenzo Thomas his strategies including the use of public meetings. Although he bragged, “we revolutionized the State,” Bowman also confessed to Thomas that his greatest hurdle dealt with destroying the prejudice of white officers and troops.³¹ Even General William Tecumseh Sherman recognized the success of recruiting slaves in Maryland before he made his infamous march to the sea. Sherman, criticized for not organizing an army of blacks during the march, insisted that he had requested Bowman to aid in the very endeavor. Nonetheless, the War Department either neglected or refused his request.³²

While successful, two aspects of Bowman’s recruiting work caused him a great deal of aggravation that year. The first involved the way he obtained black soldiers and the second concerned his record keeping. In terms of the former, Bowman and his

recruiting officers embraced a practice that Schenck had unofficially experimented with towards the end of 1863—raiding jails. Similar to slave pens, these locations often produced decent available numbers, while also revealing one of the last cards slave owners had up their sleeves in the game over slavery. For instance, after hearing of at least four black men being imprisoned for attempting to enlist into the Union army, recruiting officer Lieutenant Charles R. Sykes asked for permission to free them.³³

Feeling the growing pressure to act on the opportunity, General Lockwood finally gave Colonel Bowman the authority to enlist any blacks from jails, slave-pens, or other locations where they were confined on March 15. There were just three conditions—that the slaves display willingness to serve, that a surgeon approves them for service, and that none were caught in the middle of a criminal process. Lockwood also ordered that “any one who shall refuse to give access to such recruiting officer, or who shall throw obstacles in the way of the execution of this order,” would be reported to headquarters and dealt with at that point.³⁴ Indeed, war soon broke all rules and standards. That same day, Edward Belt, state’s attorney of Prince George’s County notified Governor Bradford that on the March 8, a large number of black troops led by a Lieutenant Colonel commandeered a Court House for quarters before sending an armed squad to the County Jail. After demanding the keys, the troops set free twenty-one black *and* white prisoners including eleven that had active criminal charges against them. An outraged sheriff pursued the military force only to be told by the commanding officer that he had orders to release blacks fit for enlistment and that his force was not responsible for the others escaping. The sheriff continued to cry foul, but it was futile, culminating with threats to his safety if he pressed the military any further.³⁵

The thrilling episode exemplified perhaps the boldest attack on slavery and social peace by the military to that point. The army's hand that clasped the neck of Marylanders since the beginning of the war was by 1864 strangling the people of the state to an unimaginable extent. Again, the difference rested on the fact that the military knew they could push the envelope further, no longer reluctant to act and no longer empathetic for the rights and property of residents. Recruiting slaves from plantations was a continuous, but at times guarded and inefficient method of gaining numbers. As the war progressed, it simply demanded more creative and daring ways from the military to find new recruits including the raiding of jails. Nevertheless, there was still the unconscious collateral damage to account for. Besides the fact that it placed criminals back on Maryland's streets, Belt believed that the jailbreak episode consequently encouraged blacks to resort to crime knowing they would only receive the blind eye and protection of the military. A perturbed, worried Governor Bradford quickly wrote both Abraham Lincoln and Reverdy Johnson about Maryland's jail doors being carelessly thrown open by the army and envisaging a terrible future of unrest for the state. Realizing he would receive the usual speech about the hardship being just another consequence of a prolonged war, a speech he himself used at times, Bradford complained that, "our citizens are subject in more than an ordinary degree of depredations."³⁶ On the other hand, the recruiting officers and soldiers not only felt that they were fulfilling their duties, but also doing what was morally right. On a recruiting mission for Bowman, one officer described a jail, which held several slaves including one said to belong to Colonel Sothoron, the man who killed another recruiting officer, Lieutenant White. "The filth and

stench was so utterly inhuman,” the officer remembered, before calling for a blacksmith to break the chains and irons off his new recruits.³⁷

Meanwhile, in late May, a disconcerted Bradford focused his attacks on Maryland’s chief recruiting officer. He protested Bowman’s forceful, threatening order to open County Jails and requested that General Wallace prevent “so gross an outrage,” fearing it would create a dangerous precedent.³⁸ Nevertheless, beyond the complaints of politicians and even with approval from superiors, Bowman did encounter difficulty freeing black prisoners. He once mentioned how the citizens of Anne Arundel County had placed some slaves fit and eager to enlist in a jail until a recruiting officer could meet and review them. The difficulty appeared when the jailor and sheriff, rumored to have secessionist sympathies, denied a recruiting party access, leading Bowman to conclude that, “a negro escort would be no outrage, but on the contrary might have a healthy influence.”³⁹

As mentioned earlier, as chief mustering and recruiting officer, Bowman had to also supervise the records of enlistments. It would arguably be the most difficult aspect of his position especially since his predecessor left behind some unresolved matters in terms of compensation and enlistment quotas. To begin with, in less than a year, the board in Baltimore responsible for state compensation had reviewed 2,015 claims for enlisted blacks. But by the middle of October, Maryland’s slave owners had received only \$14,391 for their slaves. In a letter to President Lincoln, Senator Hicks noted how he alone had given up “fifteen to twenty thousand dollars worth of slaves” without a complaint or second thought.⁴⁰

Strong Union man Hicks was the exception to the rule. Realizing how endangered their institution was and the free falling value of slaves, most owners pursued compensation while it was available as their best possible option. Seventy-year old James Townsend of Snow Hill, Maryland asked John A. J. Creswell for advice. Townsend wondered if he was correct in asking for compensation since Birney recruited his slave Edward in 1863, but was not mustered into a regiment when he fell ill. Surfacing for one of the last times in the Old Line State's affairs, General Butler involved himself in a case of one Maryland slave owner who claimed that two of his slaves fled to Pennsylvania to enlist with the Colored Troops and asked for his certificate of enlistment. Always willing to share his opinion, Butler wrote: "I tell him I doubt, as they are fugitive slaves, whether to give the certificate would not be returning the slaves to the master, as against the Act of Congress. It certainly would be returning the equivalent."⁴¹ Nevertheless, less than a week later, a military officer contacted the owner offering him certificates. But Samuel Harrison of Talbot County was one Marylander who believed that the decreased value of slaves was a direct consequence of war and should not be compensated. With complaints about the intervention practices of the Union army in mind, he argued that, "the owners have no more just claim upon the state than those persons who had lost property by the inroads of the enemy upon Maryland soil."⁴²

While compensation for slaves proved to be an ugly topic of discussion, all Marylanders lay most of their concern on future drafts, which involved receiving credit towards state quotas for Maryland's recruited black soldiers. Bowman earnestly ensured Governor Bradford that he was doing his best with the "complicated and difficult business" of accurately recording the origins of both slaves and free men for future

reference in terms of compensation certificates and quotas.⁴³ Still, Bowman pointed to the fact that he relied on a large network of officers and clerks for the recruiting information in the first place. But Bradford continued to hover over Bowman like a black rain cloud, arguing that mistakes were being made in terms of proper credits. In a June communication with Bowman, the Governor even offered to personally assist him with preventing and correcting any future errors.⁴⁴

The debate over recruit numbers continued well into the summer and as records were questioned further, the civil-military conflict only increased. An angry Bowman wrote to Governor Bradford about one rumor: “It is said I have threatened to credit all slave to Massachusetts or Pennsylvania. I beg you not to believe such nonsense. I have no power to do this and would not do it if I had.”⁴⁵ Provost Marshal James Fry vigorously defended the army’s records, arguing that after the number of loyal white men had been determined, the black soldiers filled in the quotas, while not adding to them. Meanwhile, Bradford believed he still had a case to be heard. He reported to Fry that he had received complaints from all over the state about crediting the black soldiers. A month earlier, with an approaching statewide draft, Bradford had asked Fry on the matter of black soldiers being properly added to the enlistment quotas. Bradford even believed that Maryland had yet to receive credit for the blacks that Birney had recruited since the summer of 1863. Showing special consideration and concern for Maryland rural districts, the Governor asked Fry that the draft be postponed until the state received the credits for the black soldiers, a number he believed was at least 7,000 strong.⁴⁶

But delaying drafts in the middle of a costly war was a difficult if not impossible task. Soldiers continued to clash at various battlefields, enlistments ran out, and the

number of the sick, injured and dead continued to grow. Even Maryland in the summer of 1864 could not find silence and rest from the drums of war. In early July, desperate to bring some relief to his army and the Confederacy, while also anxious for the war to turn in their favor, General Lee asked General Jubal Early to distract the Union through the third and final invasion of Maryland. With the Second Corps of the Army of Northern Virginia, Early moved quickly out of Richmond and before long captured Frederick, Maryland. With 12,000 soldiers under his command, Early then contemplated two devastating plans. The first involved a plot to lay siege on Washington while Confederate cavalry moved on Point Lookout to free Confederate prisoners. The second focused on capturing a portion of Washington, which would force Grant to call troops north from Petersburg, Virginia.⁴⁷

Both of Early's plots involved threatening the capital, which, even if they were only part of a large distracting commotion rather than an actual attack on the Union stronghold, worried the Union forces. General Wallace had low troop numbers to hold back Early, and suffered 1,294 losses when the armies finally clashed on July 9 at the Battle of Monocacy, but successfully held back Confederate forces and raised the alarm for the protection of Washington. Even the black soldiers stationed at Camp Birney in Baltimore were ordered to be made ready for service immediately. While Early's invasion did attract some of Grant's forces to support Wallace, it was arguably a failure, especially since the rebels abandoned the plot on Point Lookout after intelligence concerning it reached the Union army. There were still costly consequences from Early's invasion, including roads leading to Baltimore being cut off and even the burning of

Governor Bradford's house. But after the scare in July, military operations in Maryland were fewer and far between.⁴⁸

With the actuality of a constitutional convention becoming more real, President Lincoln privately confessed to John A. J. Creswell in March that he had some concerns. Eager to witness a free Maryland, Lincoln wrote: "What I have dreaded is the danger that by jealousies, rivalries, and consequent ill-blood—driving one another out of meetings and conventions—perchance from the polls—the friends of emancipation themselves may divide, and lose the measure altogether."⁴⁹ Just ten days later he briefly wrote Creswell once more, reinforcing his concern for political disintegration. He also stressed his belief that winning emancipation in Maryland would greatly increase the Union's chances of eliminating the rebellion.⁵⁰

On April 6, Marylanders like Dr. Claytor of Anne Arundel County voted on whether or not to hold a constitutional convention and, in case voters approved of the convention, also voted for members to attend that convention. Claytor confidently believed the state would be in favor of a convention, but when the county totals appeared in the *Baltimore American* on April 15, the results showed a divided state. Southern Maryland and the Eastern Shore both voted against the constitutional convention, but could not overcome the high numbers in the north. Baltimore City and the counties of northern Maryland boasted a majority of 25,158 votes for the convention.⁵¹

The constitutional convention met on April 27, 1864, and remained in session until September 6, 1864. It was fraught with instances that added to its length, including members still fighting for slavery with long-winded speeches defending the institution, the harvest season, and Early's invasion. The forty-five articles in the Declaration of

Rights also required two months of debates and modifications. The twenty-fourth article was the one the convention paid the most attention to, as it read: “Hereafter, in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime, whereof the party shall have been duly convicted; and all persons held to service or labor, as slaves, are hereby declared free.”⁵² After spending a long week on the emancipation issue alone, fifty-three members of the eighty that voted were for abolition. Besides dealing with slavery, the convention accomplished more historical changes for Maryland. Representatives imposed a strict loyalty oath, created the position of lieutenant governor and a public school system, and voted on but later threw out apprenticeship for black minors. The new constitution also limited those qualified to vote for its ratification, but very importantly extended the right to soldiers in the field. On September 6, the delegates voted on the document, approving it by the exact same number that had approved abolition. After a protracted and difficult process, the constitution was finally placed in the hands of Marylanders for ratification on October 12.⁵³

In order to avoid “the slightest demonstration looking to military interference,” General Wallace advised one officer that he wanted the soldiers to be no where near the polls, but available if voters or judges of elections required military protection.⁵⁴ On the eve of the election, acting Assistant Adjutant-General H. Clayton produced a circular for all military officers recommending that they possess the “strictest discipline and vigilance in their command,” while also ordering that any soldiers entitled to vote to be sent to the polls without arms.⁵⁵ While the election would be considered later as a peaceful one, both sides still complained of general disturbances including the presence of supervising military forces.

Before the election, Lincoln wrote to Henry W. Hoffman, the chairman of the Maryland Unconditional Union Central Committee. Displaying his earnest desire to see Maryland free, the president confessed what he earlier had to so often suppress, especially when dealing with Border State affairs: "I wish all men to be free...I wish to see in process of disappearing that only thing which ever could bring this nation to civil war."⁵⁶ The *Baltimore American* pushed each Marylander for the Constitution to vote twice: once by his own vote and a second time by encouraging another Union supporter, who displayed signs of not doing so at all, to vote. But when the county returns came in, they spelled out doom for the constitution with the following official results: 27,541 for and 29,536 against. After bearing the scars of military intervention of the war torn years, an emancipated Maryland still appeared to be nothing more than a pipe dream. The Frederick County based paper the *Maryland Union* even proclaimed that the "THE NEGRO ROBBING CONSTITUTION DEFEATED! DEATH KNELL OF ABOLITIONISM!"⁵⁷ Meanwhile, a paper based in New York concluded in a somber tone that the new constitution was apparently not the most ideal way of eliminating slavery. In other words, Marylanders had decided that their hallowed institution was not quite ready for destruction, at least not at that hour.⁵⁸

But those who hoped for a free Maryland had one more slim chance, and it rested on the vote of Maryland's soldiers, which had yet to be counted. Governor Bradford appointed two commissioners to collect the ballots from the regiments and deliver them to Annapolis within fifteen days of the election. Most of the military votes appeared in the form of little slips of paper clearly stating for or against the constitution, while soldiers also wrote out others in their own hand. Another possible slip for the

constitution was more decorated. A printed sketch of the United States flag rested in the center of the slip with the following heading just above it: "Our Country Forever! A Free Union-A Free Constitution and Free Labor!"⁵⁹ Of course, voting corruption occurred with this process, as the "for" and "against" on the slip were at times crossed out to express the other opinion. Due to legal technicalities including disputes over voting location, Governor Bradford rejected nearly 300 soldier votes, but unwaveringly believed in and defended the right of the soldiers to be heard. Therefore, the total soldier vote was 2,633 for and just 263 against. They were truly the deciding factor, since with their vote; the people of Maryland approved the constitution by the very slim margin of 375 votes. The popular theme of the military deciding the future of slavery continued, as it successfully invaded and conquered the high and mighty political realm. In other words, without the soldiers, slavery in Maryland would have at least survived the fall of 1864. Those residents who voted for freedom held a rally on October 20, when a speaker credited the soldiers' vote for "one of the grandest results of the war," as if it was a great battlefield victory, and inspired a whole company of men to enlist. Harper's Weekly showered the military with all due praise:

The Maryland soldiers have achieved one of the grandest victories of the war. They have lifted 'the despot's heel' from the shore of their Maryland. Their vote redeemed their State from the curse of Slavery, and anchored it fast and forever to the Union...Their victory shows that they, too, understand the meaning of this war...they have, with one master blow, demolished the root of the war in the soil of Maryland. God bless the Maryland citizens at the front and the Maryland citizens at home!⁶⁰

At five o'clock in the morning on October 29, Bradford issued a proclamation declaring that the new Constitution had been adopted. It would go into effect on November 1.

Baltimore American editor Charles Fulton was ecstatic when he informed Lincoln of

Bradford's proclamation. "Maryland is now a free state," he proudly announced, "and there is no party or power that can establish slavery within her territories."⁶¹

One elated man by the name of Thomas Webster wrote to Lincoln about his plans to commemorate emancipation in Maryland with the "highest style of art."⁶² It would be a collage of sorts posted on the façade of a building and would include images of black soldiers in battle and the slave on the auction block, of the words of Washington and Jefferson, and of portraits of Grant, Sherman, and of course, the president. At the top of the building, illuminated by gaslight, would be four words: "God save the Republic."⁶³ Webster asked Lincoln whether he should arrange for the artwork to be created or wait until the ninth of November, since some believed it would turn voters away from supporting the president in the coming election. No reply from the White House came, but the supporters of Maryland's freedom formed a committee to discuss the matter and voted in favor of the celebration complete with music and fireworks for the first day in November, the very day Maryland would be officially free. In addition, Webster and the majority of the committee believed that postponing the artwork would have actually lost votes for Lincoln.⁶⁴

A more subdued Lincoln did in fact celebrate Maryland's freedom with a specific group of individuals. On the last day of October, Lincoln offered his gratitude to the Forty-second Massachusetts regiment. He started by reflecting back upon the Baltimore riots of 1861. "I never see a Massachusetts regiment but it reminds me of the difficulty a regiment from that State met with on its passage through Baltimore; but the world has moved since then, and I congratulate you upon having a better time to-day in Baltimore than the regiment had."⁶⁵ Still, perhaps the most interesting aspect of this speech was its

ending. Lincoln recognized history in the making and those responsible for it, stating that, “Tonight, midnight, slavery ceases in Maryland, and this state of things in Maryland is due greatly to the soldiers. Again I thank you for the services you have rendered the country.”⁶⁶ The president directly credited the regiment and the rest of the army for Maryland’s success story; from its secession crisis to its emancipation movement, the military was faithfully always there.

At sunrise on the first of November, the city of Baltimore was alive with five hundred gun salutes and bells ringing, while the *Baltimore Sun* even claimed that blacks were returning or moving to Maryland now that it was a Free State. All supporters of the Union celebrated with Maryland on their decision to become a free state. One resident from Philadelphia offered John A. J. Creswell and other Marylanders his compliments not only for “exalting Liberty over Slavery,” but also for “guaranteeing that our delegated sistem of government will Stand as the lighthouse upon the shore of liberty.”⁶⁷ J.E. Snodgrass of New York praised and congratulated the people of Maryland for erasing the “material, social, and political curse,” that had constrained them like “some hideous nightmare.”⁶⁸ Even famed abolitionist and activist Sojourner Truth celebrated the emancipation of the slaves of Maryland, speaking on the occasion at Freedman’s Village in Virginia.⁶⁹

While honors and tributes for Maryland rained down upon the state, there were those who refused to acknowledge the fact that slavery had been outlawed resorting to acts of violence. A lighthouse keeper by the name of Thomas B. Davis informed Judge Hugh L. Bond of the horrors blacks were experiencing since Marylanders adopted the constitution. He mentioned “Organized Bands Prowling upon Horse Back around the

Country armed with Revolvers and Horse Whips,” threatening to shoot any black who uttered a word of defiance or anguish as they were beaten.⁷⁰ Davis even shared with Bond the story of a black woman forced to strip down before being ferociously whipped, albeit she was pregnant. The end of slavery in Maryland brought about one of the earliest forms of or platforms for what would develop into the KKK.

There were also those who completely ignored the constitution, continuing the institution they had dearly known for years. A black clergyman feared retaliation from former owners when he used a pseudonym to inform a military officer that a Baltimore resident still possessed slaves. Andrew Stafford, a provost marshal in Easton believed that some residents were not only intimidating blacks, but also binding children to the old apprenticeship law. One such case involved Jane Kemper, a freed slave from Talbot County, who told military authorities that her former owner kept her children from her, until she was able to stealthily retrieve them. Stafford also asserted that owners rushed to the Orphan’s Courts to claim all black children under the age of twenty-one, defending their traditional paternalism by arguing that their black parents could not support them. To maintain peace and order, Stafford promoted martial law in the state, and General Lockwood agreed. The general wrote that, “the chief object of the new Constitution will be defeated and these people will still be slaves in truth though free in name.”⁷¹ Therefore, Lockwood recommended that additional troops be sent to support the state and military authorities that protected the state laws as they stood, against the interpretations of the secessionists. The matter of slavery in a free Maryland moved beyond the social realm to also affect the military sphere, since owners were not only contesting the freedom of their former slaves but their choice to fight for the Union cause as well.⁷²

And still there was the matter of those who had received unadulterated freedom on the first of November. General Lew Wallace realized the problem on his hands when he found hundreds of black men, women, and children roaming the streets of Baltimore after the new state constitution went into effect. On November 9, General Lew Wallace issued his controversial General Orders No. 112, which continued to promote the military as the needed backbone for blacks. Its two-pronged objectives were clear: to provide blacks with military protection and, to define through aid and assistance their new lives in freedom. By far, the former was the more controversial of the two objectives since it continued to tempt civil-military conflict. Wallace's orders also created a Freedman's Bureau in the state and seized the Maryland Club to temporarily house ill or deprived blacks, noting early on that "before the week was out four or five hundred negro women and refuges, with their children, were in enjoyment of its luxurious shelter."⁷³ The Club was even renamed to the more inviting, appropriate name: "Freedmen's Rest." Bradford wrote to Wallace the next day on the matter. Even though he was worried that it could mislead civil officers and create some legal tension, he recognized the possible value of the order, since many blacks were transitioning to living on their own for the first time in their lives.⁷⁴

In addition to voting for the constitution, Marylanders soon after elected their third wartime governor, the former mayor of Baltimore, Thomas Swann. There was also the matter of the presidential election of 1864, which many believed would finally answer the national slavery question since with Lincoln many voters considered an amendment to the U. S. Constitution to be inevitable. Earlier that summer, in the City of Baltimore, the National Union Party held its presidential convention. On the first ballot, Lincoln

unanimously won the nomination as the Republican candidate with Andrew Johnson as his running mate. John L. Chapman, the Mayor of Baltimore sent President Lincoln a series of resolutions from the Maryland Union Party supporting his re-election campaign. As for the opposition, Lincoln's cantankerous former commanding general, George McClellan, led the Democratic ticket.⁷⁵

In the end, McClellan only won the states of New Jersey, Kentucky, and Delaware, awarding him only twenty-one electoral votes. Lincoln won 212 electoral votes, giving him a comfortable majority of 191; he triumphantly remained the leader of the Union. Demonstrating the political and social revolutionary tides of war, Maryland's seven electoral votes went to Lincoln, who had received only 2,294 popular votes from the state in 1860. With less than 5,000 votes separating the two candidates in the home vote, the soldiers' vote gave the incumbent a more comfortable lead with their 2,799 votes. Many voters believed that had the state constitution not been ratified, the political shift towards Democratic rule would have denied Lincoln's hopes for gaining Maryland. Days after the election, feeling the comfort of two great political victories, Lincoln informed a Maryland Union Committee that he would have rather lost the state in his re-election bid than have lost the state's new constitution. "The Presidential election comes every four years," he reminded them, "and the adoption of the constitution, being a good thing, could not be outdone."⁷⁶

VI. Conclusion

Of course, Maryland's social problems did not cease with the adoption of a new state constitution. The state and later the rest of the country would have to adjust to a new legal order which declared that all people were free from the womb to the tomb, no matter what traditional opinion or natural differences such as color and race suggested. It was a difficult transition that had taken decades to establish and one that would take decades to perfect, beginning with the optimistic but empty Reconstruction period. It was a movement of change within a larger era of unprecedented healing, easily distorted by uncertainty and anxiety. Peace terms at Appomattox Court House in early April 1865 finally silenced the guns and drums of war only to have an assassin's weapon ring out shortly after to challenge the era further. Not only did John Wilkes Booth snuff out Lincoln's life, who hoped to see the house he believed in stand united once more, but Booth also helped to plunge the country further into division, disorder and despair. Although credited with leading the assault against slavery, it is impossible to tell whether Lincoln could have made the great transition smoother or more successful had he served the rest of his second term. Still, one can claim that Lincoln's tried and true experience and knowledge about the political problems that had divided the nation and, more specifically, complicated matters for the Border States would have proven invaluable in the long run.

The combination of the war's conclusion and the Thirteenth Amendment ultimately overshadowed Maryland's momentous achievement as the first slave state to abolish slavery. With the dawn of Reconstruction, Maryland joined the other Southern states in the forfeiture of its individual nature. There was no longer a need for the state to be defined by its Border State neutrality, southern heritage, or northern future; rather, it was categorized as just another piece of a broken Union that had to be restored. This does not suggest that Maryland's personal healing process may or may not have been more unique than others during this era of change (which another study could address), but that thematically, the state was considered to be just a part of the whole, a facet of the universal problems at hand.

Therefore, Maryland's social value cannot be viewed in terms of the standardized post war years but during the heterogeneous war years. There was a solid reason why the state abolished the peculiar institution on its own time by its own effort before Reconstruction and that reason was linked to its distinction as a separate entity, belonging neither to the South nor the North. Its individual nature was in the end its most threatening asset, the very thing the federal army had to seize and control for its own devices. Consequently, the army quickly discovered that the state's Achilles heel was its tradition of slavery and, by exposing it to the sacrifice and destruction of war, at last created a freer and more importantly a more loyal Maryland.

As a result of military occupation, a terrific conflict between Marylanders and the military unfolded gradually but effectively from 1861 to 1864. At first, by the directions and orders of the Lincoln administration, soldiers and officers used their might to specifically silence any cries for secession and maintain public order. Of course, the

Union did not take into consideration the slave who viewed the northern armed forces as liberators and thus instinctively fled to the protection behind their lines. Shortly after the Baltimore riot, runaways forced the Union to alter, if not abandon the original concept of military occupation in Maryland. The difficult question of whether to return slaves to their masters or to retain them for military purposes motivated change. The first individual to complicate matters by attempting to answer that question was General Benjamin Butler introducing to the war the “contraband” policy, but he would not be the last. From the recruiting officer to the common soldier, the military enraged slave owning Marylanders by not only refusing to protect their rights to property, but also by denying them the sense of power they had possessed over their slaves for decades.

In her text *Slavery and Freedom on the Middle Ground*, scholar Barbara Jeanne Fields argued the following:

The destruction arose from more than the sheer number of defectors, devastating though the defections were. At its foundation, the collapse was a moral and political phenomenon, arising from the slaves’ daily more vivid perception that their owners were no longer sovereign. Slaves and their owners together learned the relationship between the power and authority.¹

Although slavery in Maryland eventually succumbed to many blows from different sectors during the war, allowing the slaves the opportunity to overthrow the authority of their owners, this paper has illustrated how the military dealt most of the fatal attacks. While the politicians were effective with their proclamations, laws, and acts, especially those works that increased the army’s power, and the slaves continued an old tradition of running away either as contrabands or as recruits, the armed, large presence of soldiers eventually made the destruction of slavery a military objective. Indeed, the war exposed slavery both as a vulnerable labor system and a powerful spoil of war, which both the

Union and Confederacy brandished like a saber. While slaves had previously used the chaotic period of military conflict to run away, no other war fought on the continent before the Civil War insisted that the conclusion was to be decided by the future of the institution. Therefore, in order to achieve the federal objective of restoring the Union, the military had to forcefully eliminate one of the, if not the main reason for its breakup in the first place.

Truthfully, this study has followed a specific investigation that involved looking at the war through the scope of the Border State of Maryland. Charles Wagandt joined other scholars as he claimed that the “vital role of the war” could not be forgotten since “had it been brief and less costly in lives and material, the emancipation movement could never have achieved success in that era, either in the nation or in Maryland.”²

Essentially, the matter of time set the Civil War apart from any other conflict in the nation’s history to that point or any point afterwards. Now, the actual length of the war on the surface was not the startling factor, rather, the fact that five years was far longer than anyone on either side had anticipated. Five years of blood, sweat and tears had challenged American political bodies, private and public institutions, and people to an incredible level. With that point, it is important to remember the importance of personal sacrifice during the war. As this study has shown, the conflict between the states demanded that both civilian and soldier relinquish or change an aspect of their existence, whether it was the forfeiture of property such as a farm, horse or slave, or the surrender of one’s traditions, sense of power, or even life. Everyone made sacrifices during the war years, and while they may not have approved of them, they accepted them as or at least understood them to be consequences of the conflict. As Wagandt argued, the dramatic,

effective combination of time and sacrifice made the impossible possible including the emancipation movements beginning in Washington D.C. and ending with the Thirteenth Amendment. In other words, if it was believed to be better in the long run such as bringing the war to a quick end, then it made sense that some sacrifices indeed had to be made.

Although Marylanders officially ended the slavery debate in 1864 by their own democratic process, they arguably could never have reached that point and decision without the influence of the war around their state, but more importantly the war within its borders. The war exposed slavery as a problem that needed to be corrected in order to ensure future progress for both Maryland and the nation. In terms of the civil-military conflict over slavery, the military had to believe completely in their sense of authority and power in order to overcome Maryland's slave owners. The results of this conflict from the formation of black regiments to the construction of a new state constitution would never have occurred had the military lackadaisically interfered with slavery. Therefore, beginning with Butler's contraband policy, officers and soldiers progressively embraced a stricter, stronger stance on the freedom of blacks. For the military, believing in their sense of authority began with their conviction for the cause. In order to keep Maryland from secession, protect the capital and eventually restore the Union, collectively the soldiers had to be resolute in their interactions with the slave owner and the slave. Whether they used wartime precedents and policies, physical altercations and threats, or personal opinions and beliefs, the military ensured they held the upper hand in the debate over slavery. In so doing, Lincoln's soldiers embraced the image, role and responsibility of emancipator leading to the moment in late 1864, when exhausted by

years of sacrifice, Marylanders finally succumbed to the remarkable power of the rifle and the runaway.³

Notes

I. Introduction

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- ² Charles Wagandt, *The Mighty Revolution: Negro Emancipation in Maryland, 1862-1864* (Baltimore: John Hopkins Press, 1964), 9.
- ³ Curtis W. Jacobs, *Speech of Curtis W. Jacobs on the Free Colored Population of Maryland, Delivered in the House of Delegates* (Annapolis: Elihu S. Riley, 1860), 31.
- ⁴ A. W. Bradford to Edward Bates, May 9, 1862, *Exec Ltr Bk*, MdSA..
- ⁵ *National Intelligencer*, April 20, 1861.
- ⁶ Robert J. Brugger, *Maryland, a Middle Temperament, 1634-1980* (Baltimore: John Hopkins University Press, 1988), x.
- ⁷ Wagandt, vii.
- ⁸ Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland During the Nineteenth Century* (New Haven: Yale University Press, 1985), xi.
- ⁹ Fields, 104, 126.

II. The Shivering Volcano

- ¹ James Ryder Randall, *Maryland, My Maryland and Other Poems* (Baltimore: John Murphy Company Publishers, 1908), 12.
- ² *New York Times*, September 27, 1895.
- ³ Robert I. Cottom and Mary Ellen Hayward, *Maryland in the Civil War: A House Divided* (Baltimore: Maryland Historical Society, 1994), 124.
- ⁴ Office Board of Police Commissioners to the honorable the General Assembly of Maryland, May 3, 1861, OR 1:2, 9.
- ⁵ Report of Col. Edward F. Jones, Sixth Massachusetts Militia, April 22, 1861, OR 1:2, 7.
- ⁶ *Ibid.*, 7.
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VI. Conclusion

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