

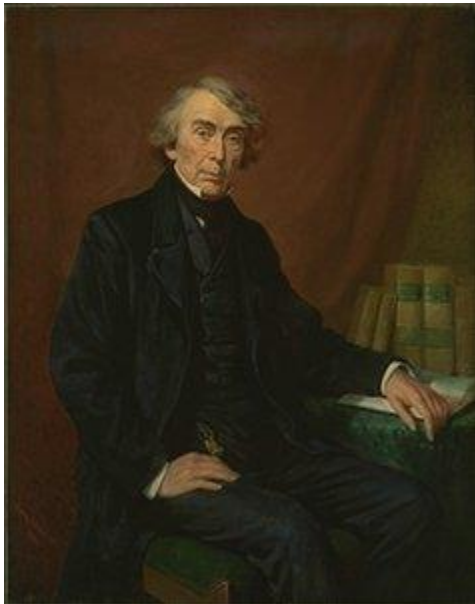
PART XI. NORTHERN TYRANNY

Unit Introduction: In part eleven we briefly examine the often overlooked or ignored issues involving the Union' governments abuse of power including short -circuiting the balance of power. a review of the Missouri-Kansas border wars and the increased carnage caused by Jayhawkers and Red legs. This section examines the forced enlistments of black Americans and their treatment in the Union army, and several orders issued by key Union commanders against the Southern people.

Unit Objective: To develop an awareness of Union governmental constitutional abuses and the uncivilized orders and action of Union forces during the war.

A. Lincoln's Tyranny: Abuse of the US Constitution

During the war period, President Abraham Lincoln made himself an enemy to many Northerners due to his disregard for them in the overall scheme of subjugation of the South. Soon after the outbreak of war, Lincoln sought to suspend the writ of habeas corpus. According to the Constitution this action was reserved to an act of Congress. Lincoln disregarded the Constitution and proceeded to arrest innocent citizens of states in the North, simply for speaking sympathetically for the South publicly. These people would never be charged with any crimes.



U.S. Chief Justice Roger B. Taney ruled that Lincoln had overstepped his power, maintaining that only Congress had the power to suspend the writ of habeas corpus. Taney's opinion seriously embarrassed Lincoln and his advisers. Southern sympathizers and Northern opponents of the war praised Taney as a partisan of civil liberties standing alone against military tyranny. Taney's opinion exacerbated the delicate situation in Maryland, a border state yet undecided in its commitment to the Union. Lincoln responded by threatening to arrest Chief Justice Taney. According to Marshal Lamon, "After due consideration the administration determined upon the arrest of the Chief Justice." Lincoln issued a presidential arrest warrant for Taney, but then arose the question of who should make the arrest and should Taney be imprisoned?" The warrant was produced to arrest Taney, following his opinion in the case of "Ex parte Merryman" in May 1861. It was finally determined to place the order of arrest in the hands of the United States Marshal for the District of Columbia. Lincoln gave the warrant to him, instructing Lamon to "*use his own discretion about making the arrest unless he should receive further orders.*" All the Merryman decision did, was to require the government to follow the ancient rule of English law which was set

forth in the Constitution, that only the Congress could take away the right of habeas corpus. That would have required Lincoln to call Congress into session, and ask Congress to suspend the right to habeas corpus.

The account of the warrant to arrest the Chief Justice cannot be found in any of the innumerable Lincoln biographies or accounts of the early days of the Civil War. Since it only recently surfaced, Lincoln historians and biographers have never mentioned the story, probably because it has been outside the main stream of historical information, and hence has not been known. Once it surfaced, Lincoln apologists and Civil War gatekeepers, have been quick to attack the account as a fabrication, because Lincoln would never have done such a thing; and, it would have set off "a political firestorm," so they say; and hence, it is just too preposterous to be true. The American Annual Cyclopedia and Register of Important Events of the Year 1865 stated that the total number of military arrests in the North, during the War Between the States, had been thirty-eight thousand. (*Columbia Law Review*, XXI, 527–28, 1921)

This presidential abuse of power and warping of the constitution would rank at the top of the list tyranny conducted in the North. It in effect destroyed the separation of powers; destroyed the place of the Supreme Court in the Constitutional scheme of government. It would have made the executive power supreme, over all others, and put the President, the military, and the executive branch of government, in total control of Northern society and invaded territories it controlled. Lincoln believed that the end justified the means, when the end was to preserve the Union through subjugation of the South and his objective was to be achieved regardless of the Constitution and rulings of the Supreme Court. Lincoln

expressed that policy to a Chicago clergyman: *"As commander in chief of the army and navy, in time of war, I suppose I have a right to take any measure which may best subdue the enemy."*



The records of the Provost Marshal's office, in Washington, D.C., also show that from June, 1861, until January 1, 1866, the cases of some thirty-eight thousand citizens had been arrested and made prisoner without the benefit of the writ of habeas corpus. Lincoln's Secretary of State, William H. Seward, allegedly told Lord Lyons, the British minister in Washington, that he *"could ring a bell on his desk and arrest a citizen anywhere in the United States. Could even the Queen of England do as much?"* Seward asked.

One of the most shocking cases of Lincoln's actions involved a Mr. Clement Vallandigham, a prominent politician from Dayton, Ohio. Vallandigham opposed preservation of the Union by war. After the Fort Sumter incident he had become the leader and chief spokesman of the Peace Democrats, or "Copperheads," so called because they wore copper pennies as identifying badges. To meet the Copperhead agitation, Lincoln declared the State of Ohio a military department and placed it under the command of U.S. Maj. General Ambrose T. Burnside. On May 1, 1863, Vallandigham, now running for governor, opposed this measure in a speech at Mount Vernon, Ohio. Burnside considered

the speech treasonable and ordered Vallandigham arrested and tried before a military court.



In the middle of the night of May 5, 1863, one day after the crushing Union defeat at Chancellorsville, Virginia, a company of U.S. troops barged into Vallandigham's home, broke down the door, and dragged him from his bed. He was hurried off to Cincinnati, Ohio, to be tried for sedition. As news of his arrest spread, a group of Vallandigham's friends gathered at 110 Main Street, the office of the Dayton Journal. The paper had made itself obnoxious to those who opposed the war. The

crowd became unruly, and the worried mayor of Dayton called out the fire department and extra policemen.



RUDE OF BROADWAY, ABOVE THE LAFABIR HOUSE, WHERE THE POLICE PUSHED THE RIOTERS, UNDER COMMAND OF INSPECTOR CAFFERTY.

Rioters cut the fire hose and threw rocks and blazing pitch-balls through the windows. One ball landed inside in a collection of newspapers, and soon the entire building was aflame. The fire spread to adjacent buildings and destroyed nearly half a downtown business block, doing some \$90,000 damage. In addition, the mob hindered the efforts of firefighters.

Republicans had feared a riot and earlier had asked General Burnside to detail troops to Dayton. These troops quickly brought the riot under control, and Dayton was placed under martial law. Burnside also suspended publication of the *Empire*, whose inflammatory editorials had fanned the flames of the riot, and arrested editor John. T. Logan.

At a farcical trial in Cincinnati, Vallandigham was put before eight U.S. officers for violation of Burnside's Order No. 38, which stated, "*GENERAL ORDERS, No. 38. HDQRS. DEPARTMENT OF THE OHIO, Cincinnati, Ohio, April 13, 1863. The commanding general*

publishes, for the information of all concerned, that hereafter all persons found within our lines who commit acts for the benefit of the enemies of our country will be tried as spies or traitors, and, if convicted, will suffer death. This order includes the following class of persons: Carriers of secret mails; writers of letters sent by secret mails; secret recruiting officers within the lines; persons who have entered into an agreement to pass our lines for the purpose of joining the enemy; persons found concealed within our lines belonging to the service of the enemy, and, in fact, all persons found improperly within our lines who could give private information to the enemy, and all persons within our lines who harbor, protect, conceal, feed, clothe, or in any way aid the enemies of our country. The habit of declaring sympathy for the enemy will not be allowed in this department. Persons committing such offenses will be at once arrested, with a view to being tried as above stated, or sent beyond our lines into the lines of their friends. It must be distinctly understood that treason, expressed or implied, will not be tolerated in this department. All officers and soldiers are strictly charged with the execution of this order. By command of Major-General Burnside"



Vallandigham refused to enter a plea in the sham proceedings, noting that "I am here in a military Bastille for no other offense than my political opinions." Regardless, Vallandigham was found guilty and sentenced to imprisonment at Fort Wagner in Boston Harbor. In reply to New York protesters, Lincoln said simply, "*The imprisonment of Mr. Vallandigham's case was to prevent injury to the military service.*" Protests against this arrest continued. Lincoln faced a major political embarrassment. If he undercut the court's findings, he would look soft on Copperheads; the last thing he wanted on the eve of a vital election. On the other hand, if he allowed the sentence to stand, Vallandigham would continue to be an obvious martyr to despotic injustice. Finally, faced by continued protests, Lincoln took action, commuting Vallandigham's prison sentence and having him conveyed, under a flag of truce, across Confederate lines at Murfreesboro, Tennessee, on May 25, 1863.

Vallandigham went on to North Carolina and then took passage to Bermuda and then left there to settle in Windsor, Ontario. While in Canada, the Ohio Democratic Party nominated him for governor. A 20-1 vote against Vallandigham by U.S. soldiers tipped the election in Republican John Brough's favor and Vallandigham's moment of political fame was over.

Traveling secretly, he unexpectedly appeared at the state Democratic convention in Hamilton, Ohio, later that summer, "by his own act and pleasure." Many Northerners protested Lincoln's actions with Vallandigham. The Lacrosse, Wisconsin Democrat said that Lincoln, "*is the fungus from the corrupt womb of bigotry and fanaticism...a worse tyrant and more inhuman butcher than existed since the day of Nero.*"

Even a longtime Lincoln supporter, New York diarist George Templeton Strong, was dismayed by Lincoln's policy of arresting innocent civilians. He said, "*Not one of the many hundreds illegally arrested and locked up for months has been publicly charged with any*

crime. All this is very bad - imbecile, dangerous, unjustifiable." Information from various sources received in August and September, 1861, convinced the U.S. government that there was a serious threat of the secession of Maryland. The secessionists of that state possessed about two-thirds of each branch of the state legislature, and the U.S. government had what it regarded as good reasons for believing that a secession convention of the legislature was about to be convened at Frederick on the 17th of September in order to pass an ordinance of secession.

On the 10th of September Hon. Simeon Cameron, Secretary of War, instructed U.S. General Banks to prevent the passage of any act of secession by the Maryland legislature, directing him to arrest all or any number of the members, if necessary, but in any event to do the work effectively.



On the same day the Secretary of War instructed U.S. General Dix to arrest six conspicuous and active secessionists of Baltimore, three of whom were members of the legislature. General Dix sent to Secretary Seward and General George B. McClellan marked lists of the legislature. In his letters he strongly approved of the intended arrests, and advised that those arrested should be sent to New York harbor by a special steamer. The total number of arrests made was about sixteen, and the result was the thorough upsetting of whatever plans the secessionists of Maryland may have entertained. Francis Key Howard, the grandson of Francis Scott Key, had been among many Baltimoreans arrested in September of 1861. By December 1862, he had finished a manuscript about his prison experiences, and the book made its appearance in print early in 1863. Howard's work made a special point *"to show how men who were guiltless were treated in this age, and in this country"* and stressed the crowded conditions and Spartan hardships of prison life.



Howard was arrested on the morning of September 13, 1861, at about 1 o'clock, by order of U.S. General Banks, and taken to Fort McHenry. Howard said of his condition, "When I looked out in the morning, I could not help being struck by an odd and not pleasant coincidence. On that day forty-seven years before my grandfather, Mr. Francis Scott Key, then prisoner on a British ship, had witnessed the bombardment of Fort McHenry. When on the following morning the hostile fleet drew off, defeated, he wrote the song so long popular throughout the country, the Star-Spangled Banner. As I stood upon the very scene of that conflict, I could not but contrast my position with his, forty-seven years before. The flag which he had then so proudly hailed, I saw waving at the same place over the victims of as vulgar and brutal a despotism as modern times have witnessed."

Missouri was the unhappy birthplace of trials by military commission in the United States. For a four-year period, then, Congress indulged the military establishment's view that it must be able to deal with its direct suppliers by the methods of military discipline and justice. Thus the trials of contractors listed in the judge advocate general's register of

courts-martial were technically courts-martial and not trials by military commission. The congressional act of July 17, 1862, made some army contractors triable by courts-martial. Congress went further in 1863 and made defaulting contractors a part of the army, subject to the articles of war.

More than half (55.5%) of the trials of military commission of civilians occurred in the strife-torn border states of Missouri, Kentucky, and Maryland. By far the largest number from any single state occurred in Missouri. Dozens of British, Irish, or Canadian citizens were arrested and still more prisoners claimed foreign citizenship in hopes of being released. For such persons, the State Department was the logical place to inquire, but other distressed relatives and lawyers must have been puzzled about whom to approach. Lincoln never issued a public proclamation giving authority over these matters to the State Department. The War and Navy departments also made arrests on their own, and State's authority over civilian prisoners was never certain or clear, nor necessarily effective. Generals made arrests, and state officials ordered them as well.

At a Democratic mass meeting in Lima, Ohio, in the fall of 1863, the central theme of the elaborate floats in the giant parade was "*Eternal vigilance is the price of liberty.*" That particular slogan appeared on a wagon holding sixty-four ladies pulled by a sixteen-horse team. "*Peace, and no Dictator!*" proclaimed another float, while six four-horse teams pulled wagons with girls aged five to nine chanting "*Vallandigham and Liberty.*" Over five hundred women rode horseback in the parade, and there were over three hundred wagons. Eight horses pulled a float called the "Lincoln Bastille," with eight old men representing prisoners in Ohio's different military prisons.

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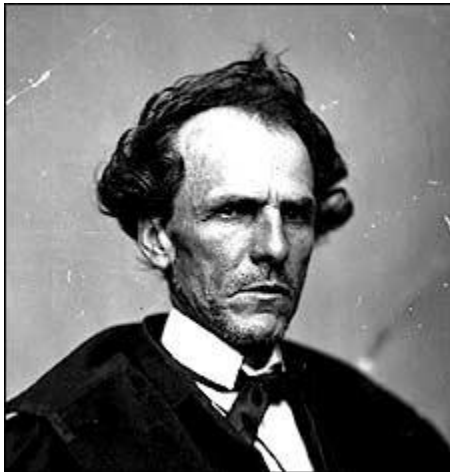
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B. Terror in Missouri, The Jayhawkers, Red Legs, Lane, and Jennison.

James H. Lane was known as the "Grim Chieftain" for the death and destruction he brought on the people of Missouri. As a United States Senator from Kansas , Lane returned to his home state in the summer of 1861 to organize what was called "Lane's



Brigade or Lane's frontier Guard". It was the first military organization to reach Washington in 1861 from the west. His brigade was composed of Kansas infantry and cavalry. This force was, in fact, a ruthless band of Jayhawkers (plundering marauders) wearing United States uniforms. Lane was to retain his Senate seat while occasionally rampaging through Missouri. In western Missouri, the conflicting sentiments of Missouri residents were further complicated by proximity to Kansas and an almost decade long conflict between the residents of the two states. Many Kansans regarded Missourians as crude Southerners, devoid of education and culture. Many Missourians, conversely, regarded Kansans as fanatical

busy bodies who threatened to disrupt order with their wild abolitionist schemes. When war came, many prominent Kansas agitators of the 1850s saw the war as an opportunity to punish backward and disloyal Missourians. "Assuming all Missourians to be enemies," writes Michael Fellman, "*Kansas regiments believed it was their task to suppress them, to strip them of the means of resistance to Union authority as systematically as possible.*"

From the first the local authorities, civil and military, had regarded the brigade with apprehension. Kansas Governor Robinson wrote "*We are in no danger of invasion,*" *General Fremont, commander of the Western Department, September 1st, "provided the government stores at Fort Scott are sent back to Leavenworth, and the Lane brigade is removed from the border. It is true small parties of secessionists are to be found in Missouri, but we have good reason to know that they do not intend to molest Kansas"* He further stated "*when a guerrilla party came over and stole some property from our citizens,*

the officers in command of the Confederates compelled a return of the property, and offered to give up the leader of the gang to our people for punishment. But what we have to fear, and do fear, is, that Lane's brigade will get up a war by going over the line, committing depredations, and then returning into our state. This course will force the secessionists to retaliation] and in



this they will be joined by nearly all the Union men of Missouri. If you will remove the supplies at Fort Scott to the interior, and relieve us of the Lane brigade, I will guaranty Kansas from invasion"

Charles Jennison, a Kansas Militia leader was sent by Lane to restore peace to the border. Missourian, Russell Hinds made the mistake of crossing the Kansas line to visit his mother. Hinds was accused of having caught a fugitive slave and hauling him back to Missouri. Jennison held a vigilante trial. Hinds was found guilty and hanged. A week later, Jennison held another vigilante trial for a named Samuel Scott of Linn County, Kansas who was accused of participating in the lynching of two free-state men. He was found guilty and hanged. Another man named Lester D Moore was also accused of the lynching and knowing the fate of Hinds and Scott, refused to surrender and was killed. Jennison and his company of

Redlegs, attacked Morristown in July of 1861, plundering the village. They took seven men as prisoners. They were court-martialed and sentenced to death. Their graves were dug and they were forced to kneel down beside them. They were blindfolded and shot. The



graves were covered and Jennison and his men rode off. In September 1861, Jennison raided Independence, Missouri. The male residents were herded to the Town Square where they were prodded with points of sabers and bayonets while Jennison's Redlegs threatened to kill them. Jennison's routes were marked with burning buildings, pillage and death. Many citizens were murdered by Union troops. Men were called to their doors at night by militia and shot dead or were taken from their homes and hung.

Union Captain Prince, in command at Fort Leavenworth, wrote Lane September 9th: "

hope you will adopt active and early measures to crush out this marauding which is being enacted in Captain Jennison's name, as also in yours, by a band of men representing themselves as belonging to your command."

In September of 1861 Lane and his men descended on the boarder town of Osceola, Missouri. This community of 2,000 was the county seat of St. Clair County, Missouri. It was here that Lane and his "Red Legs" established their criminal reputation. His troops wore red leather leggings thus giving them their unique name. James Montgomery was

colonel of the Third regiment and Jennison of the Seventh. These two men, as well as Lane, were anxious to wreak vengeance upon the Missourians. When Lane's troops found a cache of Confederate military supplies in the town, Lane decided to wipe Osceola from the map. First, Osceola was stripped of all of its valuable goods which were loaded into wagons taken from the townspeople. Then, nine citizens were given a farcical trial and shot. Then Lane's men went on a wild drinking spree. Finally, his men brought their frenzy of pillaging, murder and drunkenness to a close by burning the entire town, a senseless act of terror providing no military advantage to the Union. Over \$ 1,000,000 worth of property damage was done including that belonging to pro-Union citizens. Lane's brigade is noted in stealing 360 horses, 400 head of cattle, and 200 slaves. The brigade left the destruction heavily encumbered with plunder. said Lane,



"Everything disloyal must be cleaned out," and never were orders more literally or cheerfully obeyed. Even the chaplain succumbed to the rampant spirit of thievery, and plundered Confederate altars in the interest of his unfinished church at home. Among the spoils that fell to Lane personally there was a fine carriage, which he brought to Lawrence for the use of his household. Later, in November 1861, Kansas troops led by Jennison came across the border into Jackson County Missouri, where they terrorized suspected secession residents.

At intervals Lane's Red-legs gangs would dash into Missouri, seize horses and cattle, not omitting other and worse outrages on occasion, then return with their booty to Lawrence, where it was defiantly sold at auction. Red-legs were accustomed to brag in Lawrence that nobody dared to interfere with them. They did not hesitate to shoot inquisitive and troublesome people. At Lawrence the livery stables were full of their stolen horses. One day three or four Red-legs attack a Missourian who was in town searching for lost property. They gathered about him with drawn revolvers and drove him off very unceremoniously. The gang contained men of the most desperate and hardened character, and a full recital of their deeds would sound like the biography of devils. Either the people of Lawrence could not drive out the freebooters, or they thought it mattered little what might happen to Missouri disloyalists. Governor Robinson made a determined, but unsuccessful effort to break up the organization. The Red-legs repaid the interference by plots for his assassination, which barely miscarried.

After complaints were received over and over about Jennison and his company of Redlegs the 7th Volunteer Regiment, they were ordered to go to New Mexico. Upon receiving the orders, Jennison gave a speech to incite desertion; he was arrested and jailed. Powerful abolitionists in Washington DC secured his release and he and his regiment were sent to Kentucky instead.

Lane made a furious harangue at Leavenworth October 8th in defense of his campaign. He wrote President Lincoln the next day: *"I succeeded in raising and marching against the enemy as gallant and effective an army, in proportion to its numbers, as ever entered the field. Its operations are a part of the history of the country. Governor Charles Robinson has*

constantly, in season and out of season, vilified myself and abused the men under my command as marauders and thieves." When Union General Hunter took charge of the department in November, Lane's brigade, according to the report of Assistant Adjutant-General C. G. Halpine, was *"a ragged, half-armed, diseased, mutinous rabble, taking votes whether any troublesome or distasteful order should be obeyed or defied. Had the department, as previously, been without troops from other states, there is every probability that a general mutiny would have taken place instead of the partial mutinies which have been suppressed."* The thieving, foot-pad, devastating expedition of Lane's brigade did much to incite animosities and reprisals, whose ghastly work sent horror through the country.

Lane unfolded his plans for further raids shaped evidently by the recent experiences of his brigade, to General McClellan. He proposed to extirpate disloyalty in Missouri and Arkansas. If conciliatory methods should not be successful, he would employ the most violent. *"Sir, if I can't do better I will kill the white rebels, and give their lands to the loyal blacks!"*



Rumors reached General Halleck that Lane would be commissioned brigadier-general, and he immediately forwarded a remonstrance to headquarters. *"I cannot conceive a more injudicious appointment,"* he wrote General McClellan. *"It will take twenty thousand men to counteract its effect in this state, and, moreover, is offering a premium for rascality and robbery."* President Lincoln indorsed upon Halleck's communication, which was of considerable length, and touched various topics -- *"an excellent letter; though I am sorry General Halleck is so unfavorably impressed with General Lane."* Concerning the "expedition" Halleck said *"I protest against any of his [Lane's] jayhawkers coming into this department, and said positively that I would arrest and disarm every one I could catch."*

Lane's military intrigues reached their final stage in his appointment July 22d, 1862, as "Commissioner for Recruiting in the Department of Kansas." He proceeded to organize regiments, completely ignoring the state authorities in whose hands the laws and the constitution placed the whole business. At this time he began to enlist colored men protesting that *"a nigger can stop a bullet as well as a white man."* But Lane's scheme did not altogether succeed. Governor Robinson, who proposed to stand upon his constitutional rights, declined to commission the officers whom Lane had appointed. The secretary of war telegraphed that if the state executive did not issue the commissions the War Department would. Robinson would respond *"You have the power to override the constitution and the laws but you have not the power to make the present governor of Kansas dishonor his own state."*

Lane was involved in serious Indian fraud which preyed upon his mind until it is thought he became deranged. Charged with financial irregularities, Lane shot himself on July 1, 1866, but lingered ten days, dying on July 11.

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C. The Forced Enlistment and Mistreatment of Southern Blacks Into the U.S. Army

Much is said about ex-slaves who enlisted in the U.S. army to "fight for their freedom." Much evidence is available to dispute the totality of this statement. In South Carolina,



Brigadier General Rufus Saxton, Military Governor, U.S. Forces at Beaufort, on December 30, 1864, reported to Secretary of War Stanton: *"SIR: I have the honor to report my doings for the current year, under the special instructions of June 16, 1862, from the War Department: By your instructions of August 25, 1862, I was authorized and instructed to organize and receive into the service of the United States as soldiers "volunteers of African descent" not exceeding 5,000, and to detail officers to command them. The whole number of colored troops recruited in the department, both by myself and others,*

falls much short of the number contemplated in your instructions.

Several occurrences had led them to doubt our good faith, who professed to come as their deliverers. They were fully aware of the contempt, oftentimes amounting to hatred, of their ostensible liberators. They felt the bitter derision, even from officers of high rank, with which the idea of their being transformed into available soldiers was met, and they saw it was

extended to those who were laboring for their benefit. When their own good conduct had won them a portion of respect, there still remained widespread distrust of the ultimate intention of the Government.

In these circumstances the recruiting went on slowly, when the major-general commanding (General Foster) ordered an indiscriminate conscription of every able-bodied colored man in the department. As the special representative of the Government in its relation to them, I had given them earnest and repeated assurances that no force would be used in recruiting the black regiments. I say nothing of this order, in reference to my special duties and jurisdiction and the authority of the major-general commanding to issue it; but as an apparent violation of faith pledged to the freedmen, it could not but shake their confidence in our just intentions, and make them the more unwilling to serve the Government.

The order spread universal confusion and terror. The negroes fled to the woods and swamps, visiting their cabins only by stealth and in darkness. They were hunted to their hiding places by armed parties of their own people, and, if found, compelled to enlist. This conscription order is still in force. Men have been seized and forced to enlist who had large families of young children dependent upon them for support and fine crops of cotton and corn nearly ready for harvest, without an opportunity of making provision for the one or securing the other.

Three boys, one only fourteen years of age, were seized in a field where they were at work and sent to a regiment serving in a distant part of the department without the knowledge or consent of their parents.

A man on his way to enlist as a volunteer was stopped by a recruiting party. He told them where he was going and was passing on when he was again ordered to halt. He did not stop and was shot dead, and was left where he fell. It is supposed the soldiers desired to bring him in and get the bounty offered for bringing in recruits.



Another man who had a wife and family was shot as he was entering a boat to fish, on the pretense that he was a deserter. He fell in the water and was left. His wound, though very severe, was not mortal. An employee in the Quartermaster's Department was taken, and without being allowed to communicate with the quartermaster or settle his accounts or provide for his family, was taken to

Hilton Head and enrolled, although he had a certificate of exemption from the military service from a medical officer. I protested against the order of the major-general commanding (General Foster) and sent him reports of these proceedings, but had no power to prevent them. The order has never to my knowledge been revoked.

I found the prejudice of color and race here in full force, and the general feeling of the army of occupation was unfriendly to the blacks. It was manifested in various forms of personal

insult and abuse, in depredations on their plantations, stealing and destroying their crops and domestic animals, and robbing them of their money. The women were held as the legitimate prey of lust, and as they had been taught it was a crime to resist a white man they had not learned to dare to defend their chastity.

Licentiousness was widespread; the morals of the old plantation life seemed revived in the army of occupation. Among our officers and soldiers there were many honorable exceptions to this, but the influence of too many was demoralizing to the negro, and has greatly hindered the efforts for their improvement and elevation.

There was a general disposition among the soldiers and civilian speculators here to defraud the negroes in their private traffic, to take the commodities which they offered for sale by force, or to pay for them in worthless money. At one time these practices were so frequent and notorious that the negroes would not bring their produce to market for fear of being plundered. Other occurrences have tended to cool the enthusiastic joy with which the coming of the "Yankees" was welcomed.

When they were invited to enlist as soldiers they were promised the same pay as other soldiers; they did receive it for a time, but at length it was reduced, and they received but little more than one-half what was promised. The questions of the meaning and conflicts of statutes which justified this reduction could not be made intelligible to them. To them it was simply a breach of faith. It is first of all essential to the success of the efforts of the Government in their behalf that the negroes shall have entire confidence in its justice and good faith. These things fill them with doubt and apprehension. They know as yet very little of political mechanism or gradation of authority, and hence every white man is in their eyes the Government.

Their conceptions are too confused to enable them to distinguish clearly between official acts and the wanton outrages of individuals. I had no independent power to prevent or punish these violences and wrongs. The aid and protection in my operations which the commander of the department was instructed to afford were not always promptly or efficiently rendered. " R. SAXTON, Brigadier-General of Volunteers.

Edward L. Pierce, special agent, Treasury Department, wrote Secretary of the Treasury Salmon P. Chase on May 12, 1862, from Port Royal Island, South Carolina: "This has been a sad day on these islands. I do not question the purpose which has caused the disturbance, as in many respects it is praiseworthy; but practical injustice and inhumanity may often consist with a benevolent purpose.

Last evening (Sabbath) I received a messenger from General Stevens bringing an order from General Hunter requiring all able-bodied negroes between eighteen and forty-five to be sent early this morning to Beaufort, and from thence to go at once to Hilton Head, where they were to be armed.

To my question if he had considered the propriety of taking the foreman and plowman away, he replied that he had not until my letter came, and he was willing they should remain. To my question if he intended to enroll these people against their will, he said he did not. To my

question if I might so communicate to them, he said he preferred I should not, but he would make the assurance to me.



He said that it would then pass into General Saxton's hands and he might do as he pleased. I told him I yielded full obedience and co-operation, but I trusted he understood how totally his order conflicted with my views. He was gracious, but

evidently felt committed to something which must go through. I sought General Benham and conferred with him. The result is that, as far as I can find, he (General Hunter) has not consulted with any of his brigadier-generals and the project was exclusively his own. He has never consulted me, or any of the superintendents, who come in direct contact with these people, as to the plan or their feelings or disposition to bear arms, something of course essential, in order to lay the basis for wise and steady action. A fortnight ago he sent me a letter by James Cashman, a colored man, saying the bearer was authorized to enlist 100 men on Ladies and Saint Helena and desired my co-operation, which I at once gave. Cashman was getting recruits, and had got perhaps twenty-five or fifty. I gave him a circular letter to the superintendents, requesting them to encourage all persons disposed to enlist, however important to the plantations. That original plan of General Hunter I agreed with, and I as much disagree with his last.

General Hunter has been evidently acting in this matter upon certain notions of his own which he has been revolving in his mind, rather than upon any observation of his own or the testimony of others as to the feelings and dispositions of these people, which was of course the first thing to be considered. As a general rule they are extremely averse to bearing arms in this contest. They have great fear of white men, natural enough in those who have never been allowed any rights against them, and dread danger and death. They are to be brought out of this unmanliness with great caution and tact, and the proceedings of to-day, managed as they have been with a singular forgetfulness of their disposition, will only increase their aversion to military service.

I now come to the scenes of today, which have been distressing enough to those who witnessed them. Some 500 men were hurried during the day from Ladies and Saint Helena to Beaufort, taken over in fiats and then carried to Hilton Head in the Martano. The negroes were sad enough, and those who had charge of them were sadder still. The superintendents assure me they never had such a day before; that they feel unmanned for their duties, and as if their work had been undone. They have industriously, as subordination required, aided the military in the disagreeable affair, disavowing the act. Sometimes whole plantations, learning what was going on, ran off to the woods for refuge. Others, with no means of escape, submitted passively to the inevitable decree.

Tomorrow I shall address General Hunter with a more full description, and I will herewith send a copy of the letter, also enclosing the testimony of some superintendents, and to the letter and testimony I ask your attention. The mischief done cannot easily be remedied. The return of these people will not remove it. The arming of these negroes by entirely voluntary

enlistments is well, but this mode of violent seizure and transportation even to Hilton Head alone, spreading dismay and fright, is repugnant. It should not be done with white men, least of all with blacks, who do not yet understand us, for whose benefit the war is not professed to be carried on, and who are still without a Government solemnly and publicly pledged to their protection. I have been full in my report on this matter, as General Saxton, not yet arrived, may not have been provided with power and instructions to meet this difficulty. The subtraction of so large a field force leaves but a few more than are necessary to cultivate the provision crop. What shall be done with the 5,000 acres of cotton planted, most of which is up and growing?

Yours, truly, EDWARD L. PIERCE, Special Agent Treasury Department''



The next day at Pope's Plantation, Saint Helena Island, Pierce wrote to U.S. Major General David

Hunter: "...scenes transpiring yesterday in the execution of your order...The colored people became suspicious of the presence of the companies of soldiers detailed for the service, who were marching through the islands during the night...They were taken from the fields without being allowed to go to their houses even to get a jacket..." "There was sadness in all. As those on this plantation were called in from the fields, the soldiers, under orders, and while on the steps of my headquarters, loaded their guns, so that the Negroes might see what would take place in case they attempted to get away..." "On some plantations the wailing and screaming were loud and the women threw themselves in despair on the ground. On some plantations the people took to the woods and were hunted up by the soldiers...I doubt if the recruiting service in this country has ever been attended with such scenes before."

On May 13, L.D. Phillips at Dr. Pope's Plantation, also wrote to Pierce: "The whole village, old men, women, and boys, in tears, (were) following at our heels. The wives and mothers of the conscripts, giving way to their feelings, break into the loudest lamentations and rush upon the men, clinging to them with the agony of separation...Some of them, setting up such a shrieking as only this people could, throw themselves on the ground and abandon themselves to the wildest expressions of grief..." "The old foreman [at Indian Hill]...said it reminded him of what his master said we should do...I have heard several contrast the present state of things with their former condition to our disadvantage." "This rude separation of husband and wife, children and parents, must needs remind them of what we have always stigmatized as the worst feature of slavery...Never, in my judgment, did major-general fall into a sadder blunder and rarely has humanity been outraged by an act of more unfeeling barbarity."

Five and a half months later on October 29, Brigadier General Rufus Saxton in Beaufort informed Secretary of War Stanton, "*When the colored regiment was first organized by General Hunter no provision was made for its payment, and the men were discharged after several months' service, receiving nothing for it. In the meantime their families suffered...This failure to pay them for their service has weakened their confidence in our promises for the future and makes them slow to enlist.*"

At the Battle of the Crater the United States Colored Troops were used as cannon fodder by their Yankee commanders. When they retreated under severe fire they were killed by the Union soldiers who had waited for them to absorb the brunt of casualties. George L. Kilmer, an officer of the Fourteenth New York Heavy Artillery, went into the crater with the first wave and reported afterward that when the United States Colored Troops moved forward to charge the fortifications, some of white soldiers refused to follow them. Pandemonium broke out when the black soldiers could not continue the assault and started to retreat, returning to the crater. "*Some colored men came into the crater and there they found a fate worse than death in the charge . . . It has been positively asserted, that white men [Union] bayoneted blacks who fell back into the crater.*"

At the Battle of Olustee, it was reported by Lieut. M. B. Grant, of the Confederate Engineers "*Their force was, at the lowest estimate, twice that of ours. As usual with the enemy, they posted their negro regiments on their left and in front, where they were slain by hundreds, and upon retiring left their dead and wounded negroes uncared for, carrying off only the whites, which accounts for the fact that upon the first part of the battle-field nearly all the dead found were negroes.*"



The Following is specifically found in "*The South Was Right: The criminal, terrorist activities of the United States military during the War for Southern Independence produced massive suffering that was endured by both the black and the white civilian population. In this section we will focus on examples of the suffering endured by black Southerners. The majority of these accounts come directly from the federal government's own official records. It should be noted that, while the official records contain some of the many accounts of atrocities committed by the Northern troops, it is by no means a complete collection. It was not the intent of the Yankee officers who completed these reports to document their crimes. Also, even if an officer wanted to report such crimes, it is very unlikely that his subordinates were eager to include their confessions in their reports. Therefore the official records could not possibly contain the whole story of our people's sufferings.*

Late in the war, the Federal authorities admitted that the influence of the United States army upon the black Southern population had produced an undesirable effect. Sarah Debro, a ninety year-old former slave, gave this account in 1937: "*I waz hungry most of de time an' had to keep fightin' off dem Yankee mens. Dem Yankees was mean folks.*"

The following is a small sample of the atrocities committed by Northern troops against

black Southerners during the War of Northern Aggression.

Northern Missouri: On August 13, 1861, Secretary of War Simon Cameron received a letter containing information about United States military forces *"committing rapes on the negroes."*

Athens, Alabama: The court-martial record of Lincoln's buddy Turchin dated May 2, 1862, contains information about an attempt to commit *"an indecent outrage"* on a servant girl. It also notes that a part of the brigade, *"quarter[ed] in the negro huts for weeks, debauching the females."*

Woodville, Alabama: The activities of the Third Ohio Cavalry in August of 1862 included this entry: *"negro women are debauched."*

Memphis, Tennessee: The Yankee soldiers had been fed a steady diet of lies about so-called slave breeding plantations and the familiarity of Southern male slave owners with their female slaves. The reality of a black race with high moral standards was incomprehensible to the Yankee invader. Therefore the Yankee ordered much of his conduct to match his preconceived notions of the accepted social relationships down South. This can be seen in this report from Memphis on April 7, 1864: *"The [white] cavalry broke en masse in the camps of the colored women and are committing all sorts of outrage."*

Bayou Grande Cailou, Louisiana: The Sixteenth Indiana Mounted Infantry sent invaders into a civilian area which resulted in the following account: *"Mr. Pelton . . . reported that a soldier had shot and killed a little girl and had fired at a negro man on his plantation. I . . . proceeded to the place, where I found a mulatto girl, about twelve or thirteen years old, lying dead in a field. I learned from the negro man . . . that the girl had been shot by a drunken soldier, who had first fired at one of the men ... [who] had witnessed the killing...."*⁵⁹ On November 20, Gen. Robert A. Cameron reported, *"I heard by rumor ... one of [Capt. Columbus Moore's] men had attempted to rape a mulatto girl and had shot and killed her for resisting."*

Augusta, Georgia: *"The colored citizens wander around at all hours of the night, and many in consequence have been robbed and abused by scoundrels dressed as United States soldiers.... The conduct of the Fourth Iowa Cavalry . . . was such as reflects disgrace on both officers and men.... Firing so as to cause a colored woman to lose her arm; likewise committing robberies."*



Covington, Tennessee: Late in 1862, a campaign was conducted in the vicinity of Covington that produced the following official report: *". . . some of the men [of the Second Illinois Cavalry] behaved more like brigands than soldiers. They robbed an old negro man...."*

Robertsville, South Carolina: The Yankee did not distinguish between white or black Southerner nor between free black or slave when he released the dogs of war upon our Southern homeland. On January 31, 1865, the following report was issued: "*The indiscriminate pillage of houses is disgraceful.... houses in this vicinity, of free negroes even, have been stripped . . . shocking to humanity.*"

Nashville, Tennessee: "*Officers in command of colored troops are in constant habit of pressing all able-bodied slaves into the military service of the United States.*" Notice the complaint is that officers are in "*constant habit,*" not just given to an occasional infraction.

Huntsville, Alabama: General Ulysses Grant received a communiqué on February 26, 1864, informing him that, "*A major of colored troops is here with his party capturing negroes, with or without their consent.... They are being conscripted.*" Notice that the term used is "*capturing negroes,*" not enlisting or drafting them.

New Bern, North Carolina: On September 1, 1864, Gen. Innis N. Palmer reported to Gen. Benjamin F. Butler about the difficulty he was having convincing Southern blacks to help in the fight for their liberation. He stated: "*The negroes will not go voluntarily, so I am obliged to force them.... The matter of collecting the colored men for laborers has been one of some difficulty but I hope to send up a respectable force.... They will not go willingly.... They must be forced to go.... this may be considered a harsh measure, but . . . we must not stop at trifles*" What is it called when someone forces another human being to labor against his will-sounds like slavery to us but the Yankees called it "trifles."

Louisville, Kentucky: Major General Innis N. Palmer on February 27, 1865, issued General Order Number 5 confirming the generally accepted theory of the laws pertaining to the enlistment of civilians for military services in an occupied country: "*Officers charged with recruiting colored troops are informed that the use of force or menaces to compel the enlistment of colored men is both unlawful and disgraceful.*"

Fort Jackson, Louisiana: On December 9, 1863, a United States officer at Fort Jackson became angry with two black drummers and fell upon them, beating them with a mule whip. The black soldiers were forced to stand in formation and watch as the white officer mercilessly flogged the young drummers. When the formation was dismissed, the black men, all Union soldiers, rushed the fort's armory, seized their weapons, and with cries of "kill all the damn yankees" began to fire their weapons into the air. Two companies of black Union soldiers joined in and a general revolt against Yankee racial bigotry was underway. With great effort, the white officers persuaded the black soldiers to end their revolt and return to their quarters.

Craney Island, Virginia: Both black and white Southerners were needlessly subjected to the terror of starvation by terrorist acts of United States troops. From Virginia we find one of many examples of the sufferings borne by black Southerners: "*. . . the colored people . . . have been forced to remain all night on the wharf without shelter and without food; . . . one has died, and . . . others are suffering with disease, and . . . your men have turned them out of their houses, which they have built themselves, and have robbed some of them of their money*"

and personal effects." This communiqué was sent on November 26, 1862. Some Yankee apologists have claimed that the horror against civilians occurred only after many years of bitter war- though we are curious to know how many years of war are necessary to justify any amount of cruel and inhumane conduct against innocent civilians?



Bisland, Louisiana: During the invasion of Cajun Louisiana, the Yankee targeted slaves as part of the loot to be acquired. "Contraband" was a term used to denote slaves enticed or forced away from their masters' plantations. These poor people very often would end up serving in the Federal army or working on a government plantation. When the Confederate forces recaptured the area around Bisland, Louisiana, they discovered the pathetic condition in which these former slaves were forced to live while enjoying the charity of the United States government. One account states that two thousand of these people perished as a result of following, or being forced to follow, the Federal army in retreat. In view of the shallow graves in which many had been hastily placed, the comment was made, "They have found their freedom." The horror of a local sugar house has been described by at least two separate eyewitnesses who were either Confederate soldiers or masters searching for their former slaves. The small house was filled with dead or dying Negroes. Some were "being eaten by worms before life was extinct." The roads "were lined with Negroes half starved, almost destitute of clothing, sick and unable to help themselves; the only question of the poor wretches, who had been two months experiencing Federal sympathy and charity, was the inquiry if their master was coming after them." The Federal army, in spite of its abundance, did not provide for these people. When their fellow Southerners discovered short on every necessity. With their fellow Southerners discovering their plight, the Confederate army, short on every necessity, assigned transportation and such food and medicine as it had at its disposal to the salvation of these poor, suffering people. Let it be remembered that it was the compassion of their fellow Southerners and the assistance of the Confederate army that saved the lives of these black Southerners.

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"Report of Lieut. M. B. Grant, C. S. Engineers, of engagement at Olustee" Official Records (War of the Rebellion) SERIES I--VOLUME XXXV/1 [S# 65] FEBRUARY 5-22, 1864.-- The Florida Expedition. No. 18

D. General Benjamin Butler "The Beast" in Louisiana

Louisiana has always been viewed as two unique portions: the Southern, or Cajun, area with its rich French and Catholic traditions, and the Northern, Scotch-Irish and Protestant section. When war began, both sections contributed to the defense of their home state and they both suffered for their devotion to the true spirit of the constitution.



United States General Benjamin Butler earned two distinctive nicknames for his actions during his invasion of Louisiana. He was called Butler the "Beast" for many degradations that he placed against the defenseless civilian population of Louisiana. He was also

called "Spoons" Butler for his reputation of stealing silverware from the homes of the civilian population of Louisiana.

Butler was also made famous for his Order no. 26, which stated, *"As the officers and soldiers of the United States have been subject to repeated insults from the women (calling themselves ladies) of New Orleans, in return for the most scrupulous non-interference and courtesy on our part, it is ordered that hereafter when any female shall by word, gesture or movement, insult or show contempt for any officer or soldier of the United States, she shall be regarded and held liable to be treated as a woman of the town plying her avocation."* Some of the "contempt" the women displayed:

1. Leaving street cars when Union soldiers boarded them.
2. Walking across the street rather than passing Union soldiers.
3. Singing "Dixie" in public.
4. Turning their backs when Union soldiers walked by.

When the Mayor of New Orleans, John Monroe, protested this order Butler had him arrested.



When the U.S.S. Pensacola landed in New Orleans on April 26, 1862, after the evacuation of the city by Confederate General Mansfield Lovell, a small force of U.S. soldiers entered into the defenseless city and hoisted the United States flag over the Mint Building and then retired to their ship. Unoccupied and unwilling to see the hated emblem of tyranny flying above the city, a young man of twenty-one years climbed to the roof and removed the United States flag. Being young and patriotic was not considered a virtue by Butler's troops. General Butler demanded that the man responsible for the act be thrown in jail. The young man was arrested and sentenced to death by hanging for the act of lowering the United States flag. News of this decree swept the city and the South. All of the city, including the mayor, leading citizens, and church leaders pleaded with the Yankee invaders for the life of the young man. Young William Mumford was hanged. A small portion of the rope which was used to murder this innocent young man is maintained in the Confederate Memorial Hall in New Orleans to this day.



As the United States army then moved out of New Orleans, they left a trail of devastation and degradation to innocent civilians throughout Louisiana. Some of the acts recorded in "The South Was Right" include:

In Lafayette: At the home of an infirm and bed-ridden man, all valuables were taken, including the covering on which the invalid was lying.

At Petite-Anse Island: United States soldiers entered the home of a man ninety years old, taking all his clothing and other valuables including the covers from his bed.

At St. Mary Parish: United States troops ransacked the home of a Mr. Goulas, stripping his family of all their clothes, even the infant's clothes, and all bedding.

At Fausse Pointe: While in the process of being robbed by U.S. troops, a Mr. Vilmeau heard his wife crying for help. Going to her aid, he found several soldiers fighting with her for her personal jewelry. While one succeeded in getting a ring from her hand by biting her finger, causing it to bleed profusely, another jerked her earrings out of her ears, tearing the flesh and causing them to bleed. Vilmeau was shot twice while trying to assist his bleeding wife.

At Morgan City: Even the resting place of the dead was not left alone by the U.S. soldiers. In this city the late Dr. Brashear's tomb was broken into by the Yankees, and his earthly remains were tossed out. His metal coffin was taken for their own use.

At New Iberia: The materials from graves were used for chimneys and hearthstones for the United States army. The cemetery was used as a horse corral. While the families of the deceased watched in horror, the U.S. troops ransacked the burial vaults of the dead, scattering the remains upon the ground.

The U.S. troops would not remain completely victorious though, as Confederate troops met and defeated the invaders and sent them back to New Orleans. U.S. General Nathaniel Banks then ordered another expedition into Louisiana's heartland. This time he attempted to take his army to Texas via Shreveport.



This invasion of Northwest Louisiana also met with the same disaster for the Yankees. At the Battle of Mansfield, the United States troops were completely defeated by General Taylor. The following day, the U.S. Army was hit again by the Confederates at the Battle of Pleasant Hill, Louisiana. All this pressure was enough to cause the U.S. troops to retreat down the Red River into Alexandria.

It was in Alexandria that the invaders, with the victorious Confederates hot on their heels, decided to vent their wrath on the defenseless people and town. Upon the United States troops withdrawal, without any notice given to the inhabitants, the U.S. troops set fires that spread throughout the town. Very little was saved; women and children were forced from their homes by the inferno and driven by the flames down to the river's edge to escape the heat. A Yankee reporter from the St. Louis Republican was so moved by this wanton, barbaric act that he wrote an account of the burning. He stated, "*Women gathering their helpless babes in their arms, rushing frantically through the streets with screams and cries that would have melted the hardest hearts to tears; little boys and girls, running hither and thither crying for their*

mothers and fathers; old men leaning on a staff for support to their trembling limbs, hurrying away from the suffocating heat of their burning dwellings and homes."

He went on to say how the people were driven to the river to save themselves, salvaging only the clothes on their backs. Ninety percent of the city was consumed by the fires set by the United States troops.

The United States troops, expecting to find the most horrid examples of slavery when they entered the South, were shocked to find numerous free blacks living in the South but were even more shocked to find that many of these free blacks were slaveholders themselves.

In Louisiana, at the Olivier Plantation, the U.S. troops were surprised to find that the owner was a widowed, free lady of color who presided over a large plantation run by slave labor. A member of the Twelfth Connecticut in a letter home stated that he had been surprised to find as many free blacks down South as he had seen in the larger cities of the North. He wrote, *"Some of the richest planters, men of really great wealth, are of mixed descent."* He stated that these Negroes would gather to stare at the Northern soldiers as they passed, and *"These are not the former slaves, observe, but the former masters."* These excerpts are from the Official Records of the war and are official records held by the United States government.

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5

E. The Order To Execute Partisan Rangers



On March 13, 1862, U.S. Major General Henry Halleck, Commander of the Department of the West, issued "Order Number Two." The order labeled all Confederate guerrillas as outlaws and required that they be executed immediately upon capture.

"GENERAL ORDERS NO. 2. HDQRS. DEPT. OF THE MISSISSIPPI, Saint Louis, March 13, 1862.

I. Martial law has never been legally declared in Missouri except in the city of Saint Louis and on and in the immediate vicinity of the railroads and telegraph lines. And even in these localities military officers are especially directed not to interfere with the lawful process of any loyal civil court. It is believed that the time will soon come when the rebellion in Missouri may be considered as terminated and when even the partial and temporary military restraint which has been exercised in particular places may be entirely withdrawn. By none is it more desired than by the general commanding.

II. It must, however, be borne in mind that in all places subject to the incursions of the enemy or to the depredations of insurgents and guerrilla bands the military are authorized without any formal declaration of martial law to adopt such measures as may be necessary to restore the authority of the Government and to punish all violations of the laws of war. This power will be exercised only where the peace of the country and the success of the Union cause absolutely require it.

III. Evidence has been received at these headquarters that Maj. Gen. Sterling Price has issued commissions or licenses to certain bandits in this State authorizing them to raise guerrilla forces for the purpose of plunder and marauding. General Price ought to know that

such a course is contrary to the rules of civilized warfare and that every man who enlists in such an organization forfeits his life and becomes an outlaw. All persons are hereby warned that if they join any guerrilla band they will not if captured be treated as ordinary prisoners of war but will be hung as robbers and murderers. Their lives shall atone for the barbarity of their general.

By command of Major-General Halleck: N.H. McLEAN, Assistant Adjutant-General. "

In contrast, the Confederate Congress, on April 21, 1862, passed the Confederate Partisan Ranger Act, which recognized Southern guerrilla forces as legal military groups with official officers. With this action by the Confederate Congress any Confederate Partisan Ranger (legally a Confederate soldier) captured by the U.S. armed forces should have been treated as any captured Confederate soldier. The U.S. authorities refused to recognize these men as part of the Confederate States' armed forces. The U.S. extermination policy continued to be practiced throughout the remainder of the war. This was simply the authorized murder of Confederate prisoners of war by a United States General.

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UNION CORRESPONDENCE, ETC.--#24

F. Ewing's General Orders No. 10 & 11



U.S. Brigadier General Thomas Ewing, commanding the District of the Border, issued General Order No. 10 in August of 1863.

"GENERAL ORDERS, No. 10. HDQRS. DISTRICT OF THE BORDER, Kansas City, Mo., August 18, 1863.

I. Officers commanding companies and detachments will give escort and subsistence, as far as practicable, through that part of Missouri included in this district, to all loyal free persons desiring to remove to the State of Kansas or to permanent military stations in Missouri, including all persons who have been ascertained in the manner provided in General

Orders, No. 9, of this district, to have been the slaves of persons engaged in aiding the rebellion since July 17, 1862. Where necessary, the teams of persons who have aided the rebellion since September 25, 1862, will be taken to help such removal, and, after being used for that purpose, will be turned over to the officer commanding the nearest military station, who will at once report them to an assistant provost-marshal or to the district provost-marshal, and hold them subject to his orders.

II. Such officers will arrest, and send to the district provost-marshal for punishment, all men (and all women not heads of families) who willfully aid and encourage guerrillas, with a written statement of the names and residences of such persons and of the proof against them. They will discriminate as carefully as possible between those who are compelled, by threats or fears, to aid the rebels and those who aid them from disloyal motives. The wives and children of known guerrillas, and also women who are heads of families and are willfully engaged in aiding guerrillas, will be notified by such officers to remove out of this district and out of the State of Missouri forthwith. They will be permitted to take, unmolested, their stock, provisions, and household goods. If they fail to remove promptly, they will be sent by such officers, under escort, to Kansas City for shipment south, with their clothes and such necessary household furniture and provision as may be worth removing.

III. Persons who have borne arms against the Government, and voluntarily lay them down and surrender themselves at a military station, will be sent, under escort, to the district provost-marshal at these headquarters. Such persons will be banished, with their families, to such State or district out of this department as the general commanding the department may direct, and will there remain exempt from other military punishment on account of their past disloyalty, but not exempt from civil trial for treason.

IV. No officer or enlisted man, without special instructions from these headquarters, will burn or destroy any buildings, fences, crops, or other property, but all furnaces and fixtures of blacksmiths' shops in that part of Missouri included in this district not at military stations will be destroyed, and the tools either removed to such stations or destroyed.

V. Commanders of companies and detachments serving in Missouri will not allow persons not in the military service of the United States to accompany them on duty, except when employed as guides, and will be held responsible for the good conduct of such men employed as guides, and for their obedience to orders.

VI. Officers and enlisted men belonging to regiments or companies, organized or unorganized, are prohibited going from Kansas to the District of Northern Missouri without written permission or order from these headquarters or from the assistant provost-marshal at Leavenworth City, or the commanding officer at Fort Leavenworth, or some officer commanding a military station in the District of Northern Missouri.

By order of Brigadier-General Ewing: P.B. PLUMB, Major and Chief of Staff."

General Order No. 11, issued on August 25, 1863, is regarded by some as one of the cruelest and most unusual orders issued by a general during the War Between The States. This

order, issued by U.S. Brigadier General Thomas Ewing, commanding the District of the Border, ordered the evacuation of four counties in western Missouri. Independence and a few other settlements were exempted, and part of one county fell outside the boundaries of the military district; otherwise, every resident had to move. Those who could establish their loyalty to the satisfaction of the commanding officer of the nearest military post would be issued certificates allowing them to move to military posts in the state. Everyone else was supposed to leave the state.

"GENERAL ORDERS, No. 11. HDQRS. DISTRICT OF THE BORDER, Kansas City, Mo., August 25, 1863.

I. All persons living in Jackson, Cuss, and Bates Counties, Missouri, and in that part of Vernon included in this district, except those living within 1 mile of the limits of Independence, Hickman Mills, Pleasant Hill, and Harrisonville, and except those in that part of Kaw Township, Jackson County, north of Brush Creek and west of the Big Blue, are hereby ordered to remove from their present places of residence within fifteen days from the date hereof. Those who, within that time, establish their loyalty to the satisfaction of the commanding officer of the military station nearest their present places of residence will receive from him certificates stating the fact of their loyalty, and the names of the witnesses by whom it can be shown. All who receive such certificates will be permitted to remove to any military station in this district, or to any part of the State of Kansas, except the counties on the eastern border of the State. All others shall remove out of this district. Officers commanding companies and detachments serving in the counties named will see that this paragraph is promptly obeyed.

II. All grain and hay in the field or under shelter in the district from which the inhabitants are required to remove within reach of military stations after the 9th day of September next will be taken to such stations and turned over to the proper officers there, and report of the amount so turned over made to district headquarters, specifying the names of all loyal owners and the amount of such produce taken from them. All grain and hay found in such district after the 9th day of September next not convenient to such stations will be destroyed.

III. The provisions of General Orders, No. 10, from these headquarters will be at once vigorously executed by officers commanding in the parts of the district and at the stations not subject to the operation of Paragraph I of this order, and especially in the towns of Independence, Westport, and Kansas City.

IV. Paragraph III, General Orders, No. 10, is revoked as to all who have borne arms against the Government in this district since the 21st day of August, 1863. By order of Brigadier-General Ewing: H. HANNAHS, Acting Assistant Adjutant-General"

The order, it is estimated, may have created as many as twenty thousand refugees from the western Missouri counties. Though it did not directly create any political prisoners, many of these homeless refugees must have wandered eventually into Union lines and were doubtless arrested.

Unit References and Resources:

**"The South Was Right" by James R. Kennedy and Walter D. Kennedy, Chapter 4
"GENERAL ORDERS, No. 10. and No. 11", Official Records (War of the Rebellion) --
SERIES I--VOLUME XXII/2 [S# 33] Correspondence, Orders, And Returns Relating To
Operations In Missouri, Arkansas, Kansas, The Indian Territory, And Department Of The
Northwest, From January 1 To December 31, 1863. UNION CORRESPONDENCE, ETC.--
#19**

**"UNION CORRESPONDENCE, ETC.--#24" Official Records (War of the Rebellion) --
SERIES I--VOLUME XXII/2 [S# 33] Correspondence, Orders, And Returns Relating To
Operations In Missouri, Arkansas, Kansas, The Indian Territory, And Department Of The
Northwest, From January 1 To December 31, 1863.**



Part 11 Questions:

In short essay format support an opinion for these questions:

- 1. What was U.S. Chief Justice Roger B. Taney views regarding Lincoln's suspension of the writ of habeas corpus?**
- 2. What was Lincolns plan to deal with the Supreme Court challenge, and how could it have been resolved with the constitution?**
- 3. Who were the Copperheads and what were their political views of the War?**
- 4. What did Union officials do to Clement Vallandigham in 1863 and why did they take such action?**
- 5. Compare and contract the reaction of Lincoln and that of his Military leaders with regards to the actions of James Lane in Missouri.**
- 6. Why were the Jayhawkers and Red legs allowed such free reign in Kansas?**
- 7. How was the treatment of Southern Blacks forced to enlist and labor for the Union Army contradictory to the history often written about this era?**
- 8. What actions of Union General Benjamin Butler caused him to be one of the most despised men of the Yankee occupation?**
- 9. Why did the Union army refuse to recognize the partisan rangers as Confederate forces?**
- 10. Towards what effect were the General Orders #10 and #11 issued in Missouri?**
<http://www.scv674.org/SH-11.htm>