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## Unrequited Toil

### *A History of United States Slavery*

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The Civil War began as a political conflict for or against the federal Union. But in the months following Fort Sumter, the object of the Civil War was as conflicted as the motivations on all sides. In the North, the political Union quickly became a sacred cause. "The Union feeling," read a widely circulated report from New York in May 1861, "is spreading with an impetus and a rapidity that is overwhelming all opposing sentiment. All party names and party strifes are sunk."<sup>7</sup> They would quickly reemerge, but most white Unionists mobilizing for war in 1861 were fighting to restore political ties, leaving slavery untouched. As former bondsman Sam Ward remembered years later, a Union soldier entered his dwelling and made off with his mother's quilts. She pursued the soldier

<sup>7</sup> Michael Vorenberg, *Final Freedom: The Civil War, the Abolition of Slavery, and the Thirteenth Amendment* (New York, NY: Cambridge University Press, 2001), chap. 1.

<sup>8</sup> Daniel W. Crofts, *Reluctant Confederates: Upper South Unionists in the Secession Crisis* (Chapel Hill, NC: University of North Carolina Press, 1989).

<sup>9</sup> *San Francisco Bulletin*, May 8, 1861, 1.

screaming, "[y]ou say you come down here to fight for the niggers, and now you're stealing from 'em," to which the soldier responded, "[y]ou're a god-damn liar. I'm fighting for \$14 a month and the Union."<sup>10</sup> White soldiers who fought for the Union may have understood that slavery was the cause of the war, but they did not necessarily fight to end it.<sup>11</sup> In 1861, the Lincoln administration did not discourage that attitude.

Slavery remained alive and well in the Union. Constitutional protections for slavery remained, as did the Fugitive Slave Act of 1850, which the Lincoln administration enforced. More than 429,000 enslaved people counted in the 1860 census lived in the loyal border states of Delaware, Maryland, Missouri, and Kentucky, many owned by loyal enslavers.<sup>12</sup> To put down the rebellion and restore the Union, the Lincoln administration refused to make slavery an issue. "I hope to have God on my side," Lincoln reportedly said when the war broke out, "but I must have Kentucky," with its strategic access to the Cumberland and Tennessee Rivers draining into the heart of the Confederacy.<sup>13</sup> Thousands of soldiers, including officers whose leadership the Union desperately needed, supported slavery.

But African Americans seized on the divisive issue, arguing that slavery must be eliminated in order for the republic to be permanently united. "Any union which can possibly be patched up while slavery exists," Douglass argued in February 1861, "must either completely demoralize the whole nation, or remain a heartless form, disguising, under the smiles of friendship, a vital, active and ever-increasing hate, sure to explode in violence. It is a matter of life and death. Slavery must be all in the Union, or it can be nothing."<sup>14</sup> Douglass's words echoed Lincoln's 1858 "House Divided" speech, but the abolitionist saw clearly, even before the war, that the political crisis must be resolved by removing chattel slavery from the federal Union.

With orders to avoid making war on slavery, Union armies nevertheless became beacons to the enslaved. Each who learned – mistakenly or not –

<sup>10</sup> Testimony of Sam Ward in *Lay My Burden Down: A Folk History of Slavery*, ed. B. A. Botkin (Chicago, IL: University of Chicago Press, 1945), 206.

<sup>11</sup> Chandra Manning, *What This Cruel War Was Over: Soldiers, Slavery, and the Civil War* (New York, NY: Alfred A. Knopf, 2007).

<sup>12</sup> James M. McPherson, *The Negro's Civil War* (New York, NY: Pantheon Books, 1965), Appendix A.

<sup>13</sup> Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery* (New York, NY: W. W. Norton, 2010), 169 (quotation).

<sup>14</sup> Frederick Douglass, "The Union and How to Save It," *Douglass' Monthly* 3.9 (February 1861): 401.

that Republicans were plotting slavery's overthrow had reason to greet Union soldiers as liberators. On the night of May 24, 1861, three black Hampton residents arrived at Fort Monroe, Virginia, across a narrow causeway from Old Point Comfort, asking for Union protection from their enslavers. The war had started just six weeks earlier. But on that night, Shepard Mallory, Frank Baker, and James Townshend escaped from Confederate Colonel Charles Mallory, seeking protection in the fort. The next morning, Confederate Major John Cary tracked them down, demanding that the federals deliver up the men under the Fugitive Slave Act of 1850. The Union commander, General Benjamin Butler, had no orders to receive fugitives from slavery in Virginia and none to deliver them up.

So Butler made an ad hoc policy that accommodated both political and military objectives. Mallory, Baker, and Townshend remained property, he declared, and so did the thousands who were escaping from disloyal owners. But they were confiscated property, Butler argued, like guns or horses captured from the enemy. He called them contraband of war, arguing that "the fugitive-slave act did not affect a foreign country, which Virginia claimed to be, and that she must reckon it one of the infelicities of her position that in so far at least she was taken at her word; that in Maryland, a loyal [s]tate, fugitives from service had been returned."<sup>15</sup> Butler had no problem returning the bondspersons of loyal owners. But federal "contrabands" became wards of the government, and the army put them to work. Mallory, Baker, and Townshend built a bakery. Three dozen who followed their steps to Fort Monroe were sent to Hampton to build breastworks, toiling in the hot Virginia sun for the protection of Union soldiers. Some hired themselves out and earned wages. And the Lincoln administration endorsed Butler's contraband policy as a way to punish disloyal enslavers while postponing the issue of freedom while the war was fought.<sup>16</sup>

Contraband policy made the US War Department the largest enslaver in the country during the year or so between the policy's implementation and Congress's Second Confiscation Act. More importantly, officers like

<sup>15</sup> Robert Francis Engs, *Freedom's First Generation: Black Hampton, Virginia, 1861–1890* (New York, NY: Fordham University Press, 2004), chap. 1; *The War of the Rebellion: Official Records of the Union and Confederate Armies*, Series 1, vol. 2 (Washington, DC, 1880), 650 (quotation).

<sup>16</sup> William W. Freehling, *The South vs. the South: How Anti-Confederate Southerners Shaped the Course of the Civil War* (New York, NY: Oxford University Press, 2001), chap. 6.

General Butler used the policy to goad the administration into recognizing self-freedom as steps toward emancipation and transferring bondspersons' individual aspirations to the policy-making apparatus of a nation at war. As the enslaved freed themselves in places like Hampton and the South Carolina Lowcountry, they presented themselves, as individuals, as families, as groups, and in some places by the hundred, to army commanders, who then put the issue of their status before the secretary of war, President Lincoln, and congressional leaders. Union military leaders did not generally welcome fugitives from Confederate slavery. But so many African Americans voting with their feet pressured congressional Republicans to weave slavery's abolition into military policy.<sup>17</sup> It did not take the army long to realize that contrabands were useful to the cause.

John Washington was one of them. Escaping from slavery, he decided to aid the cause of freedom for those left behind in bondage. In doing so, he helped force a new moral economy on the war. When the war began, Washington was twenty-one and had been enslaved in Richmond, Virginia. In August 1861, Congress passed the First Confiscation Act declaring that any enslaved person who fought for the Confederacy or who labored for it were freed from serving their owners. Confederates howled that this was an emancipation act, which had the effect of attracting defectors like Washington. "Already the [s]laves had been [e]scaping into the Union army[']s lines and [m]any thereby getting off to the [f]ree [s]tates," Washington recalled. "I could read the papers and eagerly [w]atched them for tidings of the [w]ar [w]hich had beg[un] in earnest [and] almost every day brought news of [b]attles." None were decisive, but "[i]t had now become a well known fact that [s]laves was [sic] daily [m]aking their escape into the Union lines. So at Christmas 1861, I left Richmond, having been provided with a pass and fare to Fredericksburg Va."<sup>18</sup> Washington's owners were wary of his running off, but he found employment at a hotel in Fredericksburg, about fifty miles north of the Confederate capital.

Washington was more fortunate than most. He was young, fit, and could read. Those who could not read newspapers listened for news of the war's progress. And many like Washington kept an eye out for an opportunity to escape. They slowed the pace of work when and where they

<sup>17</sup> Oakes, *Freedom National*.

<sup>18</sup> John Washington, *John Washington's Civil War: A Slave Narrative*, ed. Crandall Shifflett (Baton Rouge, LA: Louisiana State University Press, 2008), 36.

could, testing the limits of a slave regime in which so many owners, overseers, and patrollers were joining the fight for Confederate independence. Late in 1861, a report from Beaufort, South Carolina, carried word that self-freed black residents were “playing masters where they were formerly slaves.”<sup>19</sup> Some owners fled, but other enslavers marched their bondspersons inland and away from Union forces. One self-freed African American man reported to General William Tecumseh Sherman that “all the slaves who refused to go into the interior with their fugitive owners, were shot, having seen several shot for this reason alone.”<sup>20</sup> The stakes were rising on all sides.

The war was becoming deadlier than expected, and hopes for a quick resolution were dimming. A February 1862 Union victory at Fort Donelson, Tennessee, on the Cumberland River resulted in 17,398 soldiers killed, wounded, or missing. The victor, General Ulysses S. Grant, moved his Army of the Tennessee south by southwest, pursuing Confederates. In April, Confederates under Albert Sidney Johnston attacked Grant’s army on the Tennessee River. The resulting Battle of Shiloh claimed 23,000 killed, wounded, or missing. That one battle caused more casualties than all the American battlefield losses of the Revolution, the War of 1812, and the US–Mexican War combined. Two determined enemies, each using similar infantry tactics developed in the late eighteenth century, were causing unanticipated death and horror.<sup>21</sup> But by the spring of 1862, the Lincoln administration refused to fully endorse the new reality that a war for Union had become a war against slavery.

But it was increasingly difficult to separate civil war from the question of slavery’s continuance. Both Union and Confederate armies enrolled able-bodied workers as the deepening conflict strained human resources on all sides. “A great many [s]lave [m]en were [s]ent to the Rebel army as [d]rivers, [c]ooks, [h]ostlers and any thing [e]lse they could do,” Washington recalled.<sup>22</sup> Enslaved men and women were put to work in nearly every industry, accelerating the antebellum trend of industrial hiring. They made iron and salt and staffed and repaired railroads. And besides agricultural work, enslaved people staffed hospitals as nurses,

<sup>19</sup> *Cape Ann Light and Gloucester [Mass.] Telegraph*, November 23, 1861, 2.

<sup>20</sup> *The [Baltimore] South*, November 20, 1861, 1.

<sup>21</sup> Jack H. Lepa, *Grant’s River Campaign: Fort Henry to Shiloh* (Jefferson, NC: MacFarland & Company, 2014); Earl J. Hess, *Civil War Infantry Tactics: Training, Combat, and Small-Unit Effectiveness* (Baton Rouge, LA: Louisiana State University Press, 2015).

<sup>22</sup> Washington, *John Washington’s Civil War*, 38.

cooks, launderers, and cleaners. Virginia and North Carolina passed impressment laws in 1862, the Confederate government following suit in 1863, requiring enslavers to turn over able-bodied workers to the Confederate Army for labor.<sup>23</sup>

In the commotion, John Washington saw his chance to free himself. In April 1862, the Union Army of the Potomac advanced up Virginia’s Lower Peninsula in the direction of Richmond. To the north and west, in Fredericksburg, Confederates withdrew. Washington’s enslavers told him they were evacuating and would travel to Salisbury, North Carolina, some 300 miles to the south and west. On Good Friday, 1862, Union forces stormed Fredericksburg. Washington was working in the dining room of the Shakespeare Hotel when the news of the invasion came. “Every body was on their feet at once, [n]o-body finished but [s]ome ran to their rooms to get a few things.” The owner “came running back[,] called me out in the [h]all[,] and thrust a roll of [b]ank notes in my hand and hurriedly told me to pay off all the [s]ervants, and [s]hut up the house and take charge of every thing. ‘If the Yankees catch [m]e they will kill me So I can’t stay here,’” Washington recalled him saying, “and [he] was off at full speed like the [w]ind.”<sup>24</sup>

Enslaved people fled in the opposite direction as their former enslavers. “In less time than it takes me to [w]rite these lines, every [w]hite [m]an was out [of] the house,” Washington averred. “Every [m]an [s]ervant was out on the house top looking over the [r]iver at the Yankees for their glistening bayonets could easily be [s]een[.] I could not begin to [e]xpress [m]y [n]ew born hopes[,] for I felt already like I was certain of my freedom now.”<sup>25</sup> Washington’s jubilee came when he crossed the Rappahannock River in a boat commanded by federal soldiers. He ran off with a cousin and another man. Washington was among Union soldiers, but he was not yet free. The First Confiscation Act held that fugitives from rebel owners were contraband of war.

<sup>23</sup> Jaime Amanda Martinez, *Confederate Slave Impressment in the Upper South* (Chapel Hill, NC: University of North Carolina Press, 2013).

<sup>24</sup> Washington, *John Washington’s Civil War*, 39, 45.

<sup>25</sup> Washington, *John Washington’s Civil War*, 45.

African Americans greeted the Emancipation Proclamation with joy not unmixed with trepidation. Speaking to a crowd at New York's Cooper Union, Reverend Henry Highland Garnet praised President Lincoln, saying that the proclamation was the fulfillment of a promise made "with his eyes set on the God of Justice, and determined to disenthral[l] an injured race and glorify God." Slavery was not gone, Garnet warned, but it had "lost its power." Garnet urged his audience "never to mind what Jeff. Davis says about hanging." The Confederate president "must know that the black man, when he joins the army, goes in to win."<sup>35</sup> Veteran of the Underground Railroad Harriet Tubman took a steely-eyed view of the Emancipation Proclamation. "I can't rejoice no more," she said, contemplating the hard work of making good on freedom's promise.<sup>36</sup>

Black soldiers, scouts, and spies soon became the Union's most intrepid allies on Southern soil. Tubman was serving in Beaufort, South Carolina, nursing sick refugees and assisting both the army and aid workers helping thousands of formerly enslaved people when the Emancipation Proclamation was issued. There one of the first black regiments, the 1st South Carolina Volunteer Infantry, was in camp. Abolitionist officers had recruited black volunteers in the area early in 1862, but had trouble retaining them since the army refused to pay them. Soldiering was open solely to males, but female recruits like Tubman served in pivotal roles. She helped recruit the 2nd South Carolina Volunteer Infantry.

Tubman soon became a scout, a spy, and a military leader. African Americans knew Tubman as Moses for her work freeing bondspeople from Maryland's Eastern Shore. John Brown had called her General Tubman, and in South Carolina, she worked closely with one of Brown's comrades in the Kansas struggle, Colonel James Montgomery. She recruited soldiers, gathered intelligence from among formerly enslaved refugees, moved about freely, and bought provisions for the army. From a network of black watermen and other African-descended informants, she learned of Confederate positions, troop strengths, rebel traps, and stores of supplies such as rice and cotton.

<sup>35</sup> *The [Boston] Liberator*, January 16, 1863, 9.

<sup>36</sup> Sarah H. Bradford, *Harriet: The Moses of Her People* (New York, NY: George R. Lockwood and Son, 1886), 93.

In June 1863, Montgomery relied on Tubman to plan and lead an armed raid up the Combahee River, undertaken by the 2nd South Carolina. There they captured supplies, burned or flooded rebel plantations, and raised a call for all the enslaved people in the area to flee to the Union forces – while terrified whites threatened to whip or shoot any black defector. Hundreds arrived off of plantations. “They came down every road, across every field,” Tubman later recalled, “just as they had left their work and their cabins; women with children clinging around their necks, hanging to their dresses, running behind, all making at full speed for ‘Lincoln’s gun-boats.’” Some 800 self-emancipated people swarmed a riverbank near Union steamers, some with livestock such as pigs and others with baskets of belongings. Enslavers had spread rumors that Union soldiers were devils. “Mas’r said de Yankees had horns and tails,” Tubman recalled one man saying as he boarded a Union steamboat. But word was passed along that “Lincoln’s gun-boats come to set them free.”<sup>37</sup>

In the spring of 1863, African American leaders like Frederick Douglass traveled thousands of miles recruiting volunteers for all-black regiments being raised in states like Massachusetts. “By every consideration which binds you to your enslaved fellow-countrymen, and the peace and welfare of your country,” Douglass told potential black soldiers in New York, “by every aspiration which you cherish for the freedom and equality of yourselves and your children; by all the ties of blood and identity which make us one with the brave black men now fighting our battles in Louisiana and in South Carolina, I urge you to fly to arms, and smite with death the power that would bury the government and your liberty in the same hopeless grave.”<sup>38</sup> Douglass was instrumental in raising the 54th and 55th Massachusetts Volunteer Regiments, his sons Charles and Lewis serving in the 54th. Other prominent leaders like Martin R. Delany recruited from a network of African American expatriates and free black Northerners.

Yet Union resistance to black soldiers was institutional and political. The army refused to pay bounties or recruitment bonuses to African American volunteers, paid black soldiers less than whites, and both military and civilian leaders dug in their heels against them. But the new recruits were animated by a higher purpose. “We are determined to act

like men, and fight, money or not,” James Henry Gooding wrote from camp in Readville, Massachusetts, where the 54th was training, but the army needed to hold up its end. “Colored men generally, as a class,” Gooding argued, “hav[e] nothing to depend upon but their daily labor; so, consequently, when they leave their labors and take up arms in defense of their country, their homes are left destitute of those little necessities which their families must enjoy as well as those of white men.”<sup>39</sup> Most black volunteers passionately believed in the cause of freedom and Union, but they could not feed their families with it. Meanwhile, Abraham Lincoln tried persuading opponents of black soldiers to relent and cast aside prejudice. “The colored population is the great available and yet unavailed of, force for restoring the Union,” the president wrote Senator Andrew Johnson of Tennessee. “The bare sight of fifty thousand armed, and drilled black soldiers on the banks of the Mississippi, would end the rebellion at once.”<sup>40</sup> Like many Southern Unionists, however, Johnson was not easily convinced of the virtues of African-descended troops.

Grim tests for African American soldiers arrived that summer. In the dark early morning hours of June 7, 1863, at Milliken’s Bend, Louisiana, Confederate regiments from Texas surprised and attacked federal soldiers of the 8th, 9th, 11th, and 13th Louisiana Infantry Regiments and the 1st Mississippi Infantry, along with the 23rd Iowa Infantry. The Union position on the west bank of the Mississippi River was fifteen miles north of Vicksburg. The Louisiana and Mississippi units were recently recruited African American regiments. Poorly armed and in some cases poorly led, they were overwhelmed by Confederates. The 9th Louisiana lost more than two-thirds of its men. Reports on both sides concurred that the black soldiers fought valiantly. But the Texas Confederates exacted revenge. After capturing nearly eighty federals and murdering two Union officers and perhaps some African-descended soldiers, Confederates sent the rest to slavery in Texas.<sup>41</sup> Soldiers in all-white regiments could expect rough treatment and deprivation as prisoners of war, but African American

<sup>39</sup> James Henry Gooding, *On the Altar of Freedom: A Black Soldier’s Civil War Letters from the Front*, ed. Virginia Matzke Adams (Amherst, MA: University of Massachusetts Press, 1991), 7.

<sup>40</sup> Abraham Lincoln to Andrew Johnson, March 26, 1863, in *The Collected Works of Abraham Lincoln*, Vol. 6, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 149–50.

<sup>41</sup> Bob Luke and John David Smith, *Soldiering for Freedom: How the Union Army Recruited, Trained, and Deployed the U.S. Colored Troops* (Baltimore, MD: Johns Hopkins University Press, 2014), chap. 5.

<sup>37</sup> Sarah H. Bradford, *Scenes in the Life of Harriet Tubman* (Auburn, NY: W. J. Moses, 1869), 40 (quotations).

<sup>38</sup> Frederick Douglass, “Men of Color, to Arms!” *Douglass’ Monthly* (March 21, 1863): 1.

soldiers faced summary execution and enslavement, which included bondage for freeborn black soldiers.<sup>42</sup>

Later that month, the 54th Massachusetts showed the nation that African-descended soldiers lacked nothing in bravery and determination. It let a frontal assault on Fort Wagner on Morris Island, South Carolina, which protected Charleston Harbor. The Confederates fired from fortified positions, and the 54th advanced southward on an open beach booby-trapped with palmetto spikes, struggling across a ten-foot-wide moat, and scrambling up fortifications. Confederates furious at the sight of black soldiers fought ferociously. The risky assault failed. The 54th lost 281 men that night killed, wounded, or missing. Two captains were killed, as was the colonel, Robert Gould Shaw. Sergeant-Major Lewis Douglass had his sword shot off his body by canister artillery fire. During the assault, Sergeant William Carney witnessed the flagbearer fall. Throwing his musket down, he picked up the flag and scrambled up to the fort, raising the colors to rally his comrades. Miraculously, he survived. For his bravery, he was awarded the Congressional Medal of Honor – but had to wait until 1900 for it to be awarded. In the wake of the unsuccessful assault, Confederates stripped the bodies of the slain and buried them in a ditch.<sup>43</sup>

The combat service of African-descended soldiers was a down payment on civil and political rights. “Once let the black man get upon his person the brass letter, U.S.,” Frederick Douglass argued in July 1863, “let him get an eagle on his button, and a musket on his shoulder and bullets in his pocket, and there is no power on earth or under the earth which can deny that he has earned the right of citizenship in the United States.”<sup>44</sup> That was a pious hope. But the 54th’s heroism in South Carolina was overshadowed by two momentous yet costly Union victories, the fall of Vicksburg, Mississippi, on July 4 and the Battle of Gettysburg, which ended on July 3, sending the Confederate Army of Northern Virginia retreating south into Virginia’s Shenandoah Valley. The Confederate armies’

<sup>42</sup> William A. Dobak, *Freedom by the Sword: The U.S. Colored Troops, 1862–1867* (Washington, DC: US Army Center of Military History, 2011); *Black Soldiers in Blue: African American Troops in the Civil War Era*, ed. John David Smith (Chapel Hill, NC: University of North Carolina Press, 2002).

<sup>43</sup> George S. Burkhardt, *Confederate Rage, Yankee Wrath: No Quarter in the Civil War* (Carbondale, IL: Southern Illinois University Press, 2007), chap. 5.

<sup>44</sup> Douglass quoted in Christopher B. Booker, “I Will Wear No Chain!” *A Social History of African-American Males* (Westport, CT: Praeger, 2000), 69 (quotation); Douglas R. Egerton, *The Wars of Reconstruction: The Brief, Violent History of America’s Most Progressive Era* (New York, NY: Bloomsbury Press, 2014).

offensive strategy had failed, but a defensive strategy would prolong the life of the proslavery republic for another twenty-one months.

Freedpeople faced many hardships even if they did not join Union forces. For most of the enslaved, freedom came contingently and haltingly, and for many, sickness and death arrived close on its heels. Of the 4 million African-descended people in slavery in 1860, about 500,000 sickened or died in wartime and its immediate aftermath. Waves of epidemics of smallpox and other communicable diseases afflicted people exposed to rough conditions in refugee camps.<sup>45</sup> Hundreds of thousands of those like John Washington had fled their homes and old neighborhoods to the Union lines, only to find conditions that could be more perilous than slavery. The army wanted able-bodied adults, not the full complement of old and young, sick and crippled.

Those without options ended up in refugee camps like those outside Washington, DC. Harriet Jacobs arrived in the District of Columbia in the summer of 1862, to “where the shackles had just fallen,” she wrote. At “[g]overnment head-quarters for the contrabands here,” Jacobs recalled, “I found men, women and children all huddled together, without any distinction or regard to age or sex. Some of them were in the most pitiable condition. Many were sick with measles, diphtheria [*sic*], scarlet and typhoid fever. Some had a few filthy rags to lie on; others had nothing but the bare floor for a couch.” Employers showed up to hire the refugees and pay slaves’ wages of \$4 per month for “[s]ingle women,” \$2.50 to \$3 per month for “a woman with one child.” Men earned \$10. Confined in sickly contraband camps, “[t]he little children pine like prison birds for their native element.” And, she sighed, “[e]ach day brings its fresh additions of the hungry, naked and sick.” Many were dying alone. “Men, women and children lie here together, without a shadow of those rites which we give to our poorest dead,” she reported. “There they lie, in the filthy rags they wore from the plantation. Nobody seems to give it a thought.” As the overwhelmed camp superintendents processed new arrivals, refugees took ill and died. One morning, Jacobs recalled, “I saw lying there five children. By the side of them lay a young man. He escaped, was taken back to Virginia, whipped nearly to death, escaped again the next night, dragged his body to Washington, and died, literally cut to pieces. Around his feet I saw a rope; I could not see that put into the grave

<sup>45</sup> Chandra Manning, *Troubled Refuge: Struggling for Freedom in the Civil War* (New York, NY: Knopf, 2016).

with him.”<sup>46</sup> Much of that hardship and suffering came about because of poor war planning.

Union armies were strained by the unexpectedly high casualties, two-thirds from disease, and they were unable or unwilling to perform refugee resettlement during wartime. Freedpeople faced desperate alternatives. Army officers seldom welcomed refugees, and erstwhile enslavers – often bitter at their sudden loss of slave property – suddenly demanded rent and work should the formerly enslaved seek to stay in their homes. Uncertainties multiplied and, in the words of one historian, “[w]hen slaves ran away from Southern plantations, they ran towards a war.”<sup>47</sup> Less than 15 percent of those enslaved in the Confederacy were freed during the war, but they included hundreds of thousands who fled to the Union army or Union-controlled areas. Between 1862 and 1868, waves of epidemics of smallpox and other communicable diseases afflicted people exposed to rough conditions in refugee camps. About 60,000 died.<sup>48</sup> To the young and able, like John Washington and his family, freedom held shimmering possibilities. But the march to freedom quickly got bogged down for thousands like the formerly enslaved Miller family of Lincoln County, Kentucky.

Joseph Miller fled to Camp Nelson, Kentucky, with his wife and four children in the bitterly cold November of 1864. Joseph wanted to enlist and fight for the Union cause, but worried “that if I enlisted he would not maintain them and I knew they would be abused by him when I left.” The Millers – Joseph, his wife, and four children aged four, seven, nine, and ten – were seeking freedom and refuge, and the camp – about twenty miles south of Lexington – was a beacon. The fort there housed between 3,000 and 8,000 US soldiers, and the camp provisioned parts of the Army of Ohio. But the Union commanders there did not see themselves as liberators.<sup>49</sup>

The Millers arrived along with about 500 former bondspersons. Some took months to arrive, and others died on the way. But at the gates the Millers were allowed entry on one condition. Joseph Miller must enlist in

<sup>46</sup> Harriet A. Jacobs, “Life among the Contrabands,” *The [Boston] Liberator* September 5, 1862, 3, online: <http://docsouth.unc.edu/fpn/jacobs/support5.html>, accessed: August 31, 2016.

<sup>47</sup> Jim Downs, *Sick from Freedom: African-American Illness and Suffering during the Civil War and Reconstruction* (New York, NY: Oxford University Press, 2012), 22.

<sup>48</sup> Downs, *Sick from Freedom*, chap. 4.

<sup>49</sup> “Affidavit of Joseph Miller, 26 Nov. 1864, filed with H-8 1865, Registered Letters Received, er. 3379, TN Asst. Comr. RG 105 [A-6148],” in *Freedom: A Documentary*

the US Army before his family would be fed and sheltered. He did, becoming one of 179,000 able-bodied black men to join the army. The deal was in keeping with the army’s need for soldiers and laborers and implied a transaction: service in exchange for security and support. But Miller’s deal was quickly broken.

Army officials had their own priorities. On November 22, 1864, the commander of Camp Nelson decided it was time for freedpeople to leave and ordered the refugee village on the camp’s outskirts to be broken up and the refugees dispersed. Early the next “bitter cold” morning, Joseph Miller recalled, a guard on horseback ordered them to leave at once. Mrs. Miller protested, saying her seven-year-old boy was gravely sick and might not survive the cold. The guard said that did not matter. He had his orders. “He told my wife and family,” Miller later testified, “that if they did not get up into the wagon which he had he would shoot the last one of them.” And so they fled, leaving clothes and most of their belongings, to a drafty church meetinghouse six miles from camp.

Miller, now in the army, was not given leave to find his family until after dark that Wednesday night. “I found my wife and children shivering with cold and famished with hunger.” None had had anything to eat all day. “My boy was dead,” he recalled, and the rest of the family was huddled with hundreds of other African American refugees likewise evicted.<sup>50</sup> And the process was repeated at other camps throughout the South as military demands for able-bodied laborers and soldiers conflicted with the desperate strategies of formerly enslaved people to forge a new life in freedom.

The expectations of soldiers like Joseph Miller were at odds with the practical imperatives of the army. After 1862, the Union fought for emancipation as a war aim, but officials wanted work out of black freedpeople. To that end, the army and the Freedmen’s Bureau, created in March 1865 as the Bureau of Freedmen, Refugees, and Abandoned Lands, insisted that freedpeople work if they were able. Officers and agents sought able-bodied laborers, primarily men. There was little space in that vision of Reconstruction for the family integrity of those forced to flee with little beyond the tattered clothes on their back. Agents sent able-bodied workers off to work, sometimes at great distance from

*History of Emancipation, 1861–1867, Series 2, Book 1: The Black Military Experience*, ed. Ira Berlin (Cambridge University Press, 1982), 270 (quotations); Downs, *Sick from Freedom*, chap. 1.

<sup>50</sup> “Affidavit of Joseph Miller,” 270 (quotations).



loved ones, while sequestering the ill or disabled in places where disease spread. And like the Millers, the army tended to move refugees in and out of camps, splitting families in the process. For those needing medical care, there was little nimbleness in the system that delivered aid to refugees, resulting in widespread illness that might have been contained and treated.

Emancipation or what bondspersons called Jubilee became a massive public health crisis in many parts of the South. The smallpox epidemic of the 1860s took an unusually heavy toll on African Americans, and so much so that health officials tended to identify the virus with black victims. Measles and other infectious diseases tore through camps and displaced populations. Blackness became so associated with disease that public health threats to whites were ignored at their peril. Dead bodies of African Americans were routinely buried without coffins, many without family or a funeral, and in a time and place where a “Good Death” approached the importance of baptism or marriage, the solitary, miserable, and anguished ordeal of dying among strangers visited untold thousands of refugees.<sup>51</sup> During wartime, in places, bodies of freedpeople killed by disease were dumped into trenches with dead horses. Some Union officials adopted the position of ex-enclavers that freedom actually made black people sick and that they were unsuited to it. That reinforced a racist stereotype of African-descended people as incapable of freedom and, by extension, citizenship or civil rights.

Even so, freedpeople went looking for scattered family members in heroic attempts to reverse generations of family separations. Charity Moss wanted information on “my two boys, James and Horace, one of whom was sold in Nashville and the other was sold in Rutherford [C]ounty,” Tennessee. Moss was sold to Alabama and returned to Nashville in 1865, looking for her children.<sup>52</sup> Thornton Copeland wanted information “of my mother, whom I left in Fauquier [C]ounty, Va., in 1844, and I was sold in Richmond, Va.” It had been twenty-one years since their parting when Copeland told readers of the *Colored Tennessean*, “I am very anxious to hear from my mother . . . Betty [who] was sold by Col. Briggs to James French.”<sup>53</sup> Some families did reunite, though the years had made siblings into strangers. Frederick Douglass reunited with his sister Eliza in 1864, twenty-six years after he ran off from slavery on

Maryland’s Eastern Shore, where she lived. A year later, Douglass received a message from a long-lost brother, who in 1867 went by the name Perry Downs. Douglass had changed names too. Forty years before, Frederick Bailey and Perry Bailey were separated when older brother Perry was bound away. But when they reunited in Rochester, New York, the Downs family – just up from slavery – had little in common with Douglass’s middle-class children, who had been educated. The Downs family nevertheless stayed with the Douglasses for two years, living in a cabin built for them, before returning to the Eastern Shore, where Perry died in 1880.

The Civil War’s emancipation struggle was led by African Americans, beginning with the pairs, families, and later scores who fled disloyal owners and pledged allegiance to the cause of Union and freedom. Freedpeople’s power came primarily from their capacity to work, serve, and fight, and yet leaders like Douglass developed the struggles of millions of enslaved people into a freedom narrative that became a new way to frame the Civil War. A conflict Confederates began over the false assumption that the Lincoln administration was an abolitionist force turned into an abolition war. “Neither party expected for the war the magnitude or the duration which it has already attained,” Lincoln declared in March 1865. “Neither anticipated that the cause of the conflict might cease with or even before the conflict itself should cease,” and although enslavers’ interest in human property “was somehow the cause of the war,” Lincoln argued, the Civil War failed to decide what form freedom would take.<sup>54</sup> Radicals envisioned black freedom as full citizenship and equal protection of the law. But Confederate surrender in the spring of 1865 left open whether African Americans were on the road to citizenship or whether emancipation’s fullest extent had been reached and with peace would come an erosion of freedom purchased at such a great price. Begun in war, emancipation became a political process.

<sup>54</sup> Abraham Lincoln, “‘Second Inaugural Address,’ March 4, 1865,” in *The Collected Works of Abraham Lincoln*, Vol. 8, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 332–33.

<sup>51</sup> Drew Gilpin Faust, *This Republic of Suffering: Death and the American Civil War* (New York, NY: Knopf, 2008), 7, *passim*.

<sup>52</sup> *The [Nashville] Colored Tennessean*, October 14, 1865, 3.

<sup>53</sup> *The [Nashville] Colored Tennessean*, October 7, 1865, 4.