

“UNCONQUERABLE STRONGHOLD OF LOYALTY”: INVASION, OCCUPATION  
AND DEVOLVED COMMAND OF THE ARMY OF THE OHIO/CUMBERLAND,  
1861-1863.

By: Steve T. Phan

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Thesis Committee:  
Dr. Robert Hunt, Chair  
Dr. Brenden Martin

For my Mother and Father, whose lifetimes' worth of sacrifices made this possible

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## ABSTRACT

Focusing on the Union Army in the midst and aftermath of invasion in Middle Tennessee, this thesis critically engages the literature on Civil War military and cultural history. It deviates from the traditional historiographical interpretation of “campaigns and battles” that combined three elements: Napoleonic maneuver and combat; invasion and occupation of the Confederacy by increments; informal as well as formal Confederate resistance and the Union army’s response to it. Instead, the work emphasizes a multi-dimensional war that forced Federal commanders to respond to a myriad of issues on the ground—guerrilla and irregular warfare; emancipation and contraband labor; and conditional loyalty and unremitting secessionism. The Union invasion and occupation of Middle Tennessee in 1862 uncovered deep-rooted hostility toward the Federal government, dispelling any notion that the mere presence of blue-clad soldiers could pacify and unite the populace. As immediate invasion transformed into extended occupation, Federal forces were detached to garrison towns and guard strategic transportation and communication avenues throughout the region. Command and control of the army devolved to front-line commanders at the brigade and regimental level. The Federal officers, a mix of Regular Army veterans and civilian appointees, faced the complicated task of pacifying an indignant population, defeating Confederate forces, reacting to the demise of slavery, and restoring civic order with a volunteer soldier force. For the officers, every decision had consequences. By responding to specific issues on

the ground, often without supervision from headquarters, commanders dictated the evolving Federal policy through personal observation and interpretation of orders.

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## INTRODUCTION

On 24 July 1863, Major General William S. Rosecrans, commander of the Union Army of the Cumberland, concluded his after-action report of the Tullahoma Campaign to the War Department in Washington D.C. with justifiable pride. “Thus ended a nine days' campaign, which drove the enemy from two fortified positions and gave us possession of Middle Tennessee, conducted in one of the most extraordinary rains ever known in Tennessee at that period of the year, over a soil that becomes almost a quicksand.” Although nature prevented the army from gaining possession of the enemy's communications and forcing a major, decisive battle, the “results were far more successful than was anticipated and could only have been obtained by a surprise as to the direction and force of our movement.”<sup>1</sup> Rosecrans' success hinged on several factors: audacious maneuver to dislodge his opponent; deception through feints and rapid marches; command and control; and organizational ingenuity.

From Tullahoma, Rosecrans sought to prolong the momentum inspired by recent Union victories at Gettysburg and Vicksburg by advancing to capture Chattanooga. By surging toward Georgia, Rosecrans could defeat the fleeing Confederate army in force and threaten the state capital and major transportation center, Atlanta. Rosecrans' Middle Tennessee [Tullahoma] and Chattanooga campaigns brought his army to and through the

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<sup>1</sup> *The War of The Rebellion: Original Records of the Civil War* (Columbus: Ohio State University); digitized from original, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (70 vols. in 128 parts; Washington, 1880–1901), Serial 034, Chapter XXXV, 408, accessed <https://ehistory.osu.edu/books/official-records>; hereinafter cited as *Official Records*.

gates of Georgia by September with the intention of gaining a major battlefield victory in the Western Theater.

Yet, while the Tullahoma Campaign and ensuing Battle of Chickamauga involved grand maneuver and massed-army combat, the Army of the Cumberland's invasion produced another complex war that differed greatly from grand tactics of Napoleonic combat. Far away from the main force, commanders of garrisons and other detachments experienced a conflict difficult to define and discern. The army pacified and occupied large swaths of territory as it moved south and in doing so, commanders posted division and often brigade-sized units from the main force. Control decentralized from army senior grade officers to garrison chiefs, usually brigadiers and colonels. Isolation from their superiors pushed these lower-ranking officers to read and react to situations on the local level without direct guidance and supervision from headquarters. As early as 1862, rapid invasion into hostile territory and the subsequent occupation of towns thus created a new war. The campaign to restore the Union became a conflict that blurred the lines between lawful combatants, irregular forces, and civilians. This, in turn, coincided with the Federal government's shift away from conciliation. The shift to local-level war merged with the Republican North's move to hard war.

This study explores the Army of the Ohio/Cumberland during invasion and occupation to evaluate how garrison and detached commanders dictated and interpreted Federal war policy in response to issues on the ground. During the war, the army invaded and occupied Middle Tennessee in early 1862, placing Union soldiers into hostile enemy country for the remainder of the conflict. Rapid tactical movements may have forced the

Confederate army's withdrawal from the area, but the territory now situated within Federal lines contained unrepentant civilians and hostile irregular forces. To pacify the country and maintain a supply line to Kentucky, the army detached forces along turnpikes, railroads, waterways, and strategic centers from Louisville to the Alabama border. In doing so, commanders of detached forces recognized that restrained warfare would not subdue the Confederacy and promptly removed their gloves in response. These were the commanders who rejected conciliation and implemented hard war. Harsher measures enabled officers to distinguish between hostile civilians and southern Unionists, protect supply lines and transportation avenues, subjugate guerrillas and other irregular forces, and contend with the large influx of enslaved African Americans.

Examining these commanders is particularly important because these forces penetrated deeply into Confederate territory early in the war, specifically Middle Tennessee and Northern Alabama. Troops from this army invaded and occupied the Volunteer State, starting with the capture of Nashville in February 1862, and held the capital for the war's duration. The city became the Department of the Ohio/Cumberland's forward operating base, fortified citadel, and trial for reconstruction. For commanders, the city was an important launching point for military operations as the army moved onward to occupy points south. While the capital became the center of Federal authority in Tennessee, the strategic outposts and detached forces that sprang up and operated from Louisville to Alabama were critical to military maneuvers, and became the contested ground where Federal war policy evolved and hardened. It was here, along stretches of railroads and garrison towns miles from the nearest support, where division and brigade

level officers ordered expeditions to destroy guerrilla bands, directed reprisals against disloyal civilians, fortified strategic points with stockades and blockhouses, arrested and exiled suspected secessionists, and helped dismantle the institution of slavery.

Fortunately, a recent shift in Civil War historiography will help us examine these leaders. A generation ago, scholars defined the conflict around Sherman's March to the Sea in 1864. As Charles Royster asserts: "To large numbers of people [General William T. Sherman's] public character embodied the severity needed for crushing the rebellion; his name became synonymous with the war that punished all rebels."<sup>2</sup> Similarly, Mark E. Neely Jr., notes that "historians writing on the American Civil War have emphasized its hard, terrible, and destructive qualities."<sup>3</sup> But, Neely continues, Sherman's reputation has been exaggerated. The "vision of mayhem," he insists, "*exceeded* 'anything the Federal army [actually] enacted.'"<sup>4</sup> In short, the March to the Sea is receding in historiographical importance. However, current scholarship continues to emphasize destructiveness, but in a new form. Historians have shifted away from the main armies toward what might be termed localized hard war. Scholars define the Civil War as a more intimate experience between soldiers and civilians in a variety of settings.

Anne Marshall has discussed this experience in detail. She states that "any sort of easy distinction between military and civilian Civil War participants may not be useful or

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<sup>2</sup> Charles Royster, *The Destructive War: William Tecumseh Sherman, Stonewall Jackson, and the Americans* (New York: Alfred A. Knopf, 1991), 89.

<sup>3</sup> Mark E. Neely, Jr., *The Civil War and the Limits of Destruction* (Cambridge: Harvard University Press, 2007), 198-99.

<sup>4</sup> Neely, *Civil War and the Limits of Destruction*, 198-99.

even valid anymore.”<sup>5</sup> Citing the work of Stephanie McCurry, LeeAnn Whites, Alecia P. Long, and Lesley A. Schwalm, among others, Marshall observes “that groups of people (white and black women or slaves, for example) that historians traditionally considered ‘civilians’ on the southern home front were actually full-fledged combatants.”<sup>6</sup> Marshall defines a blur “between the home front and battlefield and between the political and private dimensions of civilian life.”<sup>7</sup> In terms of detached Union commanders this blur occurred when officers tried to set boundaries and limits to restrain both soldiers and the Southern citizens. These officers desired civilians to clearly recognize Federal rule. The unwillingness of the secessionist civilian population to do so inspired stern response from Union forces. Thus, Federal garrison commanders operated in a distorted arena marked by retaliatory guerrilla warfare, localized combat, and the destabilization of the battlefield/home front boundary.<sup>8</sup>

As historians like Marshall have shifted the location of Civil War combat, the task has become how to analyze what occurred on this local level. Mark Grimsley, for one, identifies two Federal policies used to control civilians. “Each sought to detach Southern civilians from their allegiance to the Confederate government—the first through respect and magnanimity, the second through intimidation,” and in the interim, “a pragmatic

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<sup>5</sup> Anne Marshall, “The Southern Home Front,” *Journal of the Civil War Era* 2, no. 1 (March 2012): 7.

<sup>6</sup> Marshall, “The Southern Home Front,” 7.

<sup>7</sup> Marshall, “The Southern Home Front,” 7.

<sup>8</sup> Marshall, “The Southern Home Front,” 7.

interlude in which Union policy toward noncombatants had little strategic purpose.”<sup>9</sup> He defines the initial policy as conciliation, arguing that the Federal government’s “central assumption” in first phases of the war “was a faith that most white Southerners were lukewarm about secession, and if handled with forbearance, would withdraw their allegiance from the Confederacy once Union armies entered their midst.”<sup>10</sup> Federal commanders discarded the soft rosewater policy in mid-1862 after “a series of Union military reversals.”<sup>11</sup> Consequently, the “Lincoln administration encouraged field commanders to seize Southern property that might be useful to their operations,” and further escalated the conflict with the emancipation of slaves after Antietam in September 1862. Importantly, asserts Grimsley, while the destruction of human bondage may have ended the Federal policy of conciliation, “it did not immediately herald the birth of hard war program of 1864-1865.”<sup>12</sup>

Grimsley claims that the classic destructive war scholarship ascribed by historians to the likes of Sherman and Sheridan had two major attributes. “First, they were actions against Southern civilians and property made expressly in order to demoralize Southern civilians and run the Confederate economy, particularly its industries and transportation infrastructure. Second, they involved the allocation of substantial military resources to

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<sup>9</sup> Mark Grimsley, *The Hard Hand of War: Union Military Policy Toward South Civilians, 1861-1865* (New York: Cambridge University Press, 1995), 3.

<sup>10</sup> Grimsley, *Hard Hand of War*, 3.

<sup>11</sup> Grimsley, *Hard Hand of War*, 3.

<sup>12</sup> Grimsley, *Hard Hand of War*, 3.

accomplish the job.” Further, Grimsley argues that the Union operations “fitting these basic criteria did not surface in the western theater until at least April 1863.”<sup>13</sup> But, traces appeared earlier. “Elements of all three policies were present from the war’s outset, and remnants lingered until its conclusion.”<sup>14</sup> Grimsley insists that the “shift should not be thought of in absolute terms, but rather in degree of emphasis,” especially on the contested ground west of the Appalachians, “where the pragmatic policy formed the crucible of subsequent hard war measures.”<sup>15</sup> He does concede though that the “distinction tends to blur.”<sup>16</sup> While the line between uniformed combatants and hostile civilians became distorted, Federal commanders, Grimsley stresses, “sought victory exclusively on the battlefield; their stance toward civilians tended to be whatever seemed best calculated on the battlefield. They foraged when they needed to forage and retaliated when beset by guerrillas, but otherwise viewed civilians peripheral to their concerns.”<sup>17</sup> But, while Grimsley’s classification of Federal war policies has been supported by historians, particularly conciliation and hard war, others have challenged the scope and motivation of hard measures applied by Federal forces against Southern civilians and irregulars.

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<sup>13</sup> Grimsley, *Hard Hand of War*, 3.

<sup>14</sup> Grimsley, *Hard Hand of War*, 3-4.

<sup>15</sup> Grimsley, *Hard Hand of War*, 4.

<sup>16</sup> Grimsley, *Hard Hand of War*, 4.

<sup>17</sup> Grimsley, *Hard Hand of War*, 3.

Complicating Grimsley's argument about the motivation and scope of hard war, Clay Mountcastle asserts that Federal forces inaugurated stern measures in response to recalcitrant secessionists. Terming it punitive war, Mountcastle argues that Federal action directed against Southern civilians was not incidental or reactionary, occurring on the margins or isolated from the armies on campaign. Rather, he argues, the “war’s most blatant displays of aggression toward noncombatants and their property had little to do with feeding soldiers or starving the opponent. Instead, they were about punishment.”<sup>18</sup> He contends that punitive war “centered on the Union’s willingness to abandon conciliatory policies and include civilians in the hardships of war.”<sup>19</sup> Mountcastle’s assessment centers on Federal efforts to subdue guerrilla and irregular warfare. These forces wreaked havoc on Union garrisons and outposts, targeting outnumbered and isolated Federal units and key avenues of transportation. However, Mountcastle’s argument fails to consider the clear cause and effect for Federal retaliatory measures. Federal forces did not seek punitive war without reason; they responded to perceived affronts and deliberate violations of set boundaries. They cited specific causes and reasons to abandon conciliation. Consequently, civilians were often viewed as combatants and targeted. Federal operations to destroy the scourge of guerrillas came to define localized combat, marking a departure away from the grand campaigns and battlefields. However, there was a cause and effect for Federal retaliatory measures,

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<sup>18</sup> Clay Mountcastle, *Punitive War: Confederate Guerrillas and Union Reprisals* (Lawrence: University Press of Kansas, 2009), 2.

<sup>19</sup> Mountcastle, *Punitive War*, 4.

demonstrated by Federal garrisons conducting uncompromising operations against irregulars.

Historians have characterized Civil War combat on the margins of major battlefields as brutal, unconventional clashes between irregulars and Federal soldiers that often absorbed entire communities. But, these examinations often contested guerrilla warfare's overall effect on the conflict, described by Mountcastle as a "contentious issue with Civil War historians."<sup>20</sup> Two scholars, in particular, contend that the consequences of guerrilla actions are overstated. Neely argues that "the magnification of the importance of guerilla warfare" permeated Civil War scholarship and helped fuel the cult of violence' narrative.<sup>21</sup> He questions the effect of guerilla warfare "on overall Union policy and strategy."<sup>22</sup> Grimsley concurs with Neely's assessment. He asserts that "Union commanders sought victory exclusively on the battlefield; their stance toward civilians tended to be whatever seemed best calculated on the battlefield."<sup>23</sup> Federal officers retaliated against guerrillas when necessary, "but otherwise viewed civilians peripheral to their concerns."<sup>24</sup> Conversely, Daniel E. Sutherland argues that "guerrilla conflict, especially as waged by the Confederates, helped decide the outcome of the Civil War."<sup>25</sup>

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<sup>20</sup> Mountcastle, *Punitive War*, 5.

<sup>21</sup> Neely, *Civil War and the Limits of Destruction*, 203-04.

<sup>22</sup> Neely, *Civil War and the Limits of Destruction*, 205-06.

<sup>23</sup> Grimsley, *Hard Hand of War*, 3.

<sup>24</sup> Grimsley, *Hard Hand of War*, 3.

<sup>25</sup> Daniel E. Sutherland, *A Savage Conflict: The Decisive Role of Guerrillas in the American Civil War* (Chapel Hill: University of North Carolina Press, 2009), xiii.

He argues that the Federal government/army's policy of conciliation was thwarted by the guerrillas' refusal "to stand up to a fair fight," and the allocation of "valuable time and resources in defense that should have been used to wage war."<sup>26</sup> While Sutherland's assessment of guerrilla warfare's effect on the war may be overstated, his claim that Federal commanders altered policy on the ground reflects the decrees and orders the officers issued in response. Federal commanders held entire communities responsible for the pestilence of guerrillas. In a world of boundaries and immediate consequences, no individual in the community could avoid the choice to acknowledge or reject Federal control; there was no intermediate ground.

The experience of Federal garrisons in Middle Tennessee reflected the evolution of the war at the local level. For outpost commanders, their conflict with Southern civilians grew out of military duty. Federal forces invaded Middle Tennessee in February 1862. Garrisons sprang up along strategic routes between Louisville and Nashville, where contact with hostile civilians and armed irregulars was a daily occurrence. As a whole, Federal officers did not arrive to their duty stations with ready-made plans to punish secessionists. To achieve strategic mandates, commanders of detached forces set boundaries for both their soldiers and the occupied populace to recognize. They expected their men to respect civilian property and limited direct contact when practicable. Likewise, commanders demanded that the civilian population, including professed Confederates, acknowledge the army's authority by peacefully submitting to Federal

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<sup>26</sup> Sutherland, *A Savage Conflict*, 18-19.

occupation. Any violation of the established boundaries required a response. Federal commanders reacted to specific events they could see and interpret on the ground. The degree of retaliation depended on the acts committed that directly violated the boundaries set by Federal forces. Small infractions, such as insulting Federal soldiers or the national flag could result in imprisonment. The most serious crime, guerrilla/irregular warfare, was deemed a community-wide violation and resulted in severe punishment. Thus, devolved command localized combat at the garrison and detached-force level, reshaping the Federal army's strategic mission and relationship with occupied communities

By viewing the war through garrison commanders at the local level, this study will demonstrate that Federal forces on the fringes of occupied territory in the Western Theater were instrumental in dictating Federal war policy from an early date. It will also determine the effectiveness of guerrilla and irregular warfare. Commanders of detached forces launched counter-insurgency efforts to destroy irregular strongholds and punished complicit civilians all the while maintaining tactical exigencies. In doing so, commanders shaped the rules of war to remedy issues on the ground. These situational decrees became the foundation for official policy formulated and adopted by the Federal government in 1863, including guidelines relating to property destruction, retaliation against guerrillas, and confiscation.

Lastly, this work will engage what Andrew F. Lang defines as the American military ethos of occupation and apply it to experience of commanders of garrisons and detached forces in the Department of Ohio/Cumberland. Lang, citing an editorial in the *Nation*, states that occupation “encompassed two competing forces: republicanism and

race. Republicanism defined white Americans' citizenship, individual liberty, and protection of natural rights by the government, while limiting the coercive scope of governing institutions," especially the military.<sup>27</sup> Lang argues that in the context of "nineteenth-century American military culture, the concept reveals great utility."<sup>28</sup> Americans considered "domestic military occupation—a post invasion doctrine and administered conquered territory through martial law and fortified garrison—antithetical to nineteenth-century republican thought."<sup>29</sup> But, the army fully employed venerated definitions of republicanism during the war to fulfil their mission. Commanders' responses to circumstances on the ground—from the declaration of martial law to expulsion and destruction of civilian property—was contrary to the perceived role and power of American military institutions, but war against a hostile enemy necessitated not only these actions but the expansion of Federal power as well. Lang expands on this point, writing, "as white Union soldiers marched south and settled into their roles as military occupiers, their experiences shaped the ways they interacted with the civilians in their midst, challenged their perspectives of 'proper' military service, and altered their perceived relationship to the nation."<sup>30</sup> For garrison and detached forces, "[t]he nature of military occupation ultimately forced Union soldiers to realize that they served in a

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<sup>27</sup> Andrew F. Lang, "Republicanism, Race, and Reconstruction: The Ethos of Military Occupation in Civil War America," *Journal of the Civil War Era* 4, no. 4 (December 2014), 560.

<sup>28</sup> Lang, "Republicanism, Race, and Reconstruction," 560.

<sup>29</sup> Lang, "Republicanism, Race, and Reconstruction," 561.

<sup>30</sup> Lang, "Republicanism, Race, and Reconstruction," 562.

‘foreign land, most of whose inhabitants seemed hostile.’<sup>31</sup> However not all in occupied territory were enemies. Federal forces came to rely on African Americans for numerous services including labor, intelligence, and eventually as comrades in arms. This work reveals Federal commanders grappling with the ethos of occupation, republicanism, and military authority from the moment the army stepped foot on enemy territory

I have divided this study into four chapters and a conclusion. Chapter 1 explores the Army of the Ohio’s invasion and occupation of Middle Tennessee under Major General Don Carlos Buell. Included in the first chapter are the experiences of Federal officers commanding garrisons from the Kentucky border to Alabama. Chapter 2 explores the foundation of the Federal armies turn against conciliation in Missouri. Commanders found the state in anarchy at the start of armed hostilities and responded with harsh measures before the end of 1861. Chapter 3 details the experience of Buell’s army post-Nashville. The army is dissected to separate active fronts throughout Tennessee, placing outnumbered and isolated Federal garrisons deep in enemy country. Chapter 4 examines the reorganized Army of the Cumberland under Buell’s replacement, Major General William S. Rosecrans, and its occupation of Murfreesboro following the Battle of Stones River in January 1863. The chapter will contrast each commander’s approach to occupation, detail the evolving experience of garrison commanders in 1863, and conclude with the army’s preparation for the summer campaign, Tullahoma. The conclusion will lightly note the army’s experience in the midst and immediate aftermath Tullahoma. The campaign not only drove the Confederate army from their positions,

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<sup>31</sup> Lang, “Republicanism, Race, and Reconstruction,” 562.

allowing Rosecrans to extend a forward operating base further south from Murfreesboro, it became a staging ground for Federal occupation activities in 1863. The territories and towns captured and occupied in the Tennessee Valley became recruiting depots for the United States Colored Troops, and fortified garrisons, stockades, and blockhouses along strategic rail lines and roads.

CHAPTER I  
CONCILIATORY OR RIGID

“There are no violent demonstrations of hostility, though the mass of the people appear to look upon us as invaders, but I have seen several strong indications of loyalty in individuals.”<sup>1</sup>

-Major General Don Carlos Buell, February 26, 1862

The Don Carlos Buell Era

With the fall of Fort Donelson on the Cumberland River at Dover, Tennessee, “the way was open now to Clarksville and Nashville,” recalled Union General Ulysses S. Grant in his postwar memoirs.<sup>2</sup> Writing two decades after the battle, Grant believed that the Federal capture of the fort “opened to the National forces [the middle and deep Confederacy] all over the Southwest without much resistance.”<sup>3</sup> Grant’s assessment was correct on both fronts. First, the state capital at Nashville was open as the defeated Confederate army abandoned the city without a fight. Second, Federal forces, including Grant’s Army of West Tennessee, later operated along the Mississippi River to penetrate deep south and west into the Confederacy. Adding Fort Donelson to the capture of Fort Henry, Grant declared, broke “the line the enemy had taken from Columbus to Bowling Green, and it was known that he was falling back from the eastern point of this line and that [Brigadier General Don Carlos] Buell was following, or at least advancing.”<sup>4</sup>

Buell’s Army of the Ohio did follow in the footsteps of the Confederate withdrawal, seized the

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<sup>1</sup> *The War of The Rebellion: Original Records of the Civil War* (Columbus: Ohio State University); digitized from original, *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (70 vols. in 128 parts; Washington, 1880–1901), Serial 007, Chapter XVII, Part II, 408, accessed <https://ehistory.osu.edu/books/official-records>; hereinafter cited as *Official Records*.

<sup>2</sup> Ulysses S. Grant, *Personal Memoirs of U. S. Grant*, vol. 1 (1885; repr., New York: Dover Publications, 1995), 122-23.

<sup>3</sup> Grant, *Personal Memoirs of U.S. Grant*, 122.

<sup>4</sup> Grant, *Personal Memoirs of U.S. Grant*, 123.

opportunity, and captured Nashville. In doing so, the army achieved the War Department's major goals: defeat the enemy by Napoleonic maneuver and combat, and invade and occupy the Confederacy by increments.

The Union's arrival in Middle Tennessee completely altered the strategic landscape that Federal commanders faced west of the Appalachians in the war's first year. "At the beginning of 1862," Grant noted, "National troops occupied no territory south of the Ohio [river], except three small garrisons along its bank and a force thrown out from Louisville to confront that at Bowling Green."<sup>5</sup> The situation reversed in just three months as Grant's operations seized control of the Tennessee and Cumberland rivers, removing the major Confederate presence along the Tennessee-Kentucky border. With the route clear, Buell's vanguard marched unopposed to occupy Nashville, the first Confederate state capital to fall, before the end of February. Grant surmised that the army's disparate command structure forfeited an opportunity for Federal forces to conduct a grand Napoleonic campaign to seal the Confederacy's fate in the West. "If one general who would have taken the responsibility had been in command of all the troops West of the Alleghenies, he could have marched to Chattanooga, Corinth, Memphis and Vicksburg with the troops we then had."<sup>6</sup> A general officer was later appointed to command all troops in the theater, but it was Grant's superior, Major General Henry W. Halleck, who was elevated to the position. Prior to his promotion, Halleck censured Grant for operating beyond his duties, notably taking direct action in the Federal incursion toward Nashville. Operational control of Middle Tennessee fell within the boundaries of the Department of the Ohio under Buell. Within the confines of the department, "embracing the States of Ohio, Michigan, Indiana, Kentucky (east of

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<sup>5</sup> Grant, *Personal Memoirs of U.S. Grant*, 124-25.

<sup>6</sup> Grant, *Personal Memoirs of U.S. Grant*, 122.

the Cumberland river), and Tennessee,” Buell and his army found the going after their capture of Nashville far harsher and more complicated than the Napoleonic campaign of maneuver and combat that extended Federal occupation south of the Ohio.<sup>7</sup>

This chapter examines the Army of the Ohio’s experience as invaders and occupiers in Middle Tennessee after the fall of Nashville in late February, 1862. Focusing on the forces detached to extend Federal presence south, Buell personally led the bulk of his army to support Grant along the Tennessee River at Pittsburg Landing (Shiloh), leaving occupational forces to operate independently. In addition, the section will trace the origins of the Regular Army officer corps’ philosophy toward executing war. Based on their specialized training and experience, commanders improvised and adjusted in the face of the harsh reality of occupation during the Civil War. General Buell sought a soft, reconciliatory approach to pacify the Confederacy, especially civilians and noncombatants. This logic mirrored not only the mandates of Buell’s military and civilian superiors in Washington, but also the instruction and culture imparted to him as a Regular Army officer at the United States Military Academy at West Point. Buell personified the cadre of professional officers whose specialized background elevated Regulars to the upper echelons of command as the secession crisis escalated into war. Grant laid out a Federal campaign along the Kentucky-Tennessee border that relied on professional officers and Napoleonic tactics, but circumstances on the ground obstructed both commanders and their tactics, presenting a picture very different from the victories of Forts Henry and Donelson and the subsequent capture of Nashville. When Buell’s hopes that the populace of Middle Tennessee would succumb peacefully to Federal rule failed, he detached division and brigade sized units to occupy strategic avenues of transportation and towns from Louisville, Kentucky to Athens,

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<sup>7</sup> Thomas B. Van Horne, *The Army of the Cumberland* (1875; repr., New York: Smithmark, 1996), 36.

Alabama. Surrounded by hostile citizens and armed irregulars, Federal garrison commanders discarded Buell's rosewater policies for hard war without hesitation. It was these officers, isolated far from direct support or immediate supervision, who altered Federal war policy in accordance to what they could see and interpret on the ground.

The Army of the Ohio's commander arrived to accept the official surrender of Nashville on February 25, 1862. The city's fall set the premise for what proved to be an arduous eight-month trial of war-making for Buell and his men. A Regular Army officer and Mexican War veteran, Buell personified the professional arms in philosophy, training, and experience. Like Grant, Halleck, and the army's general-in-chief, Major General George B. McClellan, Buell represented the Union's administration of the war through the lens and experience of the Regular officer cadre. As a graduate of the United States Military Academy at West Point, Buell, "like most senior Union and Confederate commanders, had been veterans of an antebellum U.S. Army deeply suspicious of irregular warfare."<sup>8</sup> West Point's culture reflected social conservatism and "specialized military knowledge" that "set them apart from their countrymen," specifically citizen-soldiers.<sup>9</sup> Civil War senior commanders were inspired by institutionalized academy culture and the vindication of professional arms during the Mexican War. Thus, professional officers aimed to direct the conflict of the 1860s in a manner where "both armies continued to fight in uniform, and under notions of hierarchy and discipline developed by Regular Army officers in what many have called the 'old army.'"<sup>10</sup>

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<sup>8</sup> Wayne Wei-Siang Hsieh, *West Pointers and the Civil War: The Old Army in War and Peace* (Chapel Hill: University of North Carolina Press, 2009), 1.

<sup>9</sup> Hsieh, *West Pointers and the Civil War*, 4-5.

<sup>10</sup> Hsieh, *West Pointers and the Civil War*, 1-2.

The Regular Army ethos influenced by West Point tradition and culture intertwined with what Wayne Wei-Siang Hsieh describes as “the basic parameters of American military thought throughout the nineteenth century: the primacy of civilian control, a dual military system based on a small core of regulars and a large reserve of citizen soldiers under federal supervision, a well-articulated system of military education, and an officer-heavy regular army designed to expand quickly in wartime.”<sup>11</sup> The country’s two major conflicts of the mid-nineteenth century, Mexico and the Civil War, saw these concepts come to fruition. Although the Regular Army was subject to Federal jurisdiction, the successful administration and conduct during the Mexican War and the “need to fight a nation-state war forced Americans to tolerate the special military expertise monopolized by” West Pointers.<sup>12</sup> The nation’s first major war after the academy’s founding affirmed the need for a professional officer corps who could quickly and efficiently train and lead volunteers. It also outlined the boundaries of war’s conduct for uniformed combatants, irregulars, and civilians alike on both sides of a conflict. The war south of the Rio Grande was the first for the academy’s graduates, and provided the testing ground for the professional doctrine and philosophy ingrained in the cadets turned junior officers.

The old guard’s experience in the Mexican War “vindicated their faith in professional military expertise.”<sup>13</sup> For the Regulars, the war redeemed their training and culture instilled at West Point. No one embodied the professional soldier quite like the commanding general of U.S. forces, Winfield Scott. General Scott’s commission predated the founding of the academy, but he possessed the command and operational skills to direct American soldiers, a combination of

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<sup>11</sup> Hsieh, *West Pointers and the Civil War*, 12-13.

<sup>12</sup> Hsieh, *West Pointers and the Civil War*, 3.

<sup>13</sup> Hsieh, *West Pointers and the Civil War*, 54-55.

Regulars and volunteers, directly against the enemy capital at Mexico City. Further, Scott acutely understood that the war could degrade beyond the control of professional officers as thousands of marauding volunteers invaded and occupied enemy territory. In response, he established rules of war for the conduct of Americans soldiers and in response to irregular warfare.

John Fabian Witt describes Scott's plan as "an innovative strategy for dealing with the twin problems of guerrilla attacks and indiscriminate retaliation by American volunteers."<sup>14</sup> He "created a new martial law authority over crimes committed by U.S. soldiers on foreign soil. Scott's General Orders No. 20, authorized tribunals that he called 'military commissions' for a wide array of acts deemed atrocities," including assassination, murder, rape, robbery, the "wanton destruction of churches," and public or private property.<sup>15</sup> To ensure wide circulation and prevent any misunderstanding from friend or foe, Scott issued the order "anew at a major juncture in the campaign across central Mexico."<sup>16</sup> In response to the rapid and rampant escalation of guerilla warfare, described by Ethan S. Rafuse as an "endless cycle to retribution,"<sup>17</sup> G. O. No. 20 also "established jurisdiction over 'any inhabitant of Mexico.'"<sup>18</sup> Scott insisted that noncombatants, "individuals, or parties of Mexico, *not belonging to the public forces*," would be punished with vigor for injuring or killing American soldiers.<sup>19</sup> Scott later formalized the treatment of guerillas in a general order, No. 372, "issued from Mexico City,

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<sup>14</sup> John Fabian Witt, *Lincoln's Code: The Laws of War in American History* (New York: Free Press, 2012), 122.

<sup>15</sup> Witt, *Lincoln's Code*, 122-23.

<sup>16</sup> Witt, *Lincoln's Code*, 123.

<sup>17</sup> Ethan S. Rafuse, *McClellan's War: The Failure of Moderation in the Struggle for the Union* (Bloomington: Indiana University Press, 2005), 47.

<sup>18</sup> Witt, *Lincoln's Code*, 124.

<sup>19</sup> Witt, *Lincoln's Code*, 124.

announc[ing]” that bands of guerrillas “were violating ‘every rule of warfare observed by civilized nations,’ and would, when captured, be sent before summary trail, resulting in punishment.”<sup>20</sup> Scott’s order set the precedent for the conduct of soldiers and civilians in times of war. The breaking of boundaries thus inspired retaliation, which Witt describes as “the eighteenth-century and early nineteenth-century laws of war’s mechanism for responding to violations.”<sup>21</sup> The young subalterns that served under Scott in Mexico carried his influence through the post-war era to the dissolution of the Union in 1861.

The Regular officers’ experience during the Mexican War profoundly altered the way these officers would later understand secession and Fort Sumter. The officers witnessed first-hand the conduct of the volunteer soldiers and their politically appointed commanders. It was not a glowing testimony. Likewise, the volunteers viewed the Regulars as “arrogant, pedantic, rigid,” and the antithesis of free-citizens of the Republic. Hsieh describes the resentment the career soldiers held toward volunteers in Mexico later echoed in 1861. “The regulars saw the volunteers, enlisted men and officers alike, as inefficient, incompetent, undisciplined and even barbaric in their conduct toward Mexican civilians.”<sup>22</sup> This sentiment was universal amongst the old guard who certainly did not hide their disdain for the volunteers in letters home.

Lieutenant John F. Reynolds, West Point class of 1841 with Don Carlos Buell, believed that volunteers not only lacked discipline but the desire for obedience to military rule. The future Union major general reckoned temporary soldiers could be used to repel invasion and not much else. “All the volunteers that have been here yet acknowledge their worthlessness and would be

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<sup>20</sup> Witt, *Lincoln’s Code*, 125.

<sup>21</sup> Witt, *Lincoln’s Code*, 129.

<sup>22</sup> Hsieh, *West Pointers and the Civil War*, 72-73.

glad to get out of the scrape.”<sup>23</sup> He did not challenge their courage but naivety to unforgiving army life. “It is not the fighting they object to, it is the hot weather and marching that has disgusted them, and this lying idle in camp subjected to the strictest discipline that has disheartened many of them.”<sup>24</sup> Reynolds’ statement reveals the justifiable trepidation amongst Regular officers that American volunteers were merely armed and uniformed raiders who posed a threat to the army more than the enemy. George G. Meade, six years Reynolds’ senior at the academy and future commanding general of the Union Army of the Potomac, echoed his fellow Pennsylvanian’s account in a letter to his wife. “The volunteers continue to pour in, and I regret to say I do not see it with much satisfaction. They are perfectly ignorant of discipline, and most restive under restraint. They are in consequence a most disorderly mass, who will give us, I fear, more trouble than the enemy.”<sup>25</sup> Meade, like Reynolds, served under General Zachary Taylor’s army operating from the Rio Grande River and missed the grand campaigns to capture Mexico City, but advocated the expansion of the Regular army in times of war. The professional officer corps never wavered from their enculturated tradition and training that they would be the guardians of United States’ military policy during war. The American political culture that “overly idealized citizen-soldier[s],” in effect “had given a small cadre” of Regular officers “almost exclusive access” to military expertise.<sup>26</sup>

Perhaps no other junior officer personified the Mexican War’s influence on the Regular Army than George Brinton McClellan. Graduating second in the famed West Point class of 1846,

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<sup>23</sup> Edward J. Nichols, *Toward Gettysburg: A Biography of General John F. Reynolds* (State College: Pennsylvania State University Press, 1958), 27.

<sup>24</sup> Nichols, *Toward Gettysburg*, 27-28.

<sup>25</sup> George Gordon Meade, *The Life and Letters of George Gordon Meade*, vol. 1, ed. George Gordon Meade Jr. (New York: Charles Scribner's Sons, 1913), 91.

<sup>26</sup> Hsieh, *West Pointers and the Civil War*, 3.

McClellan embodied the army ethos both in its professionalism and conservative prosecution of war. While he served as a junior engineer officer, McClellan too observed the abhorrent conduct of volunteer soldiers and their equally unkempt political-officers, derisively called “mustangs” by the Regulars.<sup>27</sup> During their encampment on the Rio Grande a month after his arrival, McClellan wrote that the volunteers “think nothing of robbing & killing the Mexicans.” The temporary soldiers had violated the boundaries of civilized war, degrading the conflict to one “of unrestrained passion.”<sup>28</sup> But he understood the “American military policy and thought” described by Hsieh that espoused a large “reserve of citizen-soldiers organized under federal supervision.”<sup>29</sup> McClellan and the professional officer corps would be the authorities who controlled citizen-soldier war.

McClellan spoke for many within the Regular officer cadre when later he referred to Scott as “the general whom I first learned the art of war,” and the skill extended beyond the battlefield.<sup>30</sup> Rafuse, a McClellan biographer, provides a description of Scott’s management of American forces in Mexico that was later reproduced by Federal commanders in 1861-1862:

Scott “developed his operational and tactical methods not only to win battles but to also convince Mexico’s political leadership to accept defeat as quickly as possible on the terms satisfactory to the administration and the American people. Consequently, he tightly controlled his army’s movements and the conditions under which battles were fought throughout the campaign with an eye on achieving victories that would convince the Mexican government that continued resistance was futile without the sort of casualties that would inflame passions and make it difficult, if not impossible, to make a reasonable peace that both sides could accept.”<sup>31</sup>

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<sup>27</sup> Stephen W. Sears, *George B. McClellan: The Young Napoleon* (New York: Ticknor & Fields, 1988), 15.

<sup>28</sup> Rafuse, *McClellan’s War*, 47.

<sup>29</sup> Hsieh, *West Pointers and the Civil War*, 25.

<sup>30</sup> Sears, *George B. McClellan*, 26.

<sup>31</sup> Rafuse, *McClellan’s War*, 47.

Rafuse asserts that McClellan, like Scott, “brought to the problem of the war the same Whig moderation and belief in the virtues of restraint and enlightened reason that shaped his diplomacy and politics.”<sup>32</sup> He aimed to assure the civilian populace “that their property, persons, and institutions would be secure as long as they cooperated with American authorities.”<sup>33</sup> Scott’s establishment of boundaries, especially in response to guerilla warfare and retaliation, set a model for army officers to dictate and disseminate “laws of war” according to circumstances on the ground.<sup>34</sup> His influence transcended the Regular army officer corps, providing an “impressive example to the virtues of professionalism and conducting military affairs according to proper strategic principles.”<sup>35</sup>

The dissolution of the Union and the bombardment of Fort Sumter in South Carolina generated a dire-need for experienced professional officers to command volunteer armies. Mexican War veterans, notably West Pointers, comprised a significant percentage of the war’s officer corps due to the “experience the old guard acquired in Mexico, both as individuals and as a corporate institution.”<sup>36</sup> Hsieh asserts that the Regulars “could not help but have a substantial influence on the conduct of the Civil War, because the army “fought no other nation-state wars in the interval between the two conflicts.”<sup>37</sup> The Regulars officers were also trained career professionals. They were not filibusters—a name tied to “the Spanish word *filibustero*, [for] a

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<sup>32</sup> Rafuse, *McClellan’s War*, 47.

<sup>33</sup> Rafuse, *McClellan’s War*, 47.

<sup>34</sup> Witt, *Lincoln’s Code*, 126.

<sup>35</sup> Rafuse, *McClellan’s War*, 49.

<sup>36</sup> Hsieh, *West Pointers and the Civil War*, 72.

<sup>37</sup> Hsieh, *West Pointers and the Civil War*, 72.

freebooter or pirate.”<sup>38</sup> James M. McPherson describes filibustering as “one of the more bizarre phenomena of 1850s.”<sup>39</sup> Amy S. Greenberg states that the practice “referred to private armies invading other countries without official sanction of the U.S. government. Filibusters were men who on their own initiative went to war against foreign nations, often in face of open hostility from their own governments.”<sup>40</sup> The practice gained popularity following the Mexican War in 1848 and spiked in the next decade. Those who adopted the trade most often “acted out a thirst for power or adventure or profit or to open new regions for slavery.” Even McClellan considered joining an expedition in 1857, but he was out of the army and bored with his new career as a railroad engineer.<sup>41</sup> Filibustering conflicted with restraint. Greenberg rightly asserts that restrained “men recognized the rule of law.”<sup>42</sup> Professional officers viewed filibustering often in the same light as volunteers: undisciplined marauders who desired the spoils of war over service to their country. Consequently, the officer corps’ training, experience, and insistence on order and discipline elevated them as the principle cog in the Federal war effort.

George McClellan became the army’s foremost commander to “restore [the] country to harmony by taking positions which will check anarchy and rule the elements which will soon be brought into action.”<sup>43</sup> After a series of small but victorious battles in West Virginia, McClellan was ordered to Washington D.C in summer 1861. In due time, he replaced the aging Winfield

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<sup>38</sup> James M. McPherson, *The War that Forged a Nation: Why The Civil War Still Matters* (New York: Oxford University Press, 2015), 29.

<sup>39</sup> McPherson, *War that Forged a Nation*, 28-29.

<sup>40</sup> Amy S. Greenberg, *Manifest Manhood and the Antebellum American Empire* (New York: Cambridge University Press, 2005), 5.

<sup>41</sup> Sears, *George B. McClellan*, 14-15.

<sup>42</sup> Greenberg, *Manifest Manhood and the Antebellum American Empire*, 152.

<sup>43</sup> Rafuse, *McClellan’s War*, 92.

Scott as general-in-chief; one of McClellan's first orders of business was to reorganize Union forces west of the Appalachians. General Buell, then a division commander in the Army of the Potomac, was ordered to Louisville to replace William T. Sherman as head of the Department of the Ohio.<sup>44</sup> In Buell, McClellan had a trusted friend and subordinate who would disseminate his philosophy toward the Confederacy by "disregard[ing] the voices of passions and extremism who were calling for a hard policy toward 'traitors.'"<sup>45</sup> Rather, writes Rafuse, McClellan believed "a spirit of paternalism and conciliation must animate the hearts and minds of the North in their dealings with Southern civilians, manifest in 'a rigid protective' policy toward Southern property, constitutional rights, and institutions that did not challenge the authority of the Union."<sup>46</sup>

McClellan's "Memorandum for the Consideration of His Excellency the President," dated August 2, 1861, detailed his vision of the war's prosecution.<sup>47</sup> The memo is best remembered for McClellan's outlandish request for an army of 273,000 men and 600 cannons that he would personally lead in a grand invasion of the Confederacy. Upon closer examination, it reflected both McClellan's military training and experience, and social conservatism based upon "consciously directed order and discipline, hierarchy, moderation, and enlightened reason."<sup>48</sup> Like Scott, he desired to keep the war to within the confines of military rule and action, led by professional officers. By setting boundaries, Federal armies could avoid the utter

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<sup>44</sup> Wilmer L. Jones, *Generals in Blue and Gray: Lincoln's Generals*, vol. 1 (Westport, CT: Praeger Publishers, 2004), 93-94.

<sup>45</sup> Rafuse, *McClellan's War*, 121.

<sup>46</sup> Rafuse, *McClellan's War*, 121

<sup>47</sup> Rafuse, *McClellan's War*, 120.

<sup>48</sup> Rafuse, *McClellan's War*, 49.

disruption and destruction of civilian society. However, McClellan was conflicted. The restoration of the Union was predicated on the defeat of Confederate military forces, rendering the rebellion null and void, but the Federal defeat at First Manassas outside of Washington D.C. in July, 1861 demonstrated that the Confederate populace needed to be defeated as well.

McClellan recognized the dilemma's complexity and advocated a powerful show of force as the remedy. While "in this contest it has become necessary to crush a population sufficiently numerous, intelligent and warlike to constitute a nation," the United States "had [not only] to defeat their armed and organized forces in the field but to display such an overwhelming strength as will convince [their] antagonists, especially those of the governing aristocratic class, of the utter impossibility of resistance."<sup>49</sup> McClellan's description of the Confederate populace as a nation revealed the daunting task facing Federal commanders as invasion by increments evolved into extended occupation. "The contest began with a class; now it is with the people."<sup>50</sup> McClellan contended that "military success alone can restore the former issue" by "thoroughly defeating [the Confederate] armies."<sup>51</sup> Thus, high command thrust Union armies into enemy country to support "the authority of the Government" and to crush the Confederacy with "overwhelming physical force."<sup>52</sup> Invasion and occupation tested plans designed to overwhelm like McClellan's, placing Federal troops in direct contact with a secessionist populace. Although high command's vision articulated clear boundaries to maintain proper conduct among the

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<sup>49</sup> Stephen W. Sears, ed., *The Civil War Papers of George B. McClellan: Selected Correspondence, 1860-1865* (New York: Ticknor & Fields, 1989), 71-72.

<sup>50</sup> *Civil War Papers of George B. McClellan*, 71-72.

<sup>51</sup> *Civil War Papers of George B. McClellan*, 71-72.

<sup>52</sup> *Civil War Papers of George B. McClellan*, 71-72.

soldiers and an expectation of mutual understanding from the civilian populace, the reality of these interactions would prove far more challenging than McClellan foresaw.

McClellan composed a detailed message to Buell after his promotion with suggestions on how best to direct military operations in the department, dated November 7, 1861. It was “absolutely necessary” that Buell “hold all of Kentucky” where the “majority of its inhabitants shall be warmly in favor of our cause, it being that which best subserves [sic] their interest.”<sup>53</sup> He was to also march his army into East Tennessee “to rescue from Confederate oppression the many Union sympathizers living there.”<sup>54</sup> Federal commanders promptly realized the inhabitants of Kentucky and Tennessee, including alleged Unionists, usually served their own interests before their conditional sentiment to the United States. Buell recited McClellan’s exhortations that the army was fighting for the “preservation of the Union and the restoration of the full authority of the General Government” during his later occupation of Nashville.<sup>55</sup> McClellan’s policies—and Buell’s adherence—regarding the protection of Southern property “was fully in line with the prevailing view in the North” as the “Union war policy at the outset was firmly based on the widespread belief that white Southerners” were indifferent to secession, “and if handed with forbearance, would withdraw their allegiance to the Confederacy once Union armies entered in their midst.”<sup>56</sup> The Federal occupation of Nashville and Middle Tennessee revealed how vastly overstated Southern civilians’ sympathetic sentiment toward the Union was.

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<sup>53</sup> *Civil War Papers of George B. McClellan*, 125.

<sup>54</sup> Gerald J. Prokopowicz, *All for the Regiment: The Army of the Ohio, 1861-1862* (Chapel Hill: University of North Carolina Press, 2001) 36.

<sup>55</sup> *Civil War Papers of George B. McClellan*, 125.

<sup>56</sup> Rafuse, *McClellan’s War*, 121-22.

Far from the Unionists waiting for liberation, Nashville's citizenry waited hopefully for news that Confederate forces had repelled the Union invasion of Middle Tennessee as battle erupted at Fort Donelson on February 12, 1862. Their faith quickly evaporated as reports from the front confirmed the Confederate surrender of the fort four days later. The civilian populace, including Governor Isham G. Harris, had reason for concern since the capital lay without major fortifications or defensive positions as Federal forces menaced the city. Further inciting uncertainty and growing panic, Confederate General Albert Sidney Johnston planned to withdraw his army southeast to Murfreesboro.<sup>57</sup> The Union army had an unobstructed march into Nashville and captured the city on February 25.

Fresh from their occupation of Edgefield, across the Cumberland River from Nashville, a detachment of Federal cavalry trotted into the capital on February 23 as the first Union troops to enter Nashville. Without a general officer present, the Federal forces could not formally negotiate conditions with civic leaders, but Union officers assured Mayor R. B. Cheatham that "the rights and property of citizens would be protected, townspeople should go about business as usual, and the public stores would be taken over by the army."<sup>58</sup> The mayor also passed along to 30,000 citizens remaining in the city that the Federal objective was to restore the Union and not interfere with the institution of slavery as many had feared. Two days later, General Buell, with the vanguard of Army of the Ohio, arrived to formally accept surrender of the city. He quickly issued orders to his commanders and soldiers detailing the army's purpose as it occupied Middle Tennessee, confirming the cavalrymen's message.

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<sup>57</sup> Walter T. Durham, *Nashville: The Occupied City, the First Seventeen Months—February 16, 1862 to June 30, 1863* (Nashville: Tennessee Historical Society, 1985), 7-10.

<sup>58</sup> Durham, *Nashville*, 44.

On February 26, 1862, just two days after his arrival to Nashville, Buell issued General Orders No. 13a. The general commanding congratulated the men for restoring Federal authority and stated the Army of the Ohio's mission: "We are in arms, not for the purpose of invading the rights of our fellow-countrymen anywhere, but to maintain the integrity of the Union and protect the Constitution under which its people have been prosperous and happy."<sup>59</sup> Therefore, peaceable citizens were not to be molested; soldiers were forbidden to enter residences or grounds without authority; property requisition required fair compensation and receipts; and arrests required direct authorization from headquarters. Buell set clear boundaries for the army. He noted "that the most frequent depredations are those which are committed by worthless characters, who straggle from the ranks" to forage, steal and harass civilians.<sup>60</sup> Buell deemed this behavior unnecessary. "The Government supplies with liberality all the wants of the soldier. The occasional deprivations and hardships incident to rapid marches must be borne with patience and fortitude. Any officer who neglects to provide properly for his troops or separates himself from them to seek his own comfort will be held to a rigid accountability."<sup>61</sup> Buell was serious. Officers in command of troops were ordered to live in camp with their men, without exception, including the staff of the military governor who were evicted from private residences in Nashville.<sup>62</sup> The general's orders plainly reveal his attempt to dictate the proper relationship between his volunteer soldiers and civilians by establishing clear rules for conduct.

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<sup>59</sup> *Official Records*, Ser. 007, Vol. XVII, Pt. 1, 669.

<sup>60</sup> *Official Records*, Ser. 007, Vol. XVII, Pt. 1, 669-70.

<sup>61</sup> *Official Records*, Ser. 007, Vol. XVII, Pt. 1, 669-70.

<sup>62</sup> Pete Maslowski, *Treason Must Be Made Odious: Military Occupation and Wartime Reconstruction in Nashville, Tennessee, 1862-65* (Millwood, NY: KTO Press, 1978), 44.

Buell aimed to fulfill McClellan's desires to "[k]eep up the hearts of Tennesseans" and restore Union sentiment through conciliation.<sup>63</sup> He reiterated McClellan's instructions that the army was "fighting only to preserve the Union," and it would preserve "the strictest discipline, among the troops," by "employing the upmost energy in military movements."<sup>64</sup> Officers and soldiers would and "be careful to treat the unarmed inhabitants as to contract."<sup>65</sup> He was not to "widen the breach existing between [the Union] and the rebels."<sup>66</sup> Buell wrote to McClellan two days after issuing G.O. 13a, asking the general-in-chief "to induce the President to pursue a lenient course, and as far as possible to reconstruct the machinery of the General Government out of material here, of which an abundance can be found that is truly loyal, though for some time overpowered and silenced."<sup>67</sup> Federal troops needed to defeat Confederate armies by liberating southern cities and towns, respecting private property as they did do. Buell's "hope that a great change will take place speedily in the attitude of the Tennesseans [sic], in both the manner of the military and political policy to be observed,"<sup>68</sup> was tested immediately as over 35,000 Federal troops occupied the capitol building and the main avenues of approach to the city, placing soldiers in direct contact with civilians.

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<sup>63</sup> *The Civil War Papers of George B. McClellan*, 138.

<sup>64</sup> Rafuse, *McClellan's War*, 147.

<sup>65</sup> Rafuse, *McClellan's War*, 147.

<sup>66</sup> Rafuse, *McClellan's War*, 147.

<sup>67</sup> George C. Bradley and Richard L. Dahlen, *From Conciliation to Conquest: The Sack of Athens and the Court-Martial of Colonel John B. Turchin* (Tuscaloosa: University of Alabama Press, 2006), 78-86.

<sup>68</sup> *Official Records*, Vol. 007, Chapter XVII, Pt. 1, 671.

As the stars and stripes rose above the state capital for all of Nashville to see, General Buell hoped the banner would inspire “thousands of hearts in every part of the State [to] swell with joy to see that honored flag reinstated in a position from which it was removed in the excitement and folly of an evil hour; that the voice of her own people will soon proclaim its welcome, and that their manhood and patriotism will protect and perpetuate it.”<sup>69</sup> The Federal occupation of Kentucky and operations along the border with Tennessee proved that the sight of Old Glory and Federal soldiers did anything but restore loyalty. John Fitch, the Army of Ohio’s Provost Judge who served under Buell and William S. Rosecrans, recorded the soldiers’ indignant greeting from the populace as they occupied the abandoned capital. “Perhaps in no city in the South had our army met with so bitter a reception as at Nashville. The intense hatred of the Secessionists of Nashville for the Union troops displayed itself in the most contemptuous expressions and incidents.”<sup>70</sup> These confrontations purposely violated boundaries set by the Union army and prompted a response. The army could not accept insults and indignant behavior; doing so could lead to deadly encounters and obstruct their ability to win the war. Federal optimism originally centered on the belief that the state, despite overwhelming support for secession from counties in Middle and Western Tennessee, could quickly restore civic rule as Union occupation extended from the capital to the surrounding counties. The Federal government and army simply needed to recall Middle Tennessee’s reaction to President Abraham Lincoln’s call for 75,000 to suppress the rebellion after Fort Sumter to see that the task was more complex than expected.

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<sup>69</sup> *Official Records*, Ser. 007, Vol. XVII, Pt. 1, 669.

<sup>70</sup> John Fitch, *Annals of the Army of the Cumberland: Comprising Biographies, Descriptions of Departments, Accounts of Expeditions, Skirmishes, and Battles*, 5<sup>th</sup> ed. (1864, repr., Mechanicsburg, PA: Stackpole Books, 2003), 108.

As late as February 1861, Middle Tennesseans sought a conservative response to secession, but for most, “the change of heart came almost literally overnight, so forceful was the shock of Sumter.”<sup>71</sup> Their transformation was reflected in the statewide referendum for secession two months after the fort fell. With a landslide majority vote of 37, 262 to 1,927 for disunion, secessionists “prepare[d] to defend the South against Yankee invaders.”<sup>72</sup> In Davidson County [Nashville], the majority vote exceeded five-thousand, and the “City Council began an earnest, but unsuccessful, campaign to have the [capital] made the capital of the Confederacy.” Peter Maslowski argues that “Tennessee *actually* left the Union before it *officially* did so since the defense of sacred southern soil could not await formal resolutions.”<sup>73</sup> The state’s steps toward disunion included “military preparation on the state and local level,” a special war tax, and Governor Harris’s establishment of “a military league with the Confederacy,” which began “equipping the Provisional Army of Tennessee.” Maslowski contends that Nashville and Middle Tennessee’s swift allegiance with the Confederacy hinged on “the conditional nature of Southern Unionism.”<sup>74</sup> Loyalists living in the capital “were against coercion to save the Union,” and yet “not organize[ed] to fight.”<sup>75</sup> Secessionists were not only willing to intimidate Unionists and coerce neutralists, “they were willingly organized for battle and prepared to use force, if necessary, to take Tennessee out of the Union.”<sup>76</sup> Federal forces could not rest as secessionists

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<sup>71</sup> Stephen V. Ash, *Middle Tennessee Society Transformed, 1860-1870: War and Peace in the Upper South* (Baton Rouge: Louisiana State University Press, 1988), 71-72.

<sup>72</sup> Ash, *Middle Tennessee Society Transformed*, 72.

<sup>73</sup> Maslowski, *Treason Must Be Made Odious*, 28.

<sup>74</sup> Maslowski, *Treason Must Be Made Odious*, 28.

<sup>75</sup> Maslowski, *Treason Must Be Made Odious*, 28.

<sup>76</sup> Maslowski, *Treason Must Be Made Odious*, 28.

used coercion to intimate the populace and instigated war against the U.S., even as federal forces occupied the capital in 1862. These actions were clear violations of boundaries and removed any barrier between uniformed combatants and civilians.

Federal actions in Missouri and Virginia set a precedent for establishing military government in rebellious states and for applying military force to pacify hostile areas or to support Unionist sentiment, as Maslowski identifies. He draws a parallel between Federal actions in Missouri and Virginia as a model of applying military force to pacify hostile areas or to support Unionist sentiment. In Missouri, “only superior Unionist military power and organization kept the state in the Union.”<sup>77</sup> In the Old Dominion, “a Unionist government supposedly representing the entire state went into operation in Wheeling” and led to the formation of West Virginia.<sup>78</sup> The Lincoln administration believed reconstruction was possible by “extending” loyal governments “over ever-widening areas” with the appointment of a military governor to rally the ‘repressed’ Unionists.<sup>79</sup> These theories met testing ground when the Confederate army’s precipitous departure left Nashville open for the taking. Despite the loss of the capital—the first state capital captured by Federal forces—secessionists, both uniformed and irregulars, fulfilled their promise to use force to harass Union soldiers for the remainder of the war.

Buell reported to Washington DC on February 26, 1862 that there were “no violent demonstrations of hostility” and “several strong indications of loyalty in individuals” as the Army of Ohio occupied Nashville, but he conceded that “the mass of the people appear to look

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<sup>77</sup> Maslowski, *Treason Must Be Made Odious*, 28.

<sup>78</sup> Maslowski, *Treason Must Be Made Odious*, 28.

<sup>79</sup> Maslowski, *Treason Must Be Made Odious*, 28.

upon us as invaders.”<sup>80</sup> He should have recognized that the populace’s contempt portended difficulties for the army. Federal commanders were pressed with securing the vast avenues of approach to the city, especially to the south as the Confederate army lingered for some time around Murfreesboro. Rumors ran rampant through the city. For occupied citizens, the stories revolved around the pending Confederate offensive to retake the city. This sentiment lasted well into 1863 even as Union forces expanded their control throughout Middle Tennessee. The reports, often apocryphal, were not lost or overlooked by Federal commanders, especially the genuine threat of Confederate cavalry lurking on the edges of town. Within days of Nashville’s fall, seventeen Federal pickets were killed on a single night which “had a disquieting effect on the invaders.”<sup>81</sup>

In the aftermath of capturing Nashville, the Army of the Ohio was expected to engage and defeat the Confederate army on the field. Buell informed McClellan that the “enemy is leaving Murfreesborough [sic] and going towards Decatur and Chattanooga, and destroying all bridges as he goes. We will have to rebuild.” It appeared to the Federal high command in Washington, including McClellan, that the road to East Tennessee was open for liberation. But Buell dallied, with good reason. Long before their invasion of Middle Tennessee, the army was expected to engage and defeat the Confederate army on the field but was hampered by a multitude of obstacles. As Buell expressed in late 1861, “all my plans are delayed for want of transportation.”<sup>82</sup> Combined with severe weather, bad roads, the lack of water and wagons, the liberation of East Tennessee was delayed for a year.

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<sup>80</sup> *Official Records*, Ser. 007, Vol. XVII, Pt. 1, 425.

<sup>81</sup> Durham, *Nashville*, 52.

<sup>82</sup> Prokopowicz, *All for the Regiment*, 84.

Buell altered his mission as well, coinciding with a reorganization of the Federal departments and armies in the Western Theater. Major General Henry W. Halleck was given the command of all Union forces in the Western Theater on March 11, 1862. Halleck “planned for the two armies [Grant’s Army of the Tennessee and Buell’s] to unite [along] the Tennessee River at Pittsburg Landing.”<sup>83</sup> But rebel actions against Buell’s forces, notably attacks on his vulnerable supply lines to Louisville altered the army’s occupation of Tennessee. Buell advised Halleck that the “possession and absolute security of the country north of the Tennessee, with Nashville as a center, is of vital importance, both in a political and military point of view. Under no circumstances should it be jeopardized.”<sup>84</sup> The message indicates that Buell was reevaluating the army’s operations in Middle Tennessee. By espousing Nashville as a strategic and political base, Buell believed it would enable Union forces “with the Tennessee as a base, to operate east, west, or south.”<sup>85</sup> Thus, Buell argued, “All our arrangements should look to a centralization of our forces for that object.”<sup>86</sup> Buell’s recommendations meant that the population would be brought back into the Union by force of arms.

Federal commanders were aware of hostile forces operating in the country between Louisville and Nashville. As early as March 11, 1862, while withdrawing the garrison from Clarksville, Halleck messaged Buell that secessionists were organizing guerrilla parties in Hopkinsville, Kentucky northwest of Nashville near the state line.<sup>87</sup> Union armies operating in

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<sup>83</sup> Prokopowicz, *All for the Regiment*, 83.

<sup>84</sup> *Official Records*, Ser. 011, Vol. XXI, Pt. 1, 26.

<sup>85</sup> *Official Records*, Ser. 011, Vol. XXI, Pt. 1, 26.

<sup>86</sup> *Official Records*, Ser. 011, Vol. XXI, Pt. 1, 26.

<sup>87</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 29.

Kentucky and Middle Tennessee were hampered by logistical and transportation nightmares. Unlike Halleck's position on the Mississippi and the McClellan's forces in Northern Virginia where the navy controlled the waterways that crisscrossed the landscape, the Department of Ohio/Cumberland lacked navigable rivers to resupply men and draft animals. The Cumberland's low draft above and below Nashville meant that Buell relied on railroads and wagons to transport goods from Louisville. In response, General Buell sought an overland route "by marching due south from Nashville toward Huntsville, Alabama." General Halleck proposed a quicker route "down the Cumberland to the Ohio River, then south up the Tennessee River to join Grant." After proposals and counterarguments, Halleck and Buell "agreed that the next Union objective should be to sever the Memphis & Chattanooga Railroad, one of the South's main east-west arteries," but differed on the approach.

In preparation for the army's spring offensive, Buell issued General Orders No. 2, dated March 21, 1862. Brigadier General Ebenezer Dumont was "assigned to the command of the troops in and around the city [Nashville] and all the lines of communication of the army, extending as far north as Munfordville, Ky. Troops and individual officers and soldiers arriving in the city will immediately report to him and render prompt obedience to his orders."<sup>88</sup> A day earlier, Buell dictated specific mandates for garrison commanders to fulfill as he left for the front with the army. Command of the capital devolved to Dumont.

He was to see "that the lines of communication of the army are kept open; that the telegraph lines are kept in order; that mails and supplies are regularly and promptly sent forward; that trains are provided with suitable escorts, either by troops coming from the army with them or by troops under your command; that the bridges and roads are properly guarded and kept in good order; that the sick and wounded are properly housed and cared for; that convalescents and stragglers in the city are sent to the barracks, there organized into companies and battalions, regularly supplied, disciplined, and drilled, and forwarded to their proper regiments in convenient detachments from time to time, and

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<sup>88</sup> *Official Records*, Ser. 109, Vol. LXIV, Pt. 1, 227.

that re-enforcements are in like manner fitted out with transportation and supplies and forwarded when called for.”<sup>89</sup>

In order to maintain discipline and order, Dumont was “to see that the public property is properly guarded and preserved; that officers and soldiers are not allowed to hang about the city; that the most rigid discipline is enforced in every corps and camp; that the rights of citizens are not unnecessarily encroached upon, and that depredators are instantly arrested and brought to punishment.”<sup>90</sup> Buell’s orders reaffirmed his establishment of boundaries by reiterating to the garrison commander that private property was off-limits, and that contact with civilians should be minimal. The Nashville garrison was just one of many commands detached from the Army of the Ohio as Buell led the bulk toward a junction with Grant.

As Buell finalized offensive operations, he informed Halleck that the “aggregate force in the Department of the Ohio is about 101,737; that is, 85,979 infantry, 11,073 cavalry, and 3,948 artillery-twenty-four batteries.”<sup>91</sup> Buell’s effective force was down to 71, 233, “organized into six divisions and twenty-brigades.”<sup>92</sup> He further diluted his army with detachments needed to garrison strategic points from Nashville south, including nearly two full brigades “employed as guards to bridges, depots, &c.”<sup>93</sup> To satisfy Washington’s endless pleas for Union forces to liberate the eastern portion of the state, Buell ordered Brigadier General George W. Morgan’s Seventh Division “to seize the Cumberland Gap and advance as far as practicable into East

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<sup>89</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 53.

<sup>90</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 53.

<sup>91</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 36.

<sup>92</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 36.

<sup>93</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 36.

Tennessee.”<sup>94</sup> Brigades, including Dumont’s, were left to garrison Nashville and Murfreesboro as the main army marched southwest. To fulfil his original goal to cut the Memphis & Charleston Railroad at Huntsville, Buell detached Brigadier General Ormsby M. Mitchel’s Third Division, 7,300 men strong, from his army. General Buell personally led 37,000 to the army’s first major battle, Shiloh. The other half were “committed to various secondary missions,” isolated deep in enemy country beyond immediate support and supervision

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<sup>94</sup> Prokopowicz, *All for the Regiment*, 95.

## CHAPTER II

## THE ORIGINS

“The mild and indulgent course heretofore pursued toward this class of men has utterly failed to restrain them from such unlawful conduct. Peace and war cannot exist together.”

-Major General Henry W. Halleck, December 4, 1861

General Buell embraced soft war. “Perhaps no other soldier in the army was better suited to enforce a conciliatory policy than [him].”<sup>1</sup> He echoed the sentiments and mandates of the current general-in-chief and his predecessor, George McClellan and Winfield Scott. Mark Grimsley defines this initial Federal policy toward the Confederacy as conciliation. He argues that “the Federal government deliberately sought to exempt white Southerners from the burdens of war. Their constitutional rights were to be respected; their property was not to be touched,” with “[t]he Lincoln administration specifically renouncing any intention of attacking slavery.”<sup>2</sup> Their central assumption “was a faith that most Southerners were lukewarm about secession, and if handled with forbearance, would withdraw from the Confederacy once Union armies entered their midst.”<sup>3</sup> The Army of the Ohio’s invasion and occupation of Middle Tennessee in early 1862 revealed the flaws in these belief two areas: first, most Southerners—civilians, guerrillas, and irregulars—embraced secession or took advantage of the societal disorder the war produced; and second, Union commanders and their soldiers promptly rejected conciliation.

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<sup>1</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 15.

<sup>2</sup> Grimsley, *Hard Hand of War*, 2-3.

<sup>3</sup> Grimsley, *Hard Hand of War*, 3.

The Federal army's turn against conciliation was circumstantial, retaliatory, and clear. But, commanders and soldiers on the ground maintained limits, decided the time, place, and people that required the confines of soft war be broken. The army's mentality turned in response to irregular warfare, notably guerillas, and the civilian communities that supported them. Federal forces responded by punishing individuals, families, and entire communities with imprisonment, confiscation, the destruction of property, and executions. The reactions, argues Mountcastle "were about punishment."<sup>4</sup> He defines "the use of military force for the sole purpose of punishment or retribution" as punitive war which was executed in "concert, with [Union armies'] effort to defeat the Confederate Army on the battlefield."<sup>5</sup> Mountcastle's describes several factors that "contributed to the Union's adoption of punitive war," from frustration over the conflict's length to "the belief. . . that increased severity would hasten the end of the war," but none were as "influential as the vexing problem caused by guerrilla warfare waged in the South."<sup>6</sup>

Once it shifted policy toward hard war, the Union army did not make distinction between guerrillas, partisans, and irregular forces. Mountcastle states that the "complexity surrounding the term *guerilla* makes it difficult to establish exact definitions of every Southerner who conducted warfare against the Union Army."<sup>7</sup> The term "fit many different definitions." There was the omnipresent Confederate cavalry—notably the forces under Generals Nathan Bedford Forrest and John Hunt Morgan—"who practiced raid and-run-style tactics as part of organized

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<sup>4</sup> Mountcastle, *Punitive War*, 2.

<sup>5</sup> Mountcastle, *Punitive War*, 2.

<sup>6</sup> Mountcastle, *Punitive War*, 2.

<sup>7</sup> Mountcastle, *Punitive War*, 3.

and sanctioned Confederate operations,”<sup>8</sup> and wreaked havoc on Union garrisons, detachments, and supplies throughout Tennessee and Kentucky. There were partisan rangers, officially sanctioned by the Confederate government in April 1862, “who decided for themselves where, when, how, and against whom to fight.”<sup>9</sup> The rangers “often wore Confederate uniforms but enjoyed complete autonomy from the conventional force, [and] preyed on Federal railroads, telegraph lines, and supply wagons.”<sup>10</sup> Regular guerrillas, writes Sutherland, “preferred the name *partisan*, and indeed, for at the least the first year of the war, the two names were interchangeable.”<sup>11</sup> B. Franklin Cooling adds nuance to this definition: “partisan corps suggested a middle ground between the West Pointers’ war and the completely freewheeling guerrilla.”<sup>12</sup> The last category, described by Sutherland as a “very amorphous category” were bushwhackers, who, “strictly speaking, [were often a] lone gunman who ‘whacked’ their foe from the bush.”<sup>13</sup> Grimsley defines them as “politicized civilians [who] fought covertly, masquerading as noncombatants, and simple outlaws whom the war mainly an excuse to indulge in mayhem.”<sup>14</sup> Such careful categories were lost on the average recruit, however, as “Union soldiers referred to all guerillas as bushwhackers,”<sup>15</sup> and “did not always distinguish carefully between them.”<sup>16</sup>

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<sup>8</sup> Mountcastle, *Punitive War*, 3.

<sup>9</sup> Sutherland, *A Savage Conflict*, xi.

<sup>10</sup> Mountcastle, *Punitive War*, 3.

<sup>11</sup> Sutherland. *A Savage Conflict*, xi.

<sup>12</sup> B. Franklin Cooling, “A People’s War: Partisan Conflict in Tennessee and Kentucky,” in *Guerrillas, Unionists, and Violence on the Confederate Home Front*, ed. Daniel E. Sutherland (Fayetteville: University of Arkansas Press, 1999), 121.

<sup>13</sup> Sutherland. *A Savage Conflict*, xi.

<sup>14</sup> Grimsley, *Hard Hand of War*, 112.

<sup>15</sup> Sutherland, *A Savage Conflict*, xi.

<sup>16</sup> Grimsley, *Hard Hand of War*, 112.

The country the Army of the Ohio invaded and occupied in spring 1862, describes Fitch, “swarmed with guerrillas who were constantly hovering about our lines, on the alert for every chance that might offer for a dash at an interior force, or a surprise of some inadequately guarded supply-train.”<sup>17</sup> “In their efforts to curb this menace,” explains Grimsley, “Northern commanders adopted measures that had a heavy impact upon Southern civilians.”<sup>18</sup> The garrison and detached commanders responded with proactive and assertive measures to maintain Federal authority in enemy country. Their methods ranged from combined infantry and cavalry expeditions to destroy guerilla strongholds to retaliation directed at civilian property to account for the actions of the irregular combatants. Federal response to guerrillas was also measured at the highest echelons of command. As Buell’s immediate superior, Henry Halleck’s command of Union forces in Missouri in late 1861 against irregular and guerrilla warfare was a prelude and blueprint to Federal action in Tennessee and Alabama.

The Civil War merely extended the violence between proslavery and abolitionist elements in Kansas and Missouri that had terrorized the region since the 1850s. With disunion came “a residual lawlessness and disorder [that] pervaded Missouri, affecting operations of both the Union and Confederate armies.”<sup>19</sup> Beginning in 1861, Federal commanders struggled to maintain control and pacify large swaths of the border state as enemy forces, a mixture of uniformed Confederates and guerrillas, destroyed railroads and supply lines, and terrorized Unionists. Initial Federal policy embraced a soft, conciliatory tone toward civilians, property (slaves), and combatants, including amnesty, but this “did little to quell the growing resentment

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<sup>17</sup> Fitch, *Annals of the Army of the Cumberland*, 94.

<sup>18</sup> Grimsley, *Hard Hand of War*, 112.

<sup>19</sup> Mountcastle, *Punitive War*, 22.

within the pro-Southern populace, who now found itself under unwelcome Federal occupation.”<sup>20</sup> Christopher Phillips contends that historians “have ascribed an evolution of Federal policy toward civilians and slaves in the slave states.”<sup>21</sup> In it, he writes, “both Abraham Lincoln and his commanders initially believed the war required a limited Federal military incursion into the slaveholding state to restore order, and with it the Union.”<sup>22</sup> McClellan and Buell certainly stressed conciliation as the proper policy but experiences on the ground led elsewhere. “The wartime experience of the Border States, the first slave states that Federal troops reached, both assists and complicates this interpretation.”<sup>23</sup>

Phillip correctly asserts that “conciliatory warfare gave way to hard war,” and “it was reached not in the seceded states in the war’s last year but rather in the Border States early in the conflict.”<sup>24</sup> He contends that Lincoln keenly recognized this rapid evolution of Federal war policy. A month after Fort Sumter’s fall, the president appointed Major General John C. Frémont as commander of the Department of the West. The famed explorer and first Republican presidential nominee’s initial calls for restraint evaporated as armed rebels relentlessly attacked Federal trains and outposts. In response to Missouri degrading to “a state near anarchy,” Frémont “proclaimed martial law throughout [the state] on August 30, 1861.”<sup>25</sup> Its purpose, the commander explained, “is to place in the hands of military authorities power to give

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<sup>20</sup> Mountcastle, *Punitive War*, 23-24

<sup>21</sup> Christopher Phillips, “Lincoln’s Grasp of War: Hard War and the Politics of Neutrality and Slavery in the Western Border States, 1861-1862,” *Journal of the Civil War Era* 3, no. 2 (June 2013), 184.

<sup>22</sup> Phillips, “Lincoln’s Grasp of War,” 184.

<sup>23</sup> Phillips, “Lincoln’s Grasp of War,” 184.

<sup>24</sup> Phillips, “Lincoln’s Grasp of War,” 185.

<sup>25</sup> Mountcastle, *Punitive War*, 29.

instantaneous effect to the existing laws and supply such deficiencies as the conditions of the war demand.”<sup>26</sup>

Circumstances necessitated Fremont’s decree, including his appropriation of administrative powers to control the entire state.

Missouri’s “disorganized condition, helplessness of civil authority, and the total insecurity of life and devastation of property by bands of murderers and marauders who infest nearly every county in the State and avail themselves of public misfortunes in the vicinity of a hostile force to gratify private and neighborhood vengeance and who find an enemy wherever they find plunder finally demand the severest measures to repress the daily increasing crimes and outrages which are driving off the inhabitants and ruining the State,” demanded martial law.<sup>27</sup>

In order to quell guerilla attacks, announced the department head, [all] “persons who shall be proven to have destroyed after the publication of this order railroad tracks, bridges or telegraph lines shall suffer the extreme penalty of the law.”<sup>28</sup> Those found “engaged in treasonable correspondence, in giving or procuring aid to the enemy, in fermenting turmoil and disturbing public tranquility by creating or circulating false reports or incendiary documents are warned that they are exposing themselves.”<sup>29</sup> The proclamation aimed to disarm the disloyal inhabitants, for all those “taken with arms in their hands within these lines shall be tried by court-martial and if found guilty will be shot.”<sup>30</sup> The most controversial order in the proclamation involved “[r]eal and personal property of those who shall take up arms against the United States or who shall be

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<sup>26</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 221-22.

<sup>27</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 221-22.

<sup>28</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 221-22.

<sup>29</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 221-22.

<sup>30</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 221-22.

directly proven to have taken an active part with their enemies in the field is declared confiscated to public use and their slaves if any they have are hereby declared free men.”<sup>31</sup>

General Frémont supplemented the proclamation with General Order No. 6 issued the same day to maintain order within his own army.

The commanding general sincerely regrets that he finds it necessary to make any reproach to the patriotic army under his command. He hoped that the rigid enforcement of discipline and the good example of the mass of the enlightened soldiery which he has the honor to lead would have been sufficient to correct in good time the irregularities and license of a few who have reflected discredit upon our cause and ourselves. But the extension of martial law to all the State of Missouri rendered suddenly necessary by its unhappy condition renders it equally imperative to call the army to good order and rigorous discipline.<sup>32</sup>

The proclamation was calculated and provided Federal commander’s discretion to respond according to events unfolding in the state. Even martial law came with limits. Despite the complications that martial law promised, Fremont’s decision not to consult Washington before issuing his proclamation, especially regarding emancipation, proved most troubling. Only Fremont’s emphasis on a commander’s discretion placated the administration

Lincoln first response was to countermand Fremont’s order. The general defended the proclamation in a detailed message to Lincoln on September 9, 1861. “Between the rebel armies, the Provisional Government and home traitors I felt the position bad and saw danger. This is as much a movement in the war as a battle, and in going into these I shall have to act according to my judgment of the ground before me as I did on this occasion.”<sup>33</sup> With reference to emancipation, Fremont believed that he “acted with full deliberation and upon the certain

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<sup>31</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 221-22.

<sup>32</sup> *Official Records*, Ser. 003, Introduction, Pt. 1, 467-68.

<sup>33</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 767.

conviction that it was a measure right and necessary and I think so still,” but was willing to rescind the order.<sup>34</sup> Frémont’s second point defended the order to execute those in arms against the United States. “The shooting of men who shall rise in arms against an army in the military occupation of a country is merely a necessary measure of defense and entirely according to the usages of civilized warfare.”<sup>35</sup> He concluded the message with his strongest defense: military necessity and officer discretion. “Looking at affairs from this point of view I am satisfied that strong and vigorous measures have now become necessary to the success of our arms; and hoping that my views may have the honor to meet your approval.”<sup>36</sup>

President Lincoln responded within two days and assured the general that he “could better judge of the necessities” on the ground.<sup>37</sup> The president simply asked Frémont to modify his order “in relation to the confiscation of property and the liberation of slaves.”<sup>38</sup> Lincoln objected due to the order’s “non-conformity to the act of Congress passed the 6th of last August upon the same subjects.”<sup>39</sup> The modified order allowed Fremont to confiscate slaves used by the Confederacy against the United States. Phillip contends that “Lincoln’s selective intervention in Frémont’s order was likely not random,” and was “part of what historian James McPherson has termed Lincoln’s strong-arm strategy, [where] the president gave long leash to Federal commanders generally in the western Border states who in the war’s first eighteen months

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<sup>34</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 767.

<sup>35</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 767-68.

<sup>36</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 767-68.

<sup>37</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 768.

<sup>38</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 768.

<sup>39</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 768.

demonstrated the inclination and capacity for aggressive military measures."<sup>40</sup> Conversely, those who urged caution and conciliation, most notably General Buell, "found [themselves], 'with his back in the ditch.'"<sup>41</sup>

The Federal government's acquiescence to military discretion "quickly proved the undoing of any conciliatory attitudes," allowing commanders to dictate policy according to circumstances on the ground.<sup>42</sup> Frémont was replaced by General Halleck in November 1861. He was sent to create some semblance of order and control in the chaotic Department of the West, reconfigured and renamed Department of the Missouri with headquarters at St. Louis. A week after his arrival, Halleck received a candid report from a prominent Unionist civilian, Erasmus Gest, detailing the issues in Missouri and warning of the storm of unmitigated violence the commander was entering. "Thus practically closes the campaign of 1861 in Missouri," wrote Gest, and the result: "the abandonment of the State by a large [majority] of her best and most industrious citizens; the devastation of the property and utter ruin of a still larger portion; the rendering inoperative of civil law if not in fact its surrender to the martial and the chiefs of the marauding gangs; the utter and complete destruction of the industry and prosperity that characterized the State; the rendering it hazardous to the person or life of the law-abiding citizen to pass alone through nearly or quite every county in the State."<sup>43</sup> Along with this devastating picture of the state, Gest also possessed critical knowledge of secessionists who he divided into three classes.

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<sup>40</sup> Phillips, "Lincoln's Grasp of War," 192.

<sup>41</sup> Phillips, "Lincoln's Grasp of War," 192.

<sup>42</sup> Phillips, "Lincoln's Grasp of War," 193.

<sup>43</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 228-29.

first, those who are in sympathy and heart only with the Confederates; second, those who abandon their homes and regularly enlist in the rebel army participating in its fortunes; third, those who compose the guerrilla portion. The two first may be said to command a certain amount of respect-the one for his neutrality the other as a belligerent-while the third is to be despised as a sneak, highwayman and bandit. It is this last class who afford the information, aid and comfort absolutely necessary to enable the Confederate Army to successfully penetrate the State from Arkansas. It is the ringleaders of this class whom it is necessary to reach and summarily treat before peace can prevail in Missouri. . . .<sup>44</sup>

Of utter importance to the Union's turn against conciliation, Gest "[drew] a marked distinction between secessionists and propose[d] only to treat in a summary manner the ringleaders, the others being left to the civil law or to the fate of the vanquished in honorable warfare."<sup>45</sup> He also did not believe it proper to deal with the ringleaders lawfully through arrest and imprisonment. Rather, "they must be seized singly at times and places (such as at their own fireside) when least expected; and if they offer the least resistance to be instantly shot, otherwise to be for form sake tried by military commission and forthwith shot, it being the most immediately effective and potent cure for the mania permeating the minds of persons engaged in law defying combinations such as the marauding parties of Missouri, mobs and banditti."<sup>46</sup> Gest's message is extraordinary. It reveals not only a deep understanding of the hostile forces waging indiscriminate war against the Union and civilians, but also the ground truth that conciliation was not possible. By advocating the execution of ringleaders, civilian Gest espoused punitive and hard war in 1861. For Halleck, the message provided vital intelligence and a blueprint, especially the classification of secessionists that he later distributed to department and field commanders when he became general-in-chief.

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<sup>44</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 229-30.

<sup>45</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 229-30.

<sup>46</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 229.

In relief of Frémont, Halleck demonstrated “his undoubted talents as an administrator [which] quickly brought order out of chaos.”<sup>47</sup> But Missouri needed far more than paper reshuffling and accounting to contain the unmitigated violence that overran the region. Conservative to a fault as a field commander, Halleck nonetheless was assertive and uncompromising against armed secessionists as department head. Halleck requested and Lincoln immediately granted authority to declare and maintain martial law. Pressed by General McClellan to give his “views more fully as to the necessity of enforcing martial law in [the] department,”<sup>48</sup> Halleck stated that “a considerable part of Northern Missouri is in a state of insurrection. The rebels have organized in many counties, taken Union men prisoners, and are robbing them of horses, wagons, provisions, clothing, &c. There is as yet no large gathering in any one place so that we can strike them.”<sup>49</sup> He advised that Federal forces “punish these outrages and to arrest the traitors who are organizing these forces and furnishing supplies it is necessary to use the military power and enforce martial law.”<sup>50</sup> Echoing his predecessor’s justification for discretionary action, Halleck declared the situation “requires the prompt and immediate exercise of this power,” and he was willing to be relieved if not entrusted by the president.<sup>51</sup> Lincoln not only sustained Halleck but “empowered [him] to suspend the writ of habeas corpus within the limits of the military division under [his] command and to exercise

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<sup>47</sup> Ezra J. Warner, *Generals in Blue: Lives of Union Commanders* (repr., 1992, Baton Rouge: Louisiana State University Press, 1964, 195-96.

<sup>48</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 231.

<sup>49</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 232.

<sup>50</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 232.

<sup>51</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 232-33.

martial law as [he found] it necessary in discretion to secure the public safety and the authority of the United States.”<sup>52</sup>

Two days after Lincoln backed martial law and suspension of habeas corpus, Halleck issued General Orders No. 13 on December 2, 1861. Unlike Buell’s conciliatory edict, Halleck’s twelve-point general order directly rebuked soft-overtures toward enemy combatants. The general plainly recognized the genesis of anarchy in Missouri.

[T]here are numerous rebels and spies within our camps and in the territory occupied by our troops who give information, aid and assistance to the enemy; that rebels scattered through the country threaten and drive out loyal citizens and rob them of their property; that they furnish the enemy with arms, provisions, clothing, horses and means of transportation; and that insurgents are banding together in several of the inferior counties for the purpose of assisting the enemy to rob, to maraud and to lay waste the country. All such persons are by the laws of war in every civilized country liable to capital punishment.<sup>53</sup>

Halleck authorized commanding "officers of districts, posts and corps [to] arrest and place in confinement all persons in arms against the lawful authorities of the United States, or who give aid, assistance or encouragement to the enemy.”<sup>54</sup> Like his predecessor, Halleck realized officer discretion in dealing with hostile citizens was necessary to pacify the state. Commanders were granted broad powers to ensure Federal rule.

Confiscation, impressment, and military necessity became catchphrases for the Federal’s turn against soft-war and Halleck employed the same method and language. He formed commissions “for the trial of persons charged with aiding and assisting the enemy, the

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<sup>52</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 233.

<sup>53</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 232-33.

<sup>54</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 233-34.

destruction of bridges, roads and buildings, and the taking of public or private property for hostile purposes and also for the condemnation of property taken by our forces from disloyal inhabitants for the use of the army.”<sup>55</sup> Halleck cited Congressional authorization for the confiscation of slaves for service with Federal forces. “The laws of the United States confiscate the property of any master in a slave used for insurrectionary purposes.”<sup>56</sup> And should “Congress extend this penalty to the property of all rebels in arms, or giving aid, assistance and encouragement to the enemy,” Halleck warned, “such provisions will be strictly enforced.”<sup>57</sup> The general claimed that “where the necessities of service require it the forced labor of citizens, slaves and even prisoners of war may be employed in the construction of military defenses.”<sup>58</sup> General Order No. 13 represented the Department of the Missouri’s articulation of the rules of war formulated to the specific issues pressing commanders on the ground, and General Orders 100 showed these rules refined and disseminated to all Federal forces. Halleck’s legal background—he authored several works and headed a firm in California after resigning from the army in 1854—was clearly on display throughout the order.<sup>59</sup>

Halleck’s order also endorsed punitive war. He noted that the “law of military relationship [between soldiers and civilians] is fixed and well-established.”<sup>60</sup> Elaborating in detail, Halleck contends that while the laws of war “allows no cruel or barbarous acts on our part

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<sup>55</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

<sup>56</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234-45.

<sup>57</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234-45.

<sup>58</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234-45.

<sup>59</sup> Warner, *Generals in Blue*, 195-96.

<sup>60</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

in retaliation for like acts of the enemy, it permits any retaliatory measures within the prescribed limits of military usage.”<sup>61</sup> Federal commanders were granted discretion to inflict harsh measures if hostiles violated boundaries, especially in response to deadly action directed at Union soldiers. “If the enemy murders and robs Union men we are not justified in murdering and robbing other persons who are in a legal sense enemies to our Government but we may enforce on them the severest penalties justified by the laws of war for the crimes of their fellow rebels.”<sup>62</sup> Federal forces would protect affirmed Unionists against those who “have robbed and plundered the peaceful non-combatant inhabitants, taking from them their clothing and means of subsistence.”<sup>63</sup> Loyalists driven from their homes would be quartered, fed, and clothed at the expense of secessionists as “[h]umanity and justice require that these sufferings should be relieved and that the outrages committed upon them should be retaliated upon the enemy.” The orders were severe but necessary, argued Halleck, and “justified by the rules of war.”<sup>64</sup>

General Orders No. 13 dispelled any notion that conditional loyalty or feints of Unionism were acceptable in Missouri. Federal soldiers, explains Phillips, were frustrated with the state “governments [that] had either postured for or declared neutrality” and the “citizens [who] declared personal stances of neutralism” in the border states. In response, “Federal officers and soldiers especially saw little need to conciliate the largest portion of their white residents because they had made a critical judgment of these slave states’ citizens.” Even “civilians who were ostensibly loyal yet unaligned” were viewed as disloyal, “as much so as overt secessionists.”<sup>65</sup>

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<sup>61</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

<sup>62</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

<sup>63</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

<sup>64</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

<sup>65</sup> Phillips, “Lincoln’s Grasp of War,” 186.

While Phillip's argument centers on antislavery soldiers, it does reflect the ground truth: civilians either supported the US or not; combatants wore uniforms or were considered guerrillas/irregulars and were treated accordingly. The army took all the necessary steps required to accomplish its mission. Halleck's order included a test of loyalty and "oath of allegiance" for proclaimed Unionists to be administered by army officers; the policy was widely adopted as Federal forces occupied large swaths of Confederate territory.<sup>66</sup>

Of course, there were limits governing even the Federal forces' retaliations. Uniformed Confederates were given the rights of combatants engaged in civilized warfare. The same courtesy was not afforded to irregulars and their supporters, including civilian women. Halleck's orders announced well-defined and transparent definitions for what the Federal army considered honorable combatants. Those operating beyond the boundaries suffered the consequences.

All persons found in disguise as pretended loyal citizens or under other false pretenses within our lines giving information to or communicating with the enemy will be arrested, tried, condemned and shot as spies. It should be remembered that in this respect the laws of war make no distinction of sex; all are liable to the same penalty. Persons not commissioned or enlisted in the service of the so-called Confederate States who commit acts of hostility will not be treated as prisoners of war but will be held and punished as criminals. And all persons found guilty of murder, robbery, theft, pillaging and marauding under whatever authority will either be shot or otherwise less severely punished as is prescribed by the Rules and Articles of War or authorized by the usages and customs of war in like cases.<sup>67</sup>

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<sup>66</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 233

<sup>67</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

Halleck may have been conservative in politics and a field commander as compared to his predecessor, but he fully embraced a gloves-off policy to pacify and restore Federal law and order in the region.

Federal commanders in the West found restraint and conciliation as unpractical and illusory. Their shifting interpretation of the war matched the decrees issued by Frémont and Halleck. He may have dillydallied as general-in-chief, but Halleck's command of the West revealed and confirmed the Federal turn against conciliation and soft-war. Cooling describes this transformation as "preparatory experience metamorphosed," where Federal commanders in the West "simply put into subsequent practice what they gained through on-the-job experience with a more atavistic type of warfare."<sup>68</sup> Halleck made this clear with point II of General Orders 13. "The mild and indulgent course heretofore pursued toward this class of men has utterly failed to restrain them from such unlawful conduct. The safety of the country and the protection of the lives and property policy. Peace and war cannot exist together. We cannot at the same time extend to rebels the rights of peace and enforce against them the penalties of war. They have forfeited their civil rights and citizens by making war against the Government and upon their own heads must fall the consequences."<sup>69</sup>

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<sup>68</sup> Cooling, "A People's War," 116.

<sup>69</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 234.

CHAPTER III  
BUELL'S ROSEWATER

“Your position is a very important one, and will require the utmost vigilance and discretion.”

-General Don Carlos Buell, April 1, 1862

The Federal invasions and occupation of Confederate territory in 1862 brought Halleck's General Orders No. 13 to Tennessee and Northern Alabama, spreading its effect beyond Missouri. Part XI of the order stated that there was “already a large military force in this State which is daily increasing in numbers and improving in organization and discipline.”<sup>1</sup> It then ended with the army's design: “this force will be able to not only expel or punish all traitors and rebels but also strike the enemy in his strongholds.”<sup>2</sup> Federal presence centered on Nashville and expanded outward. Buell's army was dissected and sent to strategic points throughout Tennessee. While he directed the main force toward the battlefield, the “remaining thirty-six thousand effective men were disposed by the General for the defense of his communications, the enforcement of quietness within his lines in Kentucky and Tennessee, and for two expeditions co-operative with the ruling movement—one, under General Morgan, to seize Cumberland Gap, and the other, under General O.M. Mitchell [sic], to strike the Memphis and Charleston railroad south of Nashville.”<sup>3</sup> The army did not remain idle after Nashville's fall. Rather, the capital was a mere pit stop as “the manifest urgency of renewed aggression before the enemy could recover

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<sup>1</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 235

<sup>2</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 235.

<sup>3</sup> Van Horne, *Army of the Cumberland*, 77.

from recent defeats, forbade delay.”<sup>4</sup> Consequently, the Federal invasion and occupation of Confederate territory descended deeper into the Tennessee Valley.

Stephen V. Ash contends that the Federal invasion and occupation of the Confederacy had distinct dimensions: temporal, spatial, and geographic. Each component hinged on “the distance between a given Southerner’s home and the nearest Union army post.”<sup>5</sup> Federal forces only controlled the ground they stood on. “It did not scatter its occupation forces throughout, but instead concentrated them in a few fortified posts, almost always in towns of some strategic importance.” From strongpoints, commanders sent forward “patrols, foraging detachments, and guerrilla-hunting expeditions that traversed the surrounding country-side.”<sup>6</sup> Ash further delineates Federal occupation into three specific zones. First, were “the garrison towns, whose citizens lived constantly in the presence, and under the thumb, of the Northern army.”<sup>7</sup> Buell’s need to scatter his army forced Federal troops into the next two zones, defined by Ash as “the Confederate frontier, which the Federals penetrated only sporadically, its citizens at all other times being in the Confederacy’s grasp; and no-man’s-land, the zone surrounding the garrisoned towns, which was beyond the pale of Confederate territory and endured frequent Yankee visitations, but did not experience the constant presence of a Federal force.”<sup>8</sup> Whether marching, patrolling, embarking on expeditions or securing strategic points and avenues of travel, the army was not static. Brigade-sized forces garrisoned towns one day and then embarked on guerrilla

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<sup>4</sup> Van Horne, *Army of the Cumberland*, 77.

<sup>5</sup> Stephen V. Ash, *When The Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865* (Chapel Hill: University of North Carolina Press, 1995), 76.

<sup>6</sup> Ash, *When The Yankees Came*, 76.

<sup>7</sup> Ash, *When The Yankees Came*, 77.

<sup>8</sup> Ash, *When The Yankees Came*, 77.

pursuit the next, their movement being constant and intermediate through each zone. The Army of the Ohio's invasion and occupation of southern Tennessee and northern Alabama exposed its commanders and men to all three of Ash's zones. A frenzied, hostile frontier filled with armed combatants greeted the blue-clad soldiers.

The Third Division led the army's vanguard from Nashville south with orders "to move upon the 'Memphis and Charleston' railroad through Murfreesboro and Fayetteville."<sup>9</sup> Led by Ormsby McKnight Mitchel—West Point Class of 1829, lawyer, and astronomer—the movement was intended to secure Buell's flank. Buell posted a brigade from Kentucky at Murfreesboro "to protect the road from Shelbyville to Lavergne, and reinforce either" the army's commander or Mitchel "as circumstances might require."<sup>10</sup> His instructions, issued from in the field near Columbia on March 27, 1862, called for Mitchel to "place [his] division mainly at Fayetteville" in advance of detachments at Murfreesboro, Lebanon, Franklin, and Columbia.<sup>11</sup> These orders matched Buell's lengthy message to Halleck four days earlier. Buell detached some 25,000 men to occupy and garrison positions "with the necessary bridge and depot guards."<sup>12</sup> If possible, Mitchel, could use the "good turnpikes" to concentrate his forces at Huntsville or Decatur in north-central Alabama.<sup>13</sup> He was to advance one brigade of infantry with a battery and cavalry "at once to Shelbyville, to which it is desirable to complete [the] railroad transportation."<sup>14</sup>

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<sup>9</sup> Van Horne, *Army of the Cumberland*, 79.

<sup>10</sup> Van Horne, *Army of the Cumberland*, 79-80.

<sup>11</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 70.

<sup>12</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 70.

<sup>13</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 70-71.

<sup>14</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 70-71.

Mitchel's cavalry would proceed to Fayetteville "to secure some of the stock on the roads north of Decherd by a rapid movement of cavalry through Manchester to that point."<sup>15</sup> It was essential that Mitchel secure the Memphis to Charleston rail line to secure provisions and reinforcements for the coming campaign season. During the advance, the division would also gather intelligence of the enemy's position, movements, and strengths. Buell ended the message with a reminder for Mitchel to "[p]reserve thorough discipline and instruction in your command and keep it in readiness at all times for any service Purchase your supplies in the country as far as possible."<sup>16</sup>

Buell echoed these sentiments to his garrison commanders as well. In the coming months, their reactions to the situation on the ground, often against the dictations of headquarters, illustrated a war far different than the grand battle the Army of the Ohio fought at Shiloh. Brigadier General James S. Negley was assigned the post at Columbia extending as far as Mount Pleasant a dozen miles to the southeast. Negley's tenure, much like Mitchel's, demonstrated the conservative Federal policy against Southerners would not peacefully reunify the country. It also showed the cause and effect of devolved command as Buell detached portions of his army, often brigade size or smaller, to garrison towns, guard roads, and patrol rail lines. Commanders were delegated the task of not only protecting supply lines but pacifying hostile territory far from support. In this space, garrison chiefs dictated policy from what they could see and feel with the manpower present.

General Negley, with a force of 3,000 men (reinforced to 10,000), assumed command of Columbia on the first day of April, 1862. The former Mexican War volunteer was competent and

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<sup>15</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 71.

<sup>16</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 71.

uncompromising in his role as garrison commander.<sup>17</sup> Buell's order scattered his command from Columbia to Mount Pleasant to guard bridges, ensure the safety of the Nashville & Decatur Railroad, and occupy both towns with a provost guard. In the words of Fitch, Negley "labored under many disadvantages."<sup>18</sup> The difficulties involved not only maintaining contact with Buell through the telegraph and couriers as he marched toward the Tennessee River, but also remaining in readiness to either support Mitchel's advance into Alabama or withdraw to reinforce Dumont at Nashville.<sup>19</sup> Fitch provided more context to his description of Negley's duties, writing, "he had the entire rear of both armies to protect, their communications to keep open, their supplies to forward."<sup>20</sup> He was also delegated the near impossible task of organizing "stragglers, convalescents, and sick of Buell's whole army, amounting to some five thousand men, [who] were left at Columbia, with no commander, no rations, no quarters, and, in fact, no one to do anything for them." Buell's plan called for Negley to organize the convalescents "into companies and battalions under officers and non-commissioned officers," and have the men perform "all the requirements of a regular garrison."<sup>21</sup> It was an arduous task for the most seasoned officers to contend with and in a setting far from welcoming.

Like Mitchel, Buell made clear his expectations with Negley to "[e]nforce the strictest discipline and attention to duty in every part of [his] command."<sup>22</sup> He hoped "to hear of no

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<sup>17</sup> Warner, *Generals in Blue*, 341-42.

<sup>18</sup> Fitch, *Annals of the Army of the Cumberland*, 94.

<sup>19</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

<sup>20</sup> Fitch, *Annals of the Army of the Cumberland*, 94.

<sup>21</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

<sup>22</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

depredations upon the persons and property of citizens.”<sup>23</sup> If unwarranted acts were committed, Buell expected “to hear that they have been dealt with in the most prompt and rigorous manner.”<sup>24</sup> The general commanding was correct in his statement that the “efficiency and discipline of [Negley’s] command cannot otherwise be preserved.”<sup>25</sup> He took all preventative measures to maintain discipline and control with the order that “[n]o officer or soldier will, under any circumstances, be allowed to enter the town or leave their camp[s].”<sup>26</sup> Buell’s stern orders reflected the justifiable fear among Regulars as armed volunteers came into contact with civilians deep in enemy territory. But Buell should have realized, as he mentioned to Halleck on March 11, that the presence of guerilla and irregular forces hampering Federal lines of supply and communications along the Kentucky border together with the civilians’ unrestrained contempt would intensify as the army moved farther south. The detached commanders left in Tennessee, notably Mitchel and Negley, felt the full brunt of Southern discontent, and responded with Buell’s call for “the utmost vigilance and discretion,” but in the manner opposite of what he intended.<sup>27</sup>

In retrospect, as the summer revealed, it is difficult to imagine General Mitchel as an officer who espoused conciliation. The orders Mitchel disseminated to his brigade commanders after Nashville’s capture reveal otherwise. From the Third Division’s posting at Camp Andrew Jackson, north of the capital, Mitchel prohibited any “plundering or pillaging or depredation

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<sup>23</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

<sup>24</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

<sup>25</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

<sup>26</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85.

<sup>27</sup> *Official Records*, Ser. 007, Vol. XXII, Pt. 1, 85

upon property,” issued on March 15, 1862.<sup>28</sup> Brigadiers were to hold the regimental heads and their company officers “responsible for the conduct of their men at all times,” through diligence and restraint.<sup>29</sup> A week later, as the division marched south from Nashville toward Alabama, Mitchel issued orders to control and maintain discipline of the men in the midst of invasion and occupation. “Any officer or soldier of the Third Division found engaged in any depredations, or in robbing of private property, or in any infringement of the laws, will be handed over to the civil authorities of the neighborhood in which the offense is perpetrated, to be detained and dealt with by them according to their laws.”<sup>30</sup> Mitchel’s orders reveal the Regular Army ethos of order and discipline, especially with volunteers in enemy country. But they also reveal his mindset before the army surged south and experienced irregular warfare and hostile citizenry, where the fluidity of military operations in hostile country altered set plans dramatically. The Third Division and their fellow detached comrades quickly discovered that plundering and pillaging was necessary and justified.

From the campaign’s start in mid-March, 1862, Michel expanded the army’s presence and strategic base of operations south. At Murfreesboro, the division “built twelve hundred feet of heavy bridges in ten days,” before being relieved.<sup>31</sup> Mitchel’s then marched his division through “Shelbyville, Tullahoma, Manchester, and McMinnville, meeting no armed resistance but likewise encountering few welcoming smiles.”<sup>32</sup> He subsequently established a supply depot

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<sup>28</sup> *Official Records*, Ser. 11, Vol. XXII, Pt. 1, 292.

<sup>29</sup> *Official Records*, Ser. 11, Vol. XXII, Pt. 1, 292.

<sup>30</sup> *Official Records*, Ser. 11, Vol. XXII, Pt. 1, 293.

<sup>31</sup> Van Horne, *Army of the Cumberland*, 105.

<sup>32</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 93.

at Shelbyville, springing the army's logistic lines forward. The Federal advance was rapid and strategic; Mitchel extended both the army's physical presence and its lines of communications and supplies as well. But as the advance progressed deeper into southern Tennessee, "the front line become a blur [as] Union patrols chased rebel 'rangers', ran across and arrested Confederate volunteers found on furlough, and released others who were willing to take the [loyalty] oath."<sup>33</sup> Mitchel's expedition into the Tennessee-Alabama border area revealed a populace strongly opposed to Union control and occupation. The division entered an area invested with guerrilla bands.<sup>34</sup> Portions of the Union supply lines, tenuously tied to Murfreesboro, were attacked, burned and captured. Mitchel's response, writes Colonel John Beatty of the 3<sup>rd</sup> Ohio Volunteers, was to send detachments of soldiers "set out every day to capture or disperse these citizen cut-throats."<sup>35</sup>

"From Shelbyville," Mitchel "made a bold and rapid advance through Fayetteville to Huntsville, Alabama," arriving on April 11, 1862, to turn the tables on the Confederate irregulars and supporters.<sup>36</sup> The division "surprised the citizens of the town," capturing nearly two hundred prisoners, "fifteen locomotives, one hundred and fifty passenger and freight cars, and other property of great value to the enemy."<sup>37</sup> Rebel attacks on the Federal supply train were not as destructive as intended. Beatty boasted that the "bread and meat we fail to get from the loyal States are made good to us from the smokehouses and granaries of the disloyal. Our boys find

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<sup>33</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 93.

<sup>34</sup> John Beatty, *The Citizen-Soldier: The Memoirs of a Civil War Volunteer* (1879, repr., Lincoln, NE: Bison Books, 1998), 139.

<sup>35</sup> Beatty, *Citizen-Soldier*, 140.

<sup>36</sup> Van Horne, *Army of the Cumberland*, 105.

<sup>37</sup> Van Horne, *Army of the Cumberland*, 105.

Alabama hams better than Uncle Sam's sidemeat, and fresh bread better than hard crackers."<sup>38</sup>

The ease of the Federal's capture of towns throughout the region did not diminish their reception from the local populace. Federal victory proved pyrrhic. The arrival of Union soldiers inspired armed insurgents to wage unconventional war against the invaders. Federal forces responded in kind by upping the ante, punishing entire communities for actions that violated set boundaries. In effect, both sides formally escalated hostilities against one another.

Three days prior to Huntsville, Colonel John B. Turchin, commanding one of Mitchel's brigades, led the Third Division's vanguard into Fayetteville. Upon their arrival, rebel sympathizers threatened and insulted the Union flag of truce. A correspondent for the *Cincinnati Gazette* reported the Federal response:

Gen. Mitchel was highly indignant when he heard of the outrage that had been committed upon his flag of truce. He rode rapidly into the town, and found a large number of the citizens assembled in the public square, to witness the entrance of our army. "People of Fayetteville!" cried the General, in a voice of thunder, "you are worse than savages! Even they respect a flair of truce, which you have not done. Yesterday, the soldiers whom I sent to your town upon a mission of courtesy and mercy, were shamefully insulted in your streets, and it was you who gave the insult. You are not worthy to look in the faces of honest men. Depart to your houses every one of you, and remain there until I give you permission to come forth!"<sup>39</sup>

The report plainly illustrates Mitchel's observation and response to the treatment of his soldiers. By referring to the people as savages, the commander perceived the populace as dishonorable and subject to reprimand. The correspondent noted that there was a strong Unionist sentiment as the army entered Alabama, but "it was mingled with many false notions concerning State

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<sup>38</sup> Beatty, *Citizen-Soldier*, 143.

<sup>39</sup> "THE WAR IN THE SOUTHWEST.; Details of Gen. Mitchel's Recent Operations. More About the Battle of Pittsburgh Landing. GEN. MITCHEL'S EXPEDITION INTO ALABAMA," *New York Times*, April 26, 1862 (accessed February 17, 2017), 1. <http://www.nytimes.com/1862/04/26/news/war-soutwest-details-gen-mitchel-s-recent-operations-more-about-battle.html>.

sovereignty and the duty of submission thereto. The negroes that we saw were kind and friendly, and generous and benevolent, even when their masters were most strongly ‘Secesh’.”<sup>40</sup> The prospect of Unionism in the region beyond small pockets was not encouraging. Mitchel reported plainly to Buell on May 24, 1862, that the “inhabitants on the line of Chattanooga and Nashville Railroad are extremely hostile.”<sup>41</sup>

On April 16, Buell informed Halleck from his field headquarters at Pittsburg Landing that “General Mitchel has taken Huntsville and Decatur, and by last advices was moving on Tuscumbia.”<sup>42</sup> Two days prior, Mitchel provided Nashville with detail of the excursion: two expeditions were started from Huntsville, one west to Stevenson to seize the “junction of Chattanooga with [the] Memphis and Charleston [railroad].”<sup>43</sup> The other expedition, under Turchin, went west toward Decatur in time to save a railroad bridge set ablaze. Buell dutifully reported to Washington that “General Mitchel now [held] a hundred miles of the Memphis and Charleston Railroad.”<sup>44</sup> Mitchel deemed the expedition successful. As did Van Horne, who noted that “within a few days, one hundred and twenty miles of this important railroad, connecting Corinth and Richmond, fell into his keeping.”<sup>45</sup> The Union army had a tenuous foothold in Alabama, including an expedition personally led by Mitchel to “capture Bridgeport and its long span across the Tennessee [River]” east of Stevenson by the end of April. The division was

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<sup>40</sup> *New York Times*, “THE WAR IN THE SOUTHWEST, 1.

<sup>41</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 212.

<sup>42</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 107.

<sup>43</sup> *Official Records*, Ser. 109, Vol. LXIV, Pt. 1, 236.

<sup>44</sup> *Official Records*, Ser. 109, Vol. LXIV, Pt. 1, 236.

<sup>45</sup> Van Horne, *Army of the Cumberland*, 105-06.

stretched beyond immediate support, exposed on all sides, and susceptible to irregular attacks along their transportation and communication avenues.

The detached Federal forces did not remain fixed in place but constantly adjusted position based on threats and vulnerabilities. Van Horne captured what invasion and occupation entailed for Mitchel below the Alabama border. “To hold what he had gained, detachments of troops were posted at the more important points, and the whole command was kept in constant readiness to move to any place on the line which the enemy might threaten or attack.”<sup>46</sup> In early May, Mitchel “was placed in command of all troops between Nashville and Huntsville.”<sup>47</sup> He immediately “ordered an expedition against Rodgersville [52 miles west of Huntsville] which was to rendezvous at Pulaski,” spearheaded by Negley’s brigade posted at Columbia.<sup>48</sup> Mitchel also planned a feint from Colonel William Lytle’s Seventeenth Brigade which moved “from Athens and [to] engage the attention of the enemy at the mouth of Elk River.”<sup>49</sup> Negley was expected to enter Rogersville, “attack the enemy in the rear, and cut off his retreat across the river; but in this region, inhabited by rebels, it was impossible to conceal our movements and intentions.”<sup>50</sup> Despite their lack of anonymity, the expedition was successful. The enemy’s flight gave Mitchel “control of that portion [from Bridgeport to Rodgersville] of Alabama lying north of the Tennessee river.”<sup>51</sup> It also allowed Mitchel to order additional expeditions along the

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<sup>46</sup> Van Horne, *Army of the Cumberland*, 106.

<sup>47</sup> Van Horne, *Army of the Cumberland*, 106.

<sup>48</sup> *Official Records*, Ser. 010, Vol. XXII, Pt. 2, 892.

<sup>49</sup> *Official Records*, Ser. 010, Vol. XXII, Pt. 2, 892.

<sup>50</sup> *Official Records*, Ser. 010, Vol. XXII, Pt. 2, 893.

<sup>51</sup> Van Horne, *Army of the Cumberland*, 107.

Tennessee River to capture important bridges and to burn boats which was “accomplished with great promptitude and success.”<sup>52</sup> He even converted a large flat into a gunboat to “render most valuable assistance on the river in preventing the passage of marauding bands.”<sup>53</sup> The expeditions reveal the Federal forces’ proactive conception of invasion and occupation. The post commanders did not simply remain in place upon the capture of a strategic town or point. Rather, they took vigorous steps to maintain and expand their presence throughout the region, recognizing the necessity of being on hand to enforce order.

Mitchel delivered a glowing report to the War Department on the first day of May that failed to depict heightened tensions with the local populace. “This campaign is ended, and I now occupy Huntsville in perfect security, while all of Alabama north of Tennessee River floats no flag but that of the Union.”<sup>54</sup> Van Horne supports the claim after Mitchel’s successful engagement at Bridgeport (April 29) and the Rodgersville expedition. “This region he held firmly. The seizure of the Memphis and Charleston railroad, and the complete occupancy of Northern Alabama, involved a series of bold and brilliant operations.”<sup>55</sup> The strategic operational success was relative and temporary. Van Horne’s traditional military narrative omits the escalating friction turned violence between Federal soldiers and guerrillas, irregulars, and civilians.

The army in fact incited bitter resentment among civilians despite Mitchel’s report of decisive victory and closure. He soon reversed his reading of the situation and informed

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<sup>52</sup> *Official Records*, Ser. 010, Vol. XXII, Pt. 2, 892.

<sup>53</sup> *Official Records*, Ser. 010, Vol. XXII, Pt. 2, 892.

<sup>54</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 156.

<sup>55</sup> Van Horne, *Army of the Cumberland*, 107.

Washington of the formidable forces waging irregular war on his command. “Armed citizens fire into the trains, cut the telegraph wires, attack the guards at bridges, cut off and destroy my couriers, while guerilla bands of cavalry attack wherever there is the slightest chance of success.”<sup>56</sup> The “entire region,” Mitchel admitted to the Secretary of War, “is now comparatively unprotected and very much alarmed.”<sup>57</sup> His force was not threatened by uniformed Confederates. Rather, it was “small bands of armed citizens, who still continue their outrages along the railway line and elsewhere.”<sup>58</sup> Mitchel arrested “a few active rebels, who refuse to condemn their illegal warfare” and proposed they be sent to Northern prisons, an idea supported by the small Unionist population.<sup>59</sup> But, there was only so much his small command could do, stretched beyond their limits. Mitchel “endeavor[ed] to hunt down and capture or destroy the enemy in bands of 300 or 400,” but was “hopelessly deficient in cavalry, and [he] feared the escape of these men, who are but plunderers and robbers.”<sup>60</sup> While the Union army lacked numbers to pacify areas beyond their immediate control, they could adopt harder tactics in response to hostile action.

The Federal response was punitive war. Edwin M. Stanton, Secretary of War, was not one to dawdle in the Union’s persecution of the war and promoted such action in response to Mitchel’s reports of the deteriorating situation. “You are allowed to inflict the extreme penalty of military law upon persons guilty of the crimes specified in your telegram and upon those guilty of irregular or guerrilla warfare.”<sup>61</sup> The Federal army rejected General Buell’s rosewater policy,

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<sup>56</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 165-6.

<sup>57</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 166.

<sup>58</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 174.

<sup>59</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 174.

<sup>60</sup> *Official Records*, Ser. 010, Vol. XXII, Pt. 2, 891.

<sup>61</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 209.

and crafted a specific, often case-by-case war of punishment and retribution against guerrillas and irregular forces—often indistinguishable to Federal troops—and the civilians who harbored them. Their reaction was strikingly parallel to the army’s course in Missouri.

In response to guerilla depredations, especially the destruction of bridges and cutting of telegraph wires, General Halleck issued General Orders No. 32 on December 22, 1861.

“Insurgent rebels,” declared the department head, “[who are] scattered through the northern counties of this State which are occupied by our troops under the guise of peaceful citizens have resumed their occupation of burning bridges and destroying railroads and telegraph wires. These men are guilty of the highest crime known to the code of war and the punishment is death.”<sup>62</sup>

Consequently, he warned, those “caught in the act will be immediately shot, and any one accused of this crime will be arrested and placed in close confinement until his case can be examined by a military commission and if found guilty he also will suffer death.”<sup>63</sup> Commanders of the nearest post “will immediately impress into service for repairing damages the slaves of all secessionists in the vicinity and if necessary the secessionists in the vicinity and if necessary the secessionists themselves and their property.”<sup>64</sup> Federal commanders in Tennessee and Alabama adopted similar harsh measures as irregulars destroyed and cut critical bridges, rail lines, and telegraph connections. For the officers and men of the Third Division, conciliation became an afterthought.

Colonel Beatty, commanding a regiment in the Seventeenth Brigade, vividly articulates the army’s turn against conciliation. A citizen-soldier of the political stripe, Beatty, nonetheless possessed the qualities to properly lead volunteers. He was willing, however, perhaps more than

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<sup>62</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 237.

<sup>63</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 237.

<sup>64</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 237.

his Regular Army colleagues, to turn up the heat against irregulars targeting his troops. The army, wrote Beatty, had adopted “the true policy, and the only one that will preserve us from constant annoyance.”<sup>65</sup> In response to an attack that wounded eight soldiers on a train near the village of Paint Rock in Northern Alabama, Beatty returned with a detachment of troops and a candid warning. He called the citizens together and announced repercussions for further attacks. “I said to them that the bushwhacking must cease,” wrote Beatty, clearly defining the action as a violation of the rules of war.<sup>66</sup> “The Federal troops had tolerated it already too long,” he fumed.<sup>67</sup> He issued a harsh edict in response. “Hereafter every time the telegraph wire was cut we would burn a house; every time a train was fired upon we should hang a man; and we would continue to do this until every house was burned and every man hanged between Decatur and Bridgeport.”<sup>68</sup> Beatty fumed at the “assassin-like” cowardly assaults, and “proposed to hold the citizens responsible for these cowardly assaults, and if they did not drive these bushwhackers from amongst them,” the soldiers would “make them more uncomfortable than they would be in hell.”<sup>69</sup> Beatty had the town fired and arrested three citizens. His actions were standard operating procedure in the West by summer 1862.

Federal commanders in Missouri issued similar edicts as early as winter 1861. Colonel W. James Morgan issued a proclamation to Platte County after guerrillas had destroyed two bridges. He expected Unionists to step forward and assist in pacifying the state. “I call upon and

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<sup>65</sup> Beatty, *Citizen-Soldier*, 139.

<sup>66</sup> Beatty, *Citizen-Soldier*, 138.

<sup>67</sup> Beatty, *Citizen-Soldier*, 138.

<sup>68</sup> Beatty, *Citizen-Soldier*, 138-39.

<sup>69</sup> Beatty, *Citizen-Soldier*, 138.

expect the loyal citizens of this county to aid me in keeping it from being further disturbed.”<sup>70</sup> Those who possessed knowledge of insurgency action and did not speak up were deemed enemies. “If any man knowingly allows said road, the engines, cars or other property belonging to it to be injured without giving me immediate notice he shall be held responsible.”<sup>71</sup> Morgan was forced to detached large segments of his command to guard strategic avenues, including garrisons in hostile areas. “If necessary for the protection of the road I shall cause troops to be stationed at or near the different bridges occupying the houses and buildings belonging to the rebels in the neighborhood.”<sup>72</sup> Two weeks later on Christmas Eve 1861, Morgan informed Halleck that the proclamation produced “a very salutary effect.”<sup>73</sup> He had 800 citizens take the oath of allegiance, arrested two who refused, and took it a step further. “I think if I have them shot and make an example I can have peace and the parties who take the oath will regard it in future.”<sup>74</sup> A fellow post commander, Colonel C. R. Jennison, issued a proclamation directed at three counties in. “For four months our armies have marched through your country; your professed friendship has been a fraud; your oaths of allegiance have been shams and perjuries. You feed the rebel army; you act as spies while claiming to be true to the Union. We do not care about your past political opinions; no man will be persecuted because he differs from us. But neutrality is ended. If you are patriots you must fight; if you are traitors you will be punished.”<sup>75</sup>

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<sup>70</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 239.

<sup>71</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 239.

<sup>72</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 237.

<sup>73</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 239.

<sup>74</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 237.

<sup>75</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 231.

The colonel's striking response revealed the major issues that turned Union soldiers away from conciliation: their rightful perception that guerrilla warfare was dishonorable, especially its support by local civilians who were regarded and protected as non-combatants. Federal forces in Tennessee and Alabama, exposed to these issues, responded in similar fashion.

Like Halleck's approval of Morgan's action in Missouri, Mitchel supported Beatty's action which "created a sensation" that was "spoken of approvingly by the officers and enthusiastically by the men."<sup>76</sup> Beatty, writing during the midst of Union military debacles in December, 1862, believed the Confederacy's rising star would "continue to ascend until the rose-water policy now pursued by the Northern army is superseded by one more determined and vigorous."<sup>77</sup> He continued the reflection, writing, "We should visit on the aiders [sic], abettors, and supporters of the Southern army somewhat of the severity which hitherto has been aimed at that army only."<sup>78</sup> Beatty believed the proper policy was "one that will march boldly, defiantly, through the rebel States, indifferent as to whether this traitor's cotton is safe, or that traitor's negroes run way; calling things by their right names; whether in the army or not."<sup>79</sup> "In short," Beatty admonished, "we want a policy that will not tolerate treason; that will demand immediate and unconditional obedience as the price of protection."<sup>80</sup> The colonel's emphasis on unconditional loyalty was critical to the end of conciliation. Beatty argued that a nation of treason had been created. The soldiers were quick to discern that southern civilians claimed

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<sup>76</sup> Beatty, *Citizen-Soldier*, 139.

<sup>77</sup> Beatty, *Citizen-Soldier*, 152.

<sup>78</sup> Beatty, *Citizen-Soldier*, 153.

<sup>79</sup> Beatty, *Citizen-Soldier*, 153.

<sup>80</sup> Beatty, *Citizen-Soldier*, 153.

conditional loyalty in return for protection of their property. Soldiers lost any sense of honor toward the white southern populace as soon as the latter was found harboring guerrillas. Colonel Jennison precisely captured the Union army's turn. "Playing war is played out, and whenever Union troops are fired upon the answer will boom from cannon and desolation will follow treason."<sup>81</sup>

Operations to the north of the Third Division were similarly contentious. General Negley was also not one to play war. Federal forces may have occupied Columbia but the area beyond the immediate reach of soldiers was the unforgiving Confederate frontier. The War Department learned that the telegraph line south was interrupted, cut, and destroyed in several places. "We are doing our best to keep it up, but the roads are nearly impassable south of Columbia, and the wire is cut down as fast as we put it out,"<sup>82</sup> reported the United States Military Telegraph. In response to guerrilla and irregular depredations, General Negley "ruled with an iron hand at Colombia," writes Fitch. He authorized the arrest of suspected men, broke up bands, and soon "became distasteful to the citizens." But, in Fitch's estimation, Negley justifiably used fear, energy, and the "daily determination to punish the guilty" to keep the country free of guerrillas. No admirer of Buell, he described the general's "rose-water system" as "tender, and [a] forgiving policy."<sup>83</sup> The detached commander's quick abandonment of conciliation was vividly traced through his service and writing.

General Buell censured and reserved Negley's iron-handed occupation. As a result, Fitch writes disgustedly, "the screws were taken off; and the natural result followed. The countryside

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<sup>81</sup> *Official Records*, Ser. 114, Introduction, Pt. 1, 232.

<sup>82</sup> *Official Records*, Ser. 011, Chapter XXII, Pt. 1, 104.

<sup>83</sup> Fitch, *Annals of the Army of the Cumberland*, 99-100.

was quickly overrun with guerrillas, citizens formed bands in every country and caused an almost inconceivable amount of trouble.”<sup>84</sup> Fitch described the soldiers’ inability to discern civilian from guerrilla as most agitating. In response, Negley, “no respecter of rebel rights or property,”<sup>85</sup> directly attacked the peculiar institution and southern infrastructure. He was the first general officer in Buell’s Department of the Ohio to employ enslaved people as teamsters. Negley also levied taxes against disloyal civilians, confiscated their property for use as horse pastures, and required from everyone “who applied for a pass, oaths of allegiance, fortified by bonds.”<sup>86</sup> Negley was active during occupation. He directed expeditions against guerrilla bands in Mount Pleasant, Williamson, Hillsborough, and Spring Hill where Unionists sentiment was “noticeably subdued.”<sup>87</sup> The Federal experience along Tennessee-Alabama border revealed the incapability of conciliation. One affair particularly tested the legitimacy of the army’s adoption of hard war.

The Union excursion into Northern Alabama challenged the officers’ turn against conciliation in the aftermath of the infamous plunder of an Alabama town. “The pillage of the town of Athens by the troops under the command of Colonel Turchin is a matter of general notoriety,” Mitchel dutifully informed Colonel James B. Fry, chief of staff to General Buell.<sup>88</sup> The incident occurred during the Union army’s occupation of Athens in May, 1862.<sup>89</sup> Irregular

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<sup>84</sup> Fitch, *Annals of the Army of the Cumberland*, 99.

<sup>85</sup> Fitch, *Annals of the Army of the Cumberland*, 99.

<sup>86</sup> Fitch, *Annals of the Army of the Cumberland*, 99-100.

<sup>87</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 93.

<sup>88</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 2, 79.

<sup>89</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 90.

warfare was directed at Mitchel's men, namely guerrilla attacks against Union supply lines, which "invited reprisal."<sup>90</sup> Colonel Turchin was more than willing to oblige. There were few in either army that possessed the professional military training and experience as the brigade commander.

John Basil Turchin was no stranger to hard war. Born Ivan Vasilevich Turchaninoff, the former Russian Imperial officer participated in that empire's campaign to support Austria's suppression of the Hungarian Revolution of 1848.<sup>91</sup> As the Russian Army invaded Hungary, Turchin "may well have become familiar with foraging as a necessity."<sup>92</sup> Hungarian civilians also "took up arms and fired from their houses" losing "their claim to be noncombatants." This action incited retaliation from the Russian troops which was "held aloft, bandied about by an army as deterrent to hostile civilians."<sup>93</sup> Following the Crimean War, Turchin immigrated to the United States. With the dissolution of the Union, the army's need for competent and experienced officers led to Turchin's commission as colonel of the 19th Illinois in June 1861. The regiment's first assignment was in the Missouri towns of Palmyra and Hannibal. As early as July 1, a month before Frémont's declaration of martial law, Union forces recognized the impractical nature of conciliation, including the 19<sup>th</sup> and its commander. Turchin's regiment, details Albert Parry, "guarded railroad bridges and struck at secessionists in the region, chasing their newly formed units, destroying their barracks and seizing their provisions, [and] organizing loyal citizens into

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<sup>90</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 93-94.

<sup>91</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 19.

<sup>92</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 19.

<sup>93</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 20.

guards.”<sup>94</sup> He came under the ire of Generals Stephen A. Hurlbut and John Pope “for allowing his soldiers to molest citizens’ property, but Turchin protested that they took provisions only.”<sup>95</sup> Turchin also requisitioned horses to mount his regiment but did provide government receipts. He made clear that military necessity required the action. If the government could not furnish their critical needs to be successful on the field, Turchin and his men felt no remorse supplying themselves and retaliating against hostile secessionists. The commander and his regiment brought this philosophy to Tennessee and Alabama.

Federal soldiers were eager to retaliate against citizens of Athens. On the morning of May 2<sup>nd</sup>, Turchin’s brigade (19<sup>th</sup> and 24<sup>th</sup> Illinois, 37<sup>th</sup> Indiana) seized an “opportunity to vent their frustration” within the view and supervision of their commander.<sup>96</sup> Athens strategic location near the Nashville & Decatur rail line supplied the advanced Union position in Alabama. Consequently, Federal troops garrisoned the town for over a month.<sup>97</sup> Mitchel communicated to Turchin his wishes that the “utmost vigilance is required, and anything less than prudent foresight, rigid discipline, perfect order, and thorough soldiership will end in disaster. All public property captured must be placed at once in the hands of the quartermaster. No violence will be permitted nor property destroyed until the facts are reported to me and the destruction is ordered under my own hand.”<sup>98</sup> Upon arrival, Turchin’s men entered civilian homes in search of army property captured and seized during the campaign. From there, the soldiers’ behavior quickly

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<sup>94</sup> Albert Parry, “John B. Turchin: Russian General in the American Civil War,” *The Russian Review* 1, no. 2 (April 1992), 49.

<sup>95</sup> Parry, “John B. Turchin,” 49-50.

<sup>96</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 95.

<sup>97</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 100-01.

<sup>98</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 294.

devolved as they confiscated civilian property—dry food, merchandise, and money. The plundering lasted over six hours.<sup>99</sup> Turchin’s passive role allowed his men to ransack the town without reprimand. He claimed to have closed his eyes as they performed their work. One soldier described the commander’s informal sanction. “Colonel Turchin allowed us to take our revenge, which we were not slow in doing, although it was not his orders, still he winked at our proceedings.”<sup>100</sup> The soldiers’ action, in their minds, was justified. “Because it was retaliatory,” explain George C. Bradley and Richard L. Dahlen Bradley, “the otherwise outrageous behavior became legitimate.”<sup>101</sup>

Mitchel sought to remedy the affair by ordering “a search to be made of the knapsacks and baggage of all enlisted men in the brigade.”<sup>102</sup> The search discovered articles authorized by army regulations. He did not search Turchin’s commissioned officers, but ordered each to “make [an] explicit declaration that no property plundered from the citizens is in his possession.”<sup>103</sup> He also sought to prevent such an incident from happening again and sent Turchin several orders in late May to see that his “men do not pillage and plunder” and “shall not steal horses or mules or enter private houses on any pretense whatever.”<sup>104</sup> Turchin was an effective officer and no one realized that better than Mitchel. “I would prefer to hear that you had fought a battle and been

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<sup>99</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 273-75.

<sup>100</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 114.

<sup>101</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 20.

<sup>102</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 80.

<sup>103</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 295.

<sup>104</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 295.

defeated in a fair fight than to learn that your soldiers have degenerated into robbers and plunderers.”<sup>105</sup> The army’s commanding general did not placate Turchin.

Colonel Turchin may have closed his eyes as his men ransacked Athens but news of the event reached General Buell. The commanding general desired to make an example of the hot-blooded colonel. An Athens committee of citizens presented General Mitchel with a report “presenting the affidavits of 45 individuals, who claim to have suffered by the depredations committed by the officers and men of the Eighth Brigade” with damages exceeding \$50,000.<sup>106</sup> It took time, but by the end of June, Buell requested formal reports about the “unauthorized or improper conduct on part of Colonel Turchin and the troops of his command.”<sup>107</sup> Mitchel dutifully noted the committee’s report, the search of the brigade’s enlisted men, and Colonel Turchin’s declaration “that he did his utmost to prevent his troops from pillaging and from every irregularity.”<sup>108</sup> But, it was certain, Mitchel admitted, that “he has been unsuccessful.”<sup>109</sup> Buell responded swiftly. He messaged Washington protesting the rumors of Turchin promotion to brigadier general on June 29, 1862. “I feel it my duty to inform you that he is entirely unfit for it. I placed him in command of a brigade, and I now find it necessary to relieve him from it in consequence of his utter failure to enforce discipline and render it efficient.”<sup>110</sup> He was true to

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<sup>105</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 295.

<sup>106</sup> *Official Records*, Ser. 011, Vol. XXII, Pt. 1, 212.

<sup>107</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 80.

<sup>108</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 80.

<sup>109</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 80.

<sup>110</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 273-75.

his word. Buell relieved Turchin of command, withdrew the 19<sup>th</sup> Illinois from the front, and prepared to cashier the brigade commander ingloriously from the army.<sup>111</sup>

General Buell ordered a general court-martial which assembled at Athens on July 7, 1862. Turchin was brought-up on three charges: “Neglect of duty, to the prejudice of good order and military discipline; Conduct unbecoming an officer and a gentleman; Disobedience of orders (specifically General Orders No. 13a).”<sup>112</sup> One of the officers appointed to the court-martial was Beatty. The colonel detailed the case in his journal. “He is charged with permitting his command, the Eight Brigade, to steal, rob and commit all manner of outrages.”<sup>113</sup> On August 6, the court issued its’ verdict. Turchin was found guilty on all three charges; the court “therefore sentence[d] him . . . to be dismissed from the service of the United States.”<sup>114</sup> The colonel’s career appeared to be over, but “Six members of the court have recommended the prisoner to clemency, on the ground that ‘the offense was committed under exciting circumstances, and was one rather of omission than of commission.’ The general commanding [Buell] has felt constrained nevertheless to carry the sentence into effect.”<sup>115</sup>

The case against Turchin was successful in its findings, especially from Buell’s perspective, but ended with a paradoxical reversal. Buell rejected the court’s recommendation of clemency and Turchin was slated to be cashiered from the army, finalized on August 6, 1862.<sup>116</sup>

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<sup>111</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 92.

<sup>112</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 273-75.

<sup>113</sup> Beatty, *Citizen-Soldier*, 151-52.

<sup>114</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 276-77.

<sup>115</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 277-78.

<sup>116</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 219.

But, to Buell's shock, Turchin was promoted and confirmed to the rank of brigadier general on August 2.<sup>117</sup> In an ironic twist, Buell was relieved of command at the end of September. Turchin served with distinction through October 1864. Beatty was one of the six officers who recommended clemency. Beatty defended the recommendation by expressing the sentiment of not only the court but the army. "Turchin has gone to one extreme, for war can not [sic] justify the gutting of private houses and the robbery of peaceable citizens, for the benefit of individual officers or soldiers; but there is another extreme, more amiable and pleasant to look upon, but not less fatal to the cause." Buell "is inaugurating the dancing-master policy."<sup>118</sup> Beatty continued the uncompromising salvo. "Turchin's policy is bad enough; it may indeed be the policy of the devil; but Buell's policy is that of an amiable idiot."<sup>119</sup> The Army of the Ohio's denunciation of conciliation, both through the dissemination of orders and the conduct of commanders and soldiers on the ground, predated the Republican North's turn toward hard war. By the time Buell reappeared in the Tennessee Valley following Shiloh and Corinth, the Union war had evolved to a point that it all but discarded his rosewater policy.

By summer 1862 the Union populace broadened their support toward harsher measures directed at the Confederacy. The *New York Times* detailed Turchin's case and offered its remarks on August 11. "The term 'peaceable citizens,' in General Order No. 13, designating the class or persons who are not to be molested, cannot reasonably be held to include those who are in rebellion against the Government of the United States, and have disavowed its authority; that the testimony of contumacious rebels should be allowed no credit when offered against loyal officers

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<sup>117</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 220; *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 277.

<sup>118</sup> Beatty, *Citizen-Soldier*, 152.

<sup>119</sup> Beatty, *Citizen-Soldier*, 153.

of the Union army.”<sup>120</sup> Charles Royster contends that during this period—the middle and latter half of 1862—many soldiers “acted as if terrorizing Southern civilians [was a] well-established policy.”<sup>121</sup> In absolving Turchin and dismissing Buell, the Federal government “had charted a new course for its war to reunify the country.”<sup>122</sup>

Withdrawal, Fortify, and Pursue

“Not a moment must be lost.”<sup>123</sup>

-Colonel James B. Fry, Chief of Staff, August 29, 1862

Although the War Department appeared to rebuke General Buell after his failed attempt to cashier John Turchin, they did not remove him from command of the Army of Ohio. Buell capably led the army at the Battle of Shiloh and through the subsequent Corinth Campaign as part of Henry Halleck’s Department of the Mississippi from April-May 1862. Following the campaign, Buell marched east to reunite his divided army, intending to seize Chattanooga, the critical Confederate base and gateway to Georgia. Buell and Halleck disagreed on the approach. “General Buell desired to move through Middle Tennessee to McMinnville, and thence to Chattanooga, in accordance with his preference from Nashville as a secondary base; while his superior ordered him to march on the line of the Memphis and Charleston road, and to repair the track as he advanced.”<sup>124</sup> Arriving in Huntsville on June 29, Buell struggled for the remainder of

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<sup>120</sup> “The Court-Martial of Col. Turchin,” *New York Times*, August 11, 1862 (accessed March 3, 2017), 1. <http://www.nytimes.com/1862/08/11/news/the-court-martial-of-col-turchin.html>.

<sup>121</sup> Royster, *The Destructive War*, 85.

<sup>122</sup> Bradley and Dahlen, *From Conciliation to Conquest*, 220.

<sup>123</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 445.

<sup>124</sup> Van Horne, *Army of the Cumberland*, 117.

the summer to consolidate his army, replenish supplies, repair the railroad, and advance toward Chattanooga.

Due to losses sustained during the Shiloh and Corinth Campaigns, Buell's army dwindled to "twenty-five thousand effective men for an offensive column."<sup>125</sup> Compounding his manpower shortage, several units remained detached and dispersed throughout the Department of the Ohio. More than "sixteen thousand [were] variously disposed at important points on the railroads in Middle Tennessee and Northern Alabama."<sup>126</sup> Buell lacked sufficient forces to secure his communications, "and was still more than one hundred miles from Chattanooga with his main column."<sup>127</sup> Even with the army's junction, Buell, like Mitchel in April-May, lacked fresh men and horses to occupy space and conduct offensive operations. "His outlying forces, details Van Horne, "were scattered from Iuka to Stevenson, and many of his smaller detachments were remote from his line of march, and some on that line were ex-posed to attacks from the superior cavalry of the enemy."<sup>128</sup> The edges of Buell's department were filled with roving possess of irregulars. "Guerrilla bands in Northern Alabama, Middle Tennessee, and Southern Kentucky, notes Van Horne, "had been largely multiplied."<sup>129</sup> Buell's return to the Volunteer State revealed a region far-removed from conciliation, compelling the commander to deal with the dual threats of the Confederate army and insurgents.

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<sup>125</sup> Van Horne, *Army of the Cumberland*, 117.

<sup>126</sup> Van Horne, *Army of the Cumberland*, 117.

<sup>127</sup> Van Horne, *Army of the Cumberland*, 117-18.

<sup>128</sup> Van Horne, *Army of the Cumberland*, 118.

<sup>129</sup> Van Horne, *Army of the Cumberland*, 118.

The growing menace from Confederate cavalry under Forrest in Middle Tennessee and Morgan in Kentucky further threatened the army's ability to garrison and organize offensive operations in the region. Van Horne notes that the "enemy's cavalry became more active" around "the immediate rear of the army."<sup>130</sup> Federal detachments in both states [Tennessee and Kentucky] "were captured, and General Buell's communications far and near were endangered."<sup>131</sup> Forrest's capture of the Federal garrison at Murfreesboro in early July coupled with Morgan's "defeats of Union detachments—at Gallatin, Tennessee on August 12, Clarksville on August 18, and Hartsville on August 21—offered further proof of the bankruptcy of Buell's attempt to pacify the population of Tennessee and northern Alabama by zealously guarding their property rights."<sup>132</sup> Van Horne notes plainly that "General Buell's cavalry was too feeble to cope with the enemy's, and his effort to withstand Morgan and Forrest resulted in disaster."<sup>133</sup> Buell's army also struggled with insurgents "who were exerting their entire strength."<sup>134</sup>

Predictably, enemy guerrillas and irregulars took advantage of the Federal's long supply and communication lines and isolated manpower. General Negley reported from Columbia that the "country is swarming with guerrillas" who "have grown exceedingly bold since [he had] been deprived of the means of pursuing them." Guerilla forces numbering 300 were "organized and preparing for some movement in the western portion of this and Hickman Counties."<sup>135</sup>

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<sup>130</sup> Van Horne, *Army of the Cumberland*, 120.

<sup>131</sup> Van Horne, *Army of the Cumberland*, 120.

<sup>132</sup> Prokopowicz, *All for the Regiment*, 133.

<sup>133</sup> Van Horne, *Army of the Cumberland*, 125.

<sup>134</sup> Van Horne, *Army of the Cumberland*, 125.

<sup>135</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 228.

Buell responded simply with “orders to destroy the guerrillas if they can be found,” but with the lack of cavalry and serviceable horses, garrison and detached commanders were left to their own devices.<sup>136</sup> Gerald Prokopowicz notes that the civilians, despite “solicitous treatment they received,” not only “supplied the rebel raiders with the food, water, and information they needed to travel light and stay ahead of their pursuers,” but also “engaged in guerrilla warfare in the union army’s rear areas.”<sup>137</sup> Van Horne believed the Confederate army’s manpower shortage inspired the growing number of guerrillas. The enemy’s shrinking pool of serviceable men thus produced the need for insurgents. But, Van Horne’s description does not take into account the motivations of many irregular forces who profited from the chaos of war by directing hostile action against Union soldiers and Southern civilians. The war’s disorder provided an open landscape without rules or boundaries for irregulars to operate in until Federal forces arrived in a particular area. The mere presence of Union troops implied, from their perspective, the clear establishment of boundaries. Those who violated the army’s authority paid dearly.

Federal commanders and soldiers operating in the region had already disregarded conciliatory measures prior to Buell’s arrival. Tempers reached a breaking point on August 6 “when guerrillas attacked a party of cavalry escorting Brigadier General Robert McCook,”<sup>138</sup> and killed that officer. Colonel Ferdinand Van Derveer replaced the slain general and reported that on “their march from Athens, Ala., to this point [Winchester, TN], at a point near the southern line of Tennessee.”<sup>139</sup> The ailing brigadier was “riding in an open carriage upon his bed, about 3 miles in advance of the troops, accompanied by Captain Hunter Brooke, of his staff, and Major

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<sup>136</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 268.

<sup>137</sup> Prokopowicz, *All for the Regiment*, 133.

<sup>138</sup> Prokopowicz, *All for the Regiment*, 133.

<sup>139</sup> *Official Records*, Ser. 022, Vol. XXVIII, Pt. 2, 840.

Boynton, of the Thirty-fifth Ohio, together with nine members of his escort, [when] suddenly attacked by a band of mounted guerrillas, numbering between 100 and 200 men.”<sup>140</sup> Van Derveer recounted McCook’s pleas to the guerrillas to “Stop!” and “Don’t shoot” to not avail as he was mortally wounded.<sup>141</sup> Van Horne contends that all “circumstances indicated that he was wantonly murdered, and General Buell instituted vigorous measures to inflict punishment upon those who were guilty.”<sup>142</sup> Prokopowicz counters this claim arguing that “Buell expressed regret for McCook’s death but did not publicly condemn the guerrillas or reconsider his policy toward civilians.”<sup>143</sup> There was no arguing the army’s response, especially the men from McCook’s original regiment, the 9<sup>th</sup> Ohio. The men, angered by the alleged murder of their former commander, responded with vengeance by “hanging civilians and burning houses for miles around.”<sup>144</sup> Buell continued to pursue a lenient course toward civilians even as insurgency spiked, but a more serious threat was looming beyond Chattanooga.

The mounting threat came from the Confederate army under Braxton Bragg who “had been massing troops in East Tennessee drawn from Mississippi and other states.”<sup>145</sup> The Confederate Army of Tennessee had “reached Chattanooga on the 29<sup>th</sup> of July, and from that time rumors that [Bragg] would assume the offensive became current.”<sup>146</sup> Buell’s methodical advance against Chattanooga abruptly ended in late August, disrupted by a major enemy

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<sup>140</sup> *Official Records*, Ser. 022, Vol. XXVIII, Pt. 2, 840.

<sup>141</sup> *Official Records*, Ser. 022, Vol. XXVIII, Pt. 2, 840.

<sup>142</sup> Van Horne, *Army of the Cumberland*, 124.

<sup>143</sup> Prokopowicz, *All for the Regiment*, 133.

<sup>144</sup> Prokopowicz, *All for the Regiment*, 133.

<sup>145</sup> Van Horne, *Army of the Cumberland*, 124.

<sup>146</sup> Van Horne, *Army of the Cumberland*, 124.

offensive. Bragg marched his army north with designs to combine with a Confederate force advancing from East Tennessee to invade Kentucky. The race toward the Bluegrass State and the Ohio River began in earnest. Not only did Bragg have a head start, compelling Buell to order forced marches to keep pace, the Army of the Ohio also had to uncover its garrisons and detachments stationed throughout the Tennessee Valley. Federal authorities realized the safety and continued occupation of Nashville was critical to maintain Union presence in the region. Fearful of a Confederate advance on the city, Buell directed his chief engineer, Captain James St. Clair Morton, to Nashville with orders to “select sites and give plans and instructions for redoubts to protect the city.”<sup>147</sup> Buell proposed the erection of only “small works to hold from four to six companies and from two to four pieces of artillery” on the edge of the city “to command the principal thoroughfares and other prominent points.”<sup>148</sup> Morton later designed formidable fortifications to protect the city, but for the current emergency, earthworks “must all be practical and as simple as possible in the beginning, so that they can be constructed with the greatest promptness and occupied immediately by a small force.”<sup>149</sup> Buell authorized the commanding officer of the city to call in slave labor to complete the defenses. On the day Bragg stepped off from Chattanooga, Buell ordered Brigadier General Lovell Rousseau, commanding at Nashville, to send sufficient forces to protect the laborers strengthening positions near bridges and to contract negroes to build stockades.<sup>150</sup> Forced to react, Buell appropriated all the resources he had at hand to the secure the capital and pursue the Confederate army.

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<sup>147</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 268.

<sup>148</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 268.

<sup>149</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 268.

<sup>150</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 429.

Buell ordered a general withdraw of his entire army toward Murfreesboro on August 30<sup>th</sup>. He detailed his reasoning to Military Governor Andrew Johnson, contending that the obvious need to secure the capital and the department's base of operations at Louisville forced his withdrawal. Buell assured the governor that his army "shall triumph in the effort to preserve Tennessee."<sup>151</sup> The army did not halt at Murfreesboro; Buell ordered "the movement of all his forces to Nashville," recoiling the Federal presence from Middle Tennessee below the capital.<sup>152</sup> As the army reached Nashville, Bragg's victory at Richmond, Kentucky confirmed to Buell that the Confederate army was not only in Kentucky but headed toward Louisville. At last, recalls van Horne, "the danger northward was now fully apparent."<sup>153</sup> Buell's only solution "was the rapid advance of the Army of the Ohio to Louisville; he therefore, upon reaching Nashville, crossed the Cumberland" with six divisions "and pushed on toward [Kentucky]."<sup>154</sup> He designated two divisions under Negley and Palmer to secure and fortify the capital.<sup>155</sup> Prokopowicz contends that Buell "drove his men relentlessly northward in pursuit of Bragg." The *Official Records* substantiate this claim as headquarters ordered the army's division "to advance by forced marches" over the course of September 1862. "Not a moment must be lost."<sup>156</sup>

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<sup>151</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 451.

<sup>152</sup> Van Horne, *Army of the Cumberland*, 133.

<sup>153</sup> Van Horne, *Army of the Cumberland*, 133-34.

<sup>154</sup> Van Horne, *Army of the Cumberland*, 134.

<sup>155</sup> Van Horne, *Army of the Cumberland*, 134.

<sup>156</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 445.

After relentless marches to secure the state capital, Buell informed Halleck on September 2, that “Nashville can be held and Kentucky rescued.”<sup>157</sup> It was Buell’s final military campaign with the Army of the Ohio, he was relieved in later October after the Battle of Perryville. “Buell’s soldiers reached [Louisville] first, by a slim margin,” and earned a strategic victory against Bragg’s army at Perryville on October 8.<sup>158</sup> Nashville, “although linked to the United States by the vital arteries of rail and river, became an isolated citadel in the middle of enemy country during most of the last seven months of 1862.”<sup>159</sup> Even as Federal divisions marched into Alabama in April-May—extending Union presence from Nashville south through Murfreesboro—“rebel cavalry dashes around the picket-guarded fringes of [the capital]” remained a constant threat.<sup>160</sup> Command of the city devolved from Rousseau to Major General George H. Thomas, Buell’s second in command, and finally Negley. He had orders to post his troops “at the defensible works and positions and at the Capitol [building] and the bridge.”<sup>161</sup> Negley was to “defend his position to the last extremity.”<sup>162</sup>

In the same message relieving Thomas of command of the city, Buell made sure his top lieutenant understood the consequences of continued Federal presence in Middle Tennessee. “If Bragg’s army is defeated Nashville is safe; if not, it is lost.”<sup>163</sup> No one understood the potential outcome of victory or defeat better than the new post commander himself. Negley’s meager

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<sup>157</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 470.

<sup>158</sup> Prokopowicz, *All for the Regiment*, 137.

<sup>159</sup> Durham, *Nashville*, 93.

<sup>160</sup> Durham, *Nashville*, 93.

<sup>161</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 510.

<sup>162</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 510.

<sup>163</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 511.

force comprised only two infantry brigades numbering 6,000 men. Until relieved, the Federal garrison was “in a state of siege, cut off from all communications in every direction,” and continually threatened by Confederate detachments.<sup>164</sup> Walter T. Durham states that “Buell’s wholesale excavation of troops from Middle Tennessee emboldened” rebel forces in the surrounding counties to escalate raids and organize a potential strike to reclaim the city.<sup>165</sup> To supplement his limited rations, Negley authorized “a general system of foraging, with large and strong detachments” sent into the areas surrounding the city.<sup>166</sup> To strengthen the isolated capital, and “keep [Confederates forces] at a distance,” Negley fortified.<sup>167</sup>

Pressed by Governor Johnson to secure the capital, Negley ordered Chief Engineer Morton to enhance the city’s defenses. In rapid time and with heavy labor, including the impressment of 2,000 African Americans, Morton designed and supervised the construction of strong fortifications, including the formidable Fort Negley. The appropriately named stoned enclosure secured Nashville “against any attack except regular approaches and investments.”<sup>168</sup> By autumn, Morton and his laborers had erected a “long semi-circular lines of earthworks and entrenchments that reached ‘around the city from the Cumberland River east and west.’” With the city linked to Louisville, the “works were designed to defend against an attack from the south.” General Negley remarked the defensive works “made Nashville one of the best fortified

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<sup>164</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 511.

<sup>165</sup> Durham, *Nashville*, 120-21.

<sup>166</sup> Van Horne, *Army of the Cumberland*, 164.

<sup>167</sup> Van Horne, *Army of the Cumberland*, 164.

<sup>168</sup> Bobby L. Lovett. “Nashville’s Fort Negley: A Symbol of Black’s Involvement with the Union Army,” *Tennessee Historical Quarterly* 41, no. 1 (Spring 1982), 7.

cities in the country,” second only to Washington D.C.<sup>169</sup> The four major forts—Negley, Andrew Johnson, Confiscation, and Casino—enabled the Union Army to make a show of force in Middle Tennessee, a strong physical and psychological statement that the Federals were here to stay despite the isolation.<sup>170</sup> Confederate forces, including Forrest’s cavalry, made strong demonstrations against Nashville throughout late summer and early fall, but were repulsed by the forts’ heavy caliber guns. And relief was also on its way. “As quiet returned to the besieged city,” citizens and soldiers learned “that the advance units of the army formerly commanded by Buell were returning from Kentucky with their new commander, General William Starke Rosecrans.”<sup>171</sup>

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<sup>169</sup> Durham, *Nashville*, 129.

<sup>170</sup> Durham, *Nashville*, 128.

<sup>171</sup> Durham, *Nashville*, 127.

## CHAPTER IV

## OLD ROSY AND THE ARMY OF THE CUMBERLAND

“Secessionist[s] ha[ve] so degraded their sense of honor that it is next to impossible to find one tinctured with it who can be trusted.”<sup>1</sup>

-Major General George H. Thomas, February 11, 1863

On the crisp, cold morning of January 5, 1863, the Union Army of the Cumberland entered and captured Murfreesboro, Tennessee, reestablishing Federal presence at the critical forward operating base south of the state capital. Two infantry divisions from Major General George H. Thomas’ Center Wing occupied the town while a brigade of cavalry probed the Confederate retreat on the Shelbyville and Manchester Pikes.<sup>2</sup> Thus ended Major General William S. Rosecrans’ first major offensive. The strategic victory along the banks of Stones River reestablished Federal presence in Middle Tennessee at the cost of 13,000 casualties.<sup>3</sup> The army’s rapid invasion from Nashville forty miles southeast cleared the Confederate Army of Tennessee from Murfreesboro, reduced an immediate threat to the state capital, and brought a morale-boosting victory for the Union cause. But invasion and victory complicated an underlying issue: extended occupation in hostile territory. After its capture, Federal forces fortified and garrisoned Murfreesboro and the surrounding environs, with the former set as a supply depot (Fortress Rosecrans) and launch point for future campaigns.<sup>4</sup> Federal forces had

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<sup>1</sup> *Official Records*, Serial 035 Chapter XXXV, 57.

<sup>2</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 2, 300-01.

<sup>3</sup> Larry J. Daniel, *Battle of Stones River: The Forgotten Conflict between the Confederate Army of Tennessee and the Union Army of the Cumberland* (Baton Rouge: Louisiana State University Press, 2012), 201.

<sup>4</sup> Edwin C. Bearss, *The History of Fortress Rosecrans* (Washington: National Park Service, 1960), 1-3.

occupied Murfreesboro the previous June with light detachments of infantry before being overrun by Confederate cavalry, but this time, Rosecrans intended to remain in force.

Rosecrans' successful implementation of hard war, coupled with his carefully planned and executed occupation and campaign through Middle Tennessee, culminated in the Battle of Stones River and the capture of Murfreesboro. The Union's active movement and reoccupation of the region was not a novel assignment for most of the men comprising the Army of the Cumberland, with one major exception: General Rosecrans. General Orders No. 168, issued October 24, 1862, placed Rosecrans in command of the state "east of the Tennessee River and such parts of Northern Alabama and Georgia," constituting the newly minted Department of the Cumberland. The organized military forces were designated the Fourteenth Army Corps.<sup>5</sup> Rosecrans commanded the main elements of the former Army of the Ohio. The old department was expanded, renamed and designated as the Department/Army of the Cumberland (Fourteenth Corps). The same order removed the unpopular Major General Don Carlos Buell from command. Governor Oliver P. Norton of Indiana remarked to President Lincoln that "the removal of General Buell and appointment of Rosecrans came not a moment too soon," and "could not have been delayed an hour with safety to the army or the cause."<sup>6</sup> His colleague in Ohio, Governor David Todd, agreed, writing the Secretary of War that after "disposition [with] officers in the field," the army in "one voice, demand the removal of General Buell."<sup>7</sup> The command change was a sharp rebuttal to Buell's conciliatory, soft-handed approach to the war by the army and government. The army's experience in the department during the year proved that Buell's

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<sup>5</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 641-42.

<sup>6</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 642.

<sup>7</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 652.

insistence on rosewater was not practicable on the ground. Commanders at all levels, from garrison chiefs up the chain of command, realized a harder approach was necessary to defeat the Confederacy, both soldiers and civilians. Rosecrans was the right officer to replace the unpopular commander. His ascension generated excitement. His skills as an innovator and organizer were displayed as soon as he repaired to Louisville. Most importantly, in 1863, the general fully embraced and applied hard war—a policy already adopted by the men.

The same order that placed Rosecrans in command dictated “great objects to be kept in view” from the general-in-chief.<sup>8</sup> Halleck informed the newly minted department command that his first mandate was “to drive the enemy from Kentucky and Middle Tennessee.”<sup>9</sup> After clearing the Bluegrass State and the Tennessee River Valley, Rosecrans was directed “to take and hold East Tennessee, cutting the line of railroad at Chattanooga, Cleveland, or Athens, so as to destroy the connection of the valley of Virginia with Georgia and the other Southern States.”<sup>10</sup> Halleck “hoped that by prompt and rapid movements a considerable part of this may be accomplished before the roads become impassable from the winter rains.”<sup>11</sup> The orders were nearly identical to the directives given Buell when he was appointed commander of the department in November 1861, with one major difference. The directive reflected Halleck’s experience in the West and the War Department’s adoption of hard measures against the Confederacy. Rosecrans had authorization to procure supplies from the countryside when necessary, including “forced requisitions.”<sup>12</sup> Halleck provided Rosecrans the power and

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<sup>8</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 640.

<sup>9</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 640.

<sup>10</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 640.

<sup>11</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 640.

<sup>12</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 641.

discretion to take the war directly against the Confederate army and civilian populace. “The time has now come when we must apply the sterner rules of war, whenever such application becomes necessary, to enable us to support our armies and to move them rapidly upon the enemy. You will not hesitate to do this in all cases where the exigencies of the war require it.”<sup>13</sup> The new commander was fully capable and more than willing to oblige. The message ended with a sober reminder of Rosecrans’ tenable position. “I need not urge upon you the necessity of giving active employment to your forces. Neither the country nor the Government will much longer put up with the inactivity of some of our armies and generals.”<sup>14</sup>

Rosecrans’ first task was to “repair and guard the railroad, so as to secure [the army’s] supplies from Louisville until the Cumberland River becomes navigable.”<sup>15</sup> The damaged railroad, writes Larry J. Daniel, was the “same problem that had so vexed Buell.”<sup>16</sup> “The Cumberland River remained too low for transports—Even the lightest-draft boats could not pass Harpeth Shoals, twenty-four miles below the city, meaning that the army’s food had to come by the way of the Louisville and Nashville [Railroad].”<sup>17</sup> He chose Bowling Green as the army’s depot where he arrived to take personal command.<sup>18</sup> As “fast as troops were equipped, Rosecrans pushed them toward Nashville, where the Federal garrison ‘lacked almost everything

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<sup>13</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 641.

<sup>14</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 641

<sup>15</sup> *Official Records*, Ser. 023, Vol. XXVIII, Pt. 1, 641.

<sup>16</sup> Larry J. Daniel, *Days of Glory: The Army of the Cumberland, 1861-1865* (Baton Rouge: Louisiana University Press, 2004), 184.

<sup>17</sup> Daniel, *Days of Glory*, 184.

<sup>18</sup> William M. Lamers, *The Edge of Glory: A Biography of General William S. Rosecrans*, U.S.A. (New York: Harcourt, Brace & World, 1961), 183.

except discipline, courage, and ammunition.”<sup>19</sup> In order to facilitate a rapid repair of his supply lines and prepare for the winter campaign, Rosecrans reorganized the army’s pioneer corps, detailing men from each company of every regiment who were delegated the task of repairing brigades, the rail and telegraph, and fording waterways.<sup>20</sup> He ordered a general advance with the entire army toward the capital and critical points in between with cavalry detachments at the vanguard on November 3, 1862.

One of Rosecrans’ major priorities was to “promptly open communication with Mitchellville, and thence by courier lines to Bowling Green.”<sup>21</sup> From Mitchellville—directly south from the Kentucky border—Rosecrans needed to secure the vital railroad line to Gallatin (along the Louisville and Nashville R.R.), with its rail yard and depot, twenty miles due south. There a Federal garrison maintained a tenable hold of the country as relentless Confederate cavalry raids under John Hunt Morgan had halted traffic by imploding the South Tunnel—“constructed through two separate ridges of the highland rim,”—six miles north of the town.<sup>22</sup> The tunnel was damaged to the point where “the thirty-fives miles to Edgefield Junction [10 miles north of Nashville] had to covered by wagon.”<sup>23</sup> Rosecrans informed Halleck that “the troops will take positions where we can provision them, and succor Nashville until they can open the railroad, the most serious damage to which is caving in of tunnel 6 or 8 miles north of

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<sup>19</sup> Lamers, *Edge of Glory*, 189.

<sup>20</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 6.

<sup>21</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 7-8.

<sup>22</sup> Walter T. Durham, *Rebellion Revisited: A History of Sumner County, Tennessee, from 1861 to 1870* (Gallatin, TN: Sumner County Museum Association, 1982), 24

<sup>23</sup> Daniel, *Days of Glory*, 184.

Gallatin. Opening the road will require two weeks.”<sup>24</sup> He also planned to repair the “five bridges [destroyed by Confederate cavalry and guerrillas] between Nashville and Gallatin,” methodically pressing his army back into Middle Tennessee.<sup>25</sup> The army’s rapid withdrawal from the region allowed Confederate forces and irregulars to operate freely, destroying supply lines and harassing unmanned garrisons. Rosecrans’s movement reestablished the Federal presence in Nashville and the surrounding environs, once again securing a forward operating base by the end of 1862. Federal troops garrisoned strategic towns and logistical lines from Louisville to the state capital, with the main force concentrating on Nashville for a winter campaign south.

Rosecrans’ ascension to command of the new department brought a renewed recognition of importance for “the Cumberland River and the Louisville and Nashville Railroad.”<sup>26</sup> The general received a report dated November 6 warning him that the “whole country from Richland to Gallatin has been occupied by bands of mounted men, who will cut off working parties and destroy their work unless a sufficient force is placed on the line.” The enemy’s strength was strong, reported the Federal officer at the scene. “So large is this force of rebels that, in my opinion, there should, for the present, be placed a large force at Gallatin and at Tunnel Hill, with sufficient mounted men to intimidate them.”<sup>27</sup> Rosecrans responded by establishing a strong permanent Federal presence in Gallatin with the construction of Fort Thomas overlooking the

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<sup>24</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 9.

<sup>25</sup> Daniel, *Days of Glory*, 184.

<sup>26</sup> Durham, *Rebellion Revisited*, 104.

<sup>27</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 12.

town to repair and secure the railroad, including the South Tunnel.<sup>28</sup> He also appointed a new officer “to command the troops guarding the railroad from Mitchellville to Nashville.”<sup>29</sup>

Brigadier General Eleazer A. Paine—West Point class of 1839, veteran of the Seminole War, and lawyer—came to personify the extreme application of hard war.<sup>30</sup> Paine’s wartime reputation preceded him as he arrived to take command. Durham notes that Paine “had already won the reputation of being the ‘hanging general’ for his actions at Cairo, Illinois in February 1862.”<sup>31</sup> In response to a report that Federal soldiers were murdered by Confederate cavalry, Paine responded with a merciless decree. “Hang one of the rebel cavalry for each Union man murdered, and after this two for each. Continue to scout capture, and kill.”<sup>32</sup> Paine’s “temptation to rule with an iron hand” only escalated in Gallatin.<sup>33</sup>

The pioneers completed their work to restore the railroad between Nashville and Louisville to full operation on November 26, 1862. Its resurrection only invited action from Confederate and guerrilla forces. General Paine was more than willing to respond ruthlessly to any enemy depredation. He took literally Rosecrans’ suggestion to “blot out Gallatin, or dispose of the secesh inhabitants in any way you think consistent with justice and public interests.”<sup>34</sup> Rosecrans even authorized the employment of spies, including ones dressed in “butternut clothing” to observe any raiders or guerillas “out over the river and in all directions,” to protect

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<sup>28</sup> Durham, *Rebellion Revisited*, 158.

<sup>29</sup> Durham, *Rebellion Revisited*, 112.

<sup>30</sup> Warner, *Generals in Blue*, 355-56.

<sup>31</sup> Durham, *Rebellion Revisited*, 113.

<sup>32</sup> Durham, *Rebellion Revisited*, 113

<sup>33</sup> Durham, *Rebellion Revisited*, 113.

<sup>34</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 46.

the railroad.<sup>35</sup> Paine proactively dealt with guerrilla action by ordering “wholesale arrests” of suspected males—often without trial—several whom “were convicted, marched out, and hanged.”<sup>36</sup> The Federal garrison maintained military necessity and their personal safety to justify their severe actions. The deprivation of disloyal citizens was in fact essential to achieving Paine’s mission “to protect the supply lines of rail and water, and police the civilian population and provide such administration as might be required until local government could be re-established.”<sup>37</sup>

Paine’s official report to army headquarters at Murfreesboro, dated February 1, 1863, vividly detailed the garrison’s relentless struggle against Confederate and irregular forces, and the proper remedy from the Federal forces stationed at Gallatin.

At dusk last evening an outlaw by the name of Peddicord, with 40 men, tore up four or five rails in the Richland Woods, about 14 miles from here. They were attempting to burn a cattle guard on the road, when 15 men of the One hundred and twenty-ninth Illinois approached. The rebels ran. They were dressed in our overcoats. I have 350 men after them, and I expect to hear that the rebels fell off their horses and broke their necks. Fifty or more citizens collected at the place with the rebels, to look on, aid, and assist. I propose to make an example of some of them. The trains are running.<sup>38</sup>

The garrison commander’s candid report describes the forces waging irregular warfare on Union occupation forces and the brutal response needed to pacify the region. Paine referred to outlaws and rebels interchangeable. This was an intentional classification of the forces waging irregular war on Paine’s garrison. Paine took care to distinguish between regular war and combat outside the confines of professional led warfare. The outlaws disrupted and destroyed rail lines, often

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<sup>35</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 139.

<sup>36</sup> Durham, *Rebellion Revisited*, 113.

<sup>37</sup> Durham, *Rebellion Revisited*, 158.

<sup>38</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 33.

dressed in blue uniforms, triggering a rapid and deadly response. Military justice, served without trial and jury, was delivered not only to the rebel outlaws, but directed at their supporters as well. Paine's call to make an example of the citizens was a visible warning to the outlaws or anyone suspected of harboring them. Furthermore, General Paine's active role reveals commanders crafting and enforcing responses to their situation, whether invasion or occupation. In the words of Robert Hunt, the detached division and "brigade commanders were effectively determining war policy, and were doing so with something other than a spirit of charity toward the enemy."<sup>39</sup> While Paine served at Gallatin, commanders in the field had already established their response to actions on the ground based on their observations and orders. Paine's actions had consequences; he far exceeded the authority granted garrison commanders' discretion and proved even more extreme than most of his colleagues waging hard war against the Confederacy. Consequently, as the behest of General Grant, Paine was reassigned from the Gallatin garrison to one further south and the target of General Rosecrans's summer campaign: Tullahoma.<sup>40</sup>

The vanguard of the Army of the Cumberland, Major General Alexander McDowell McCook's wing, arrived to relieve the Federal garrison at Nashville on November 9, 1862.<sup>41</sup> From the populace and soldiers' perspective, details Durham, the "new build-up of Federal military forces at Nashville was substantial and was obvious to all."<sup>42</sup> "Before it ended, Rosecrans would have sixty thousand soldiers at his command," with the plan to "engage Bragg in battle somewhere south of Nashville."<sup>43</sup> Rosecrans himself arrived to capital and established

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<sup>39</sup> Robert Hunt, *The Good Men Who Won the War: Army of the Cumberland Veterans and Emancipation Memory* (Tuscaloosa: University of Alabama Press, 2010), 13.

<sup>40</sup> Durham, *Rebellion Revisited*, 192-93.

<sup>41</sup> Daniel, *Days of Glory*, 185.

<sup>42</sup> Durham, *Rebellion Revisited*, 130-31.

<sup>43</sup> Durham, *Rebellion Revisited*, 131.

headquarters two days after McCook relieved the city. That evening, he messaged Halleck that the “enemy is retiring, and destroying everything like bridges. Things now look like a withdrawal beyond the Tennessee, and probable sending off everything available toward Richmond. Will press them up solidly.”<sup>44</sup> Rosecrans needed time before he could engage the Confederate army positioned around Murfreesboro. He spent the next month reorganizing his army, now numbering over 74,000.<sup>45</sup> He cabled the War Department to request capable officers to head the divisions and brigades, requisitioned horses and repeating firearms for cavalry, and repaired the army’s supply lines. Rosecrans prepared his army for a winter campaign south of the capital.

The army’s movement from Louisville failed to pacify large swaths of territory as it strode toward Nashville. Confederate forces and irregulars reappeared and operated in the space vacated by the Federal advance. Van Horne notes that the “enemy was active near his [Rosecrans’] army, in efforts to intercept supply trains, annoy and capture outposts, and overwhelm feeble detachments.”<sup>46</sup> Rosecrans was stunned when Morgan surprised and captured Federal garrison, 2,100 strong, assigned to “guard the Cumberland River and watch the Lebanon Road” at Hartsville, Tennessee after a short engagement.<sup>47</sup> In a report of the debacle, a Federal officer noted that “the attack was unexpected, and no intelligence had been sent to, or effort made to co-operate with, the two brigades of the United States forces, stationed only 9 miles

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<sup>44</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 35.

<sup>45</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 35.

<sup>46</sup> Van Horne, *Army of the Cumberland*, 166.

<sup>47</sup> Daniel, *Days of Glory*, 196.

distant from the scene of action. Secondly, the fight lasted only one hour and a quarter. If the troops had either retreated or made a longer resistance, they could have fallen back to or been joined by the troops above alluded to, when our forces would have outnumbered the enemy.”<sup>48</sup> The officer’s account indicates just how isolated Federal garrisons were from one another. Two Federal brigades remained inactive as Colonel A. B. Moore’s entire command was shamefully captured. Rosecrans reported to Washington that the Federal units just nine miles distant “had no intimation of an anticipated attack” from Hartsville “so as to be able to co-operate.”<sup>49</sup> Reports indicated that “the disaster seems to be attributable mainly to [Moore’s] ignorance or negligence.”<sup>50</sup> As a result, Halleck recommended his dismissal from service “for neglect of duty, in not properly preparing for the enemy's attack.”<sup>51</sup> The disaster at Hartsville was a major embarrassment for Rosecrans and proved to be just one in a line of unremitting enemy operations directed at Federal outposts.

Rosecrans’ vulnerability extended beyond his rear supply lines. Enemy attacks targeted the army’s flanks as well. In response, the army commander detached substantial forces to strengthen the army’s wings. Forrest threatened the army’s right by raiding West Tennessee.<sup>52</sup> The ever-elusive Morgan raided Kentucky in late December with “far-reaching implications.”<sup>53</sup> The recently reorganized Department of Ohio—32,000 men—was “kept in central Kentucky to

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<sup>48</sup> *Official Records*, Ser. 029, Vol. XXXII, Pt. 2, 47.

<sup>49</sup> *Official Records*, Ser. 029, Vol. XXXII, Pt. 2, 45.

<sup>50</sup> *Official Records*, Ser. 029, Vol. XXXII, Pt. 2, 45.

<sup>51</sup> *Official Records*, Ser. 029, Vol. XXXII, Pt. 2, 45.

<sup>52</sup> Daniel, *Days of Glory*, 197

<sup>53</sup> Daniel, *Days of Glory*, 198.

prevent the very raid that was presently occurring with such ease.”<sup>54</sup> Morgan’s actions not only disrupted Federal forces in Kentucky but Rosecrans’ army in Tennessee as well. Rosecrans sent two divisions to support the department while General Thomas’s divisions of the Center Wing “had to be kept at Gallatin and vicinity lest the [South] tunnel south of Mitchellville be destroyed again.”<sup>55</sup> Therefore, Thomas’s once massive wing, numbered over 30,000, “dwindled to two divisions and a brigade.”<sup>56</sup> Consequently, Rosecrans’ designs for a winter offensive were hindered with the siphoning of this army to strategic points, and continued logistical issues. But, more pressing for the newly minted commander was Washington’s insistence that the Army of the Cumberland move and fight.

Rosecrans informed Halleck that he would advance against Bragg’s “as soon as practicable.”<sup>57</sup> But Washington, notably Lincoln, wrote Halleck tersely, “was greatly dissatisfied with [Rosecrans’] delay.”<sup>58</sup> Halleck emphasized that military and political exigencies dictated an immediate advance of Federal armies on all fronts. “If the enemy be left in possession of Middle Tennessee, which we held last July, it will be said that they have gained on us. You will thus perceive that your movements have an importance beyond mere military success.”<sup>59</sup> Halleck ended the message yet again with a jab at Rosecrans’s fragile position that had vanquished his predecessor. “No one doubted that General Buell would eventually have succeeded, but he was

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<sup>54</sup> Daniel, *Days of Glory*, 198.

<sup>55</sup> Daniel, *Days of Glory*, 198.

<sup>56</sup> Daniel, *Days of Glory*, 198.

<sup>57</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 77.

<sup>58</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 123.

<sup>59</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 123.

too slow to be in time. It was believed that you would move more rapidly. Hence the change.”<sup>60</sup> Rosecrans was not one to receive a challenge or threat against his command or honor lightly, but he demurred, realizing an offensive must be undertaken. Accordingly, headquarters ordered a general advance by the Army of the Cumberland toward a clash with the Confederate army at Murfreesboro a day after Christmas.<sup>61</sup> An officer noted that the “troops are in excellent fighting order, and ready.”<sup>62</sup> It took time, but Rosecrans’s invasion below Nashville once again extended the Federal base of operations thirty miles south. This time, the Union army came to stay.

#### Stones River to Tullahoma

“[D]riving the rebels out of Middle Tennessee. . . .”<sup>63</sup>

-Major General William S. Rosecrans

The Army of the Cumberland’s triumph at Stones Rivers set the tone for 1863. The tactical victory was costly but not pyrrhic. Federal officials measured victory both on the battlefield and by the political exigencies set in Washington D.C. that reverberated throughout the Union. General Rosecrans was keenly aware of the pressure that had forced the relief of his predecessor. Fitch described the general “as a far-seeing statesman with military power, located in the midst of a rebellious and socially diseased community”<sup>64</sup> Cynical as ever, Colonel Beatty stated a forewarning opinion of the new commander: “I predict that in twelve months Rosecrans

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<sup>60</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 124.

<sup>61</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 242.

<sup>62</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 22.

<sup>63</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 403.

<sup>64</sup> Fitch, *Annals of the Army of the Cumberland*, 34.

will be as unpopular as Buell.”<sup>65</sup> Beatty’s opinion hinged on the belief shared by many in the Union armies: unrealistic expectations from civilians at home, notably politicians. “A man from whom the people are each day expecting some extraordinary action, some tremendous battle, in which the enemy shall be annihilated, is unfortunately situated, and likely very soon to become unpopular.”<sup>66</sup> Beatty’s practical skepticism aside, Rosecrans’ campaign did not generate a rigid application of war toward the Confederate soldiers and civilians, it simply affirmed the strategies already set by generals at the division and brigade level in 1862.

Rosecrans did specify his expectations “as to the relations between soldiers and civilians,” disseminated in General Orders. No. 19.<sup>67</sup> Headquarters’ intended the six-point order to clear any misunderstanding between the army and civilian populace and “to define the duties of the troops of this command and the rights of others, which they are required to respect.”<sup>68</sup> Those who “acknowledge the obligations of citizens of United States are entitled to all the rights, privileges, and protection due to any citizen,” especially peaceable inhabitants “who honestly and truly abstain from any interference, directly or indirectly, with military matters or movements are, by the laws of humanity, entitled to protection from violence or plunder.”<sup>69</sup> The order referred to these inhabitants as “quasi citizens,” who “shall be allowed to follow their avocations and enjoy their local rights, subject only to needful surveillance to prevent them from being used as tools for mischief.”<sup>70</sup> As for those hostile to the Federal government, by

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<sup>65</sup> Beatty, *Citizen-Soldier*, 189.

<sup>66</sup> Beatty, *Citizen-Soldier*, 188.

<sup>67</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 70.

<sup>68</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

<sup>69</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

<sup>70</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

“repudiating its Constitution and laws,” no rights are extended and their “claims to such are absurd.”<sup>71</sup> The hostiles were bound simply to the laws of war. Point four made note of irregulars:

persons who act in the double character of citizens and belligerents, or who, affecting to belong to regular partisans, are nevertheless removed from the reach of all proper military control, are by the law of nations, pirates and robbers[sic]. By roving through the country, they convert every house into a suspected fort, and deprive the harmless inhabitants of the protection and safety due to their garb and character, and spread demoralization and distress wherever they go. They combine the meanness of the spy with the cowardice of the assassin, who lurks in disguise to stab his unsuspecting victim. Outlaws and enemies, alike of the Government, of the poor people upon whom they subsist, and of making, they are entitled to no rights but such as may be claimed by pirates and robbers, and can ask for none other at our hand.<sup>72</sup>

Harsh measures would be dealt to those who fell into this ambiguous category, but commanders were ordered “to enforce the prohibitions against soldiers entering private residences or premises, without written permission or order.”<sup>73</sup> Civil War armies were plagued by stragglers, “those villains of every grade and class who follow our camps, generally dressed in soldiers' garb and appearing as stragglers, [who] perpetrate most of the outrages which desolate the course of armies.”<sup>74</sup> The Army of the Cumberland was no different, especially in 1863 as it invaded deep into the Tennessee River Valley following the Battles of Stones Rivers. The orders reveal Rosecrans' dual intention to set limits for his soldiers to maintain discipline and prevent unnecessary depredations. It also indicates a firm no-tolerance policy for irregulars waging uncivilized war on the Federal government and army.

Rosecrans' army would have ample time to see General Orders No. 19 come to fruition from their new advanced base of operations at Murfreesboro. It did not take long. On February

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<sup>71</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

<sup>72</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

<sup>73</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

<sup>74</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 71.

10, 1863, Major General Joseph J. Reynolds, commanding Fifth Division, Fourteenth Corps, delivered to corps' headquarters a searing report on the state of war in Tennessee. On the 3<sup>rd</sup>, Reynolds' Division embarked on an expedition to Auburntown, 22 miles southeast of Murfreesboro. The town was nearly deserted, and forage for man and animal was gone. When the army came upon any farm that "presented any appearance of life and prosperity, forage, animals, and people," Reynolds' concluded that "the property [belonged] to rebels and the forage and animals spared by the rebel army."<sup>75</sup> The division continued to Liberty, ten miles to the northeast, where they encountered enemy scouts, both armed and unarmed. Reynolds directed troops to them drive off and after accomplishing the task, the weaponless men rushed toward the Union soldiers. Reynolds states that the "men had been driven to the hills to escape conscription, and were daily being hunted up by the conscription agents, aided by mounted men."<sup>76</sup> From Liberty, the division marched northwest to Alexandria. Reynolds notes that the two towns "exhibited much loyal feeling."<sup>77</sup> Most important, he reached an observation that served "as a sample for all—the property of loyal men despoiled, that of rebels protected."<sup>78</sup>

General Reynolds responded to the treatment of Union loyalists by answering a hypothetical question he posed in the report: "Can this state of things be changed? Very simply."<sup>79</sup> The rebel inhabitants' possessed forage, animals, and provisions that were needed by the Union army. Reynolds' solution was two-fold: seize supplies for the army and redistribute a

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<sup>75</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 54.

<sup>76</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 55.

<sup>77</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 55.

<sup>78</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 55.

<sup>79</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 56.

portion for Unionists' families. If seizure of their home was not accepted in retaliation for depredations directed at their neighbors, Reynolds advised that the army "let these rebels go farther south in quest of their rights, and where they will be with their friends."<sup>80</sup> In searing renunciations of conciliation that aligned with Negley's experience in Columbia the previous summer, Reynolds' slammed the rosewater policy and advised one centered on the practical experience faced by soldiers on the ground:

It has been very strongly advocated in the loyal States that the suppression of the rebellion can best be accomplished by cultivating, encouraging, and developing the Union sentiment in the disloyal States... If the white population of the rebel States were a homogeneous one, like that of the loyal States, the idea would be reasonable, but as facts actually exist it amounts to nothing, because there is no Union sentiment in the rebel States (with here and there a noble exception) among that class of men who wield the political power of these States, and the only effectual mode of suppressing the rebellion must be such a one as will conquer the rebellious individuals now at home as well as defeat their armies in the field; either accomplished without the other leaves the rebellion unsubdued.<sup>81</sup>

The division commander clearly argued that victory must be gained on the battlefield and home front. General Reynolds ended the compelling report with a simple remedy to the current state of affairs. "Despoil the rebels as the rebel army has despoiled the Union men. Send the rebels out of the country, and make safe room for the return of loyal men. Let these loyal men feel that the country is once in their possession instead of being possessed by their oppressors. Aid them in its possession for awhile, and they will soon acquire confidence sufficient to hold it." Reynolds' solution, specifically the creation of a safe zone for loyal citizens, necessitated a true occupation.

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<sup>80</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 56.

<sup>81</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 56.

Reynolds' superior officer, Major General George H. Thomas, forwarded the report to the headquarters with the heading: "Respectfully referred for the consideration of the Government."<sup>82</sup> The native Virginian upheld Reynolds' report and expanded it to include the state of Kentucky. Like his division commander, Thomas posed and answered the theoretical question of what policy to adopt: "the conciliatory or the rigid."<sup>83</sup> The general believed harsher measures were required. "The conciliatory has failed, and however much we may regret the necessity, we shall be compelled to send disloyal people of all ages and sexes to the south, or beyond our lines. Secessionist[s] ha[ve] so degraded their sense of honor that it is next to impossible to find one tinctured with it who can be trusted."<sup>84</sup> General Rosecrans forwarded the report to the War Department on February 18, 1863.

Major General Henry W. Halleck responded to the forwarded reports with a detailed message to William Rosecrans, dated March 5. The general-in-chief "approved a more rigid treatment of all disloyal persons with the lines"<sup>85</sup> of the Department of the Cumberland. Halleck previously commanded all Union forces in the West before replacing McClellan as general-in-chief and understood the issues pressing commanders in the theater. He reminded Rosecrans that he had previously been urged to procure subsistence, forage, and means of transportation [horses], and as "the commanding general in the field," had "power to enforce all laws and usages of war, however rigid or severe these may be, unless there be some act of Congress, regulation, order, or instruction forbidding or restricting such enforcement."<sup>86</sup> The ambiguous

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<sup>82</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 57.

<sup>83</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 57.

<sup>84</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 57.

<sup>85</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 107.

<sup>86</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 107.

instructions allowed commanders to interpret the laws and usages of war at their discretion. The army's occupation of Middle Tennessee demonstrated the men's clear understanding of rigid treatment.

General Halleck's extensive background in the legal theories and policies of war was evident in the message as he succinctly divided the populace into three classes. The first class were loyal citizens "who neither aid nor assist the rebels, except under compulsion, but who favor or assist the Union forces." These people, whenever possible, "should not be subjected to military requisition,"<sup>87</sup> and be afforded protection. Halleck defined the second group as those who have taken "no active part in the war, but belong to the class known in military law as non-combatants. Unlike a war between belligerent nations, a civil war meant that this class "sympathize[d] with the rebellion rather than with the Government."<sup>88</sup> A choice must be made by the non-combatant: "There can be no such thing as neutrality in a rebellion."<sup>89</sup> The people who commit no hostile act will be treated with the first class. But those who "rise in arms against the occupying army, or against the authority established by the same, are war rebels, or military traitors, and incur the penalty of death. They are not entitled to be considered as prisoners of war when captured. Their property is subject to military seizure and military confiscation."<sup>90</sup> Halleck believed the current "treatment of such offenses and such offenders has hitherto been altogether too lenient." Halleck described the third class as those "who are openly and avowedly hostile to the occupying army, but who no bear arms against such forces; in other words, while claiming to

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<sup>87</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 107.

<sup>88</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 107-08.

<sup>89</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 108.

<sup>90</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 108.

be non-combatants, they repudiate the obligations tacitly or impliedly incurred by the other inhabitants of the occupied territory.” The army should treat such persons as the other non-combatants described in the first class, but there was one major difference: violators could be treated as prisoners of war, subjected to confinement, or expelled from the territory.<sup>91</sup>

General Halleck concluded the message to Rosecrans by affirming the army’s discretion in determining the proper enforcement of the laws of war. Rosecrans was “permitted to decide where it [was] best to act with rigor and where best to be more lenient.”<sup>92</sup> But, Halleck also included a caveat that a “broad line of distinction must be drawn between friends and enemies, between the loyal and the disloyal.” The statements personified an army and government adjusting to define a devolving conflict. Beatty, promoted to brigadier general in November 1862,<sup>93</sup> did not struggle to distinguish between friend and foes. Beatty, like Reynolds and Thomas, posed and answered rhetorical questions that captured the mindset of soldiers “They say: ‘You would not disturb peaceable citizens by levying contribution?’ Why not? If the husbands, leaders and guardians, do not care for them, why should we? If they disregard and trample upon that law which gave all protection, and plunge the country into war, why should we be perpetually hindered and thwarted in our efforts to secure peace by our care for those whom they have abandoned?”<sup>94</sup> The war waged against the Confederacy may affect non-combatants, including loyalists, but it was necessary “for the present to suffer.”<sup>95</sup> For the Union to gain

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<sup>91</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 108.

<sup>92</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 2, 108.

<sup>93</sup> Warner, *Generals in Blue*, 27-28.

<sup>94</sup> Beatty, *Citizen-Soldier*, 153-54.

<sup>95</sup> Beatty, *Citizen-Soldier*, 154.

ultimate success, Beatty advised the government to “lay its mailed hand upon treasonable communities, and teach them that this was no holiday pastime.”<sup>96</sup>

The correspondence between Rosecrans’ senior officers and the War Department in Washington revealed the interplay between thought and practice. The officers interpreted what they saw and experienced on the field to dictate Union policies. Their actions, guided by the Halleck and the War Department, affirmed the ambiguous, situational responses initiated by commanders under Buell in 1862. The examination of the Union invasion and occupation in 1862, notably Mitchel’s excursion into Northern Alabama—provides an insightful parallel to Rosecrans’ operations in 1863. Mitchel’s Division was detached deep into enemy country far from support and supervision. He sought support from the only people Union soldiers could trust, African Americans. Mitchel’s commanders responded to guerrilla warfare and its benevolent support from the civilian populace with force. However, Mitchel’s operations in enemy country was temporary and reflects rapid invasion. The army abandoned their holdings along the Tennessee-Alabama pursue to pursue Bragg into Kentucky. The Union army did have an extended period as occupiers in Tennessee months before Mitchel surged south. It was along the Tennessee-Kentucky where the seeds of conciliation disintegrated immediately as Federal troops invaded the area.

The Army of the Cumberland’s occupation of Middle Tennessee in the first-half of 1863 was comparable to the previous year, but as Rosecrans centered his position on Murfreesboro and the surrounding environs, static occupation became active. Rosecrans immediate problem was the army’s advanced position from the department’s main supply base—Louisville was 212 miles (railroad) and 250 miles (turnpike) from Murfreesboro.<sup>97</sup> The tenuous rail line from

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<sup>96</sup> Beatty, *Citizen-Soldier*, 155.

<sup>97</sup> Daniel, *Days of Glory*, 225.

Louisville to Nashville had been targeted by enemy raiders; the relentless attacks on the supply lines became a major thorn to Rosecrans as pressure from the War Department to advance increased.<sup>98</sup> Military Governor Johnson believed victory at Stones River “inspired much confidence with Union men of the ultimate success of the Government, and has greatly discouraged, but increased their bitterness,”<sup>99</sup> in a message to Abraham Lincoln, dated January 11, 1863. The future vice president wanted Rosecrans’ army to expel the rebel army from the state which would develop Union sentiment “without fear or restraint.”<sup>100</sup>

Rosecrans needed time, supplies, and reinforcements to replenish his battered army. On the same day Johnson wrote Lincoln, Rosecrans detailed the army’s situation to the Secretary of War. “Our lines of communications and our depots absorb much force, and that increases as we advance. They are in great straits to hold Tennesseans and Kentuckians by holding Tennessee. The country is full of natural passes and fortifications, and demands superior force to advance with any success. What can you send?”<sup>101</sup> Rosecrans’ message revealed a critical issue invasion and occupation imposed on an army: the lack of men to garrison towns, cities, and protect major avenues of transportation and military positions. The Confederate army possessed interior lines, and the “pressure of public opinion will induce them to draw every available man from other points to defend Middle Tennessee.”<sup>102</sup> Rosecrans was correct in his assessment that extended occupation drained the manpower that was necessary to initiate an offensive campaign, but it

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<sup>98</sup> Daniel, *Days of Glory*, 225-26.

<sup>99</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 317.

<sup>100</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 317.

<sup>101</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 317.

<sup>102</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 317.

was his questioning of what the government could send that sparked a growing fissure with the War Department. However, the general was viewed favorably in early January following the victory at Stones River. For the moment, Rosecrans had time to secure his supply line with constant cavalry expeditions, expand the army's base of operations from Murfreesboro to the surrounding area, and plan a campaign to drive the Confederate army from Tennessee.

In the first two weeks of January, General Rosecrans issued a flurry of orders from headquarters as the Army of the Cumberland methodically tightened its hold on Murfreesboro and the surrounding area. He fortified Murfreesboro shortly after Stones River, the army began constructing Fortress Rosecrans, a mammoth system of fortifications that served as both a physical defensive position and secure forward operating base to sustain future campaigns. The Federal presence extended beyond the fortifications and into the adjacent environs as Rosecrans sent elements of his army into the countryside. Colonel George D. Wagner's brigade had orders to scatter enemy cavalry threatening the supply train along the Nashville and Murfreesboro road, and secure the army's right flank at Triune, Franklin, and Nolensville.<sup>103</sup> Brigadier General David Stanley's cavalry division operated between Nashville and Murfreesboro, and issued a directive to post troops at La Vergne.<sup>104</sup> George Thomas sent reconnaissance parties, two full brigades, down the Shelbyville Pike to Middleton and then to Versailles, and if the enemy appeared, the patrols were to engage and cut off their retreat near Shelbyville. Wagner marched from Nolensville to support Thomas's brigades, commanded by Beatty, "'to cut up the rebels.'"<sup>105</sup> As his subordinates executed the orders, Rosecrans continued to press Washington for horses,

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<sup>103</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 322.

<sup>104</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 324.

<sup>105</sup> *Official Records*, Ser. 030, Vol. XXXII, Pt. 1, 325.

saddles, and arms to secure supply lines, expand Union occupation of Middle Tennessee, and most important, prepare for the pending campaign season.

In his after-action report of the Middle Tennessee Campaign (Tullahoma), dated July 24, 1863, Rosecrans detailed to Washington the purpose of his methodical six-month refit and reorganization of the army. He reminded the War Department that the army's position at Murfreesboro was 200 miles away from its main supply base at Louisville. As a result, and to "enable this army to operate successfully in advance of this position (Murfreesboro), it was necessary, first, to establish and secure a depot of supplies at this point, and, second, to organize an adequate cavalry force to combat that of the enemy, protect our own line of communication, and take advantage of the enemy should he be beaten or retreat."<sup>106</sup> Van Horne describes the pressure placed on Rosecrans by Washington. "During the six months of the army encampment at Murfreesboro, which we filled up with numerous reconnaissances [sic] and 'affairs of outposts,' there was an earnest and protracted discussion between General Halleck, [general]-in-chief, and General Rosecrans, with regard to an aggressive campaign."<sup>107</sup> Rosecrans' superior believed "the inactivity of the Army of the Cumberland would permit General Bragg to detach forces to Mississippi," where "General Grant had commenced his campaign against Vicksburg."<sup>108</sup> In his defense, Rosecrans "was restrained from active operations," explains Van Horne, "by the character of the roads in Middle Tennessee in winter, and then by delay in enlarging his cavalry-arm, and the lack of animals for transportation, and the way of forage."<sup>109</sup>

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<sup>106</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 403.

<sup>107</sup> Van Horne, *Army of the Cumberland*, 220.

<sup>108</sup> Van Horne, *Army of the Cumberland*, 220.

<sup>109</sup> Van Horne, *Army of the Cumberland*, 220-21.

To the chagrin of the War Department, Rosecrans did not make an aggressive movement with the bulk of his army until “the spring passed away,” and he “deemed himself prepared to advance.”<sup>110</sup>

Rosecrans realized that any movement forward further extended the army’s overstretched and vulnerable lines, and planned the offensive accordingly. If conducted properly, Rosecrans’ offensive would duplicate the army’s leapfrog movement executed during the Stones River Campaign to the enemy positioned in south-central Tennessee. Before he could move, Rosecrans’ needed vital war-material and again pressed Washington. The War Department, recalls Van Horne, appeased Rosecrans’ demand for more supplies as “cavalry horses multiplied slowly, and his trains and forage attained the requisite proportions in the same degree.”<sup>111</sup> By the first of June, “the more special indications of an advance began to appear.”<sup>112</sup> Rosecrans shifted units to-and-fro in anticipation for the army-wide advance. “General [William T.] Ward’s brigade was ordered forward from Gallatin, to take post at La Vergne. General Gordon Granger moved his command from Franklin to Triune. General Crook’s brigade was transferred from Carthage to Murfreesboro, and attached to General Reynolds’ division.”<sup>113</sup> On June 12, Chief of Staff James Garfield detailed the Department of the Cumberland’s composition for the commander, notably the bare-bones forces detached to garrison areas stretching from the Tennessee River to Murfreesboro: Gallatin, 969; Carthage, 1,149; Fort Donelson, 1,489; Clarksville 1,138; Nashville, 900; La Vergne, 2,117.<sup>114</sup> All told, Rosecrans allocated over 15,000

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<sup>110</sup> Van Horne, *Army of the Cumberland*, 221.

<sup>111</sup> Van Horne, *Army of the Cumberland*, 221.

<sup>112</sup> Van Horne, *Army of the Cumberland*, 221.

<sup>113</sup> Van Horne, *Army of the Cumberland*, 221.

<sup>114</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 423.

men to garrison strategic locations in his massive department, not including nearly 2,500 convalescents “on light duty in Fortress Rosecrans.”<sup>115</sup> Necessary detachments aside, Rosecrans had nearly 70,000 men present for duty, including a revitalized cavalry corps of 10,000 horsemen, and “thirty-three batteries totaling 202 guns.”<sup>116</sup> It was a mighty force, the largest Federal field army in the West, which aimed to defeat the Confederate Army of the Tennessee positioned thirty miles south.

The position of the Confederate army played a critical role in Rosecrans’ plans for the spring offensive. With their main base supplies at Chattanooga, the commander reported, the Confederates’ “vastly superior cavalry force had enabled them to command all the resources of the Duck River Valley and the country southward.”<sup>117</sup> The Army of the Cumberland’s strategic target, Tullahoma, was “a large entrenched camp, situated on the ‘Barrens,’ (rocky and unfertile region)<sup>118</sup> at the intersection of the Nashville and Chattanooga Railroad with the McMinnville branch, as their main depot. Its front was covered by the defiles of Duck River—a deep, narrow stream, with but few fords or bridges and a rough, rocky range of hills which divides the ‘Barrens’ from the lower level of Middle Tennessee.”<sup>119</sup> The Confederate army’s main force “occupied a strong position north of Duck River, the infantry extending from Shelbyville to Wartrace, and their cavalry on their right to McMinnville, and on their left to Columbia and

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<sup>115</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 423.

<sup>116</sup> Daniel, *Days of Glory*, 264.

<sup>117</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404.

<sup>118</sup> Daniel, *Days of Glory*, 266.

<sup>119</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404.

Spring Hill, where Forrest was concentrated and threatening Franklin.”<sup>120</sup> It was a strong natural defensive position. “Bragg's infantry was covered by a range of high, rough, rocky hills, the principal routes passing southward from Murfreesborough [sic] toward Tullahoma and line of the enemy's communications.”<sup>121</sup> Using the natural ground to his advantage, Bragg strategically positioned his army numbering 38,000 along three narrow gaps that would compress and delay any Federal movement.

Rosecrans expected the Confederate army “to fight us in his entrenchments” where they would “be in good position to retreat if beaten, and so retard our pursuit through the narrow, winding roads from that place which lead up to the ‘Barrens,’ and thus inflict severe loss without danger to their own line of retreat to the mountains toward their base.”<sup>122</sup> Therefore, he “was determined to render useless their entrenchments, and, if possible, secure their line of retreat by turning their right and moving on the railroad bridge across Elk River. This would compel a battle on our own ground or drive them on a disadvantageous line of retreat.”<sup>123</sup> Rosecrans believed that feints, deception, and rapid movement would “make Bragg believe we could advance on him by the Shelbyville route, and to keep up the impression, if possible, until we had reached Manchester with the main body of the army.”<sup>124</sup>

Chief of Staff Garfield’s lengthy memorandum detailing the department and enemy’s strength was in response to Rosecrans “confidential letter of [June 8<sup>th</sup>] to the corps and division

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<sup>120</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404.

<sup>121</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404.

<sup>122</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404.

<sup>123</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404.

<sup>124</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 404-05.

commanders and generals of cavalry of this army,”<sup>125</sup> seeking “a formal expression of opinion with regard to an advance against the enemy.”<sup>126</sup> Though Rosecrans “was sustained in his delay by his subordinates generally,” Garfield urged a rapid movement. The future president argued that the army was in a no-win situation both in military and political terms if it remained idle or retreated. Instead, he advised “that a sudden and rapid movement would compel a general engagement, and the defeat of Bragg would be in the highest degree disastrous to the rebellion.”<sup>127</sup> Garfield realized the mounting political pressure placed on field commanders by mid-1863. “The turbulent aspect of politics in the loyal States renders a decisive blow against the enemy at this time of the highest importance to the success of the Government at the polls, and in the enforcement of the conscription act.”<sup>128</sup> General Halleck had advised a general advance for months, and wrote Rosecrans throughout the second week of June. He reported that there “great dissatisfaction that is felt here [in Washington],” and issued an ultimatum, asking if it was Rosecrans’ “intention to make an immediate movement forward.”<sup>129</sup> Halleck wrote tersely that a “definite answer, yes or no, is required.”<sup>130</sup> Rosecrans responded that an advance was coming but delayed for at least a week. Finally, after six-months of incessant badgering with his superiors, Rosecrans informed Halleck on June 24<sup>th</sup> that the “army begins to move at 3 o'clock this morning.”<sup>131</sup>

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<sup>125</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 420.

<sup>126</sup> Van Horne, *Army of the Cumberland*, 221.

<sup>127</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 423.

<sup>128</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 423.

<sup>129</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 1, 34.

<sup>130</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 1, 34.

<sup>131</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 1, 34.

The Army of the Cumberland's "true point," Garfield advised to its commander, "is the rebel army, whose last reserves are substantially in the field, and an effective blow will crush the shell, and soon be followed by the collars of the rebel Government."<sup>132</sup> Rosecrans' plan, notes Van Horne, was "to turn General Bragg's right," avoid "his intrenchments [sic] at Shelbyville altogether," and "provoke a battle on ground of his own selection, or force him to retreat on a disadvantageous line."<sup>133</sup> Accordingly, Rosecrans concentrated "the corps of Generals Thomas, McCook, and Crittenden on the enemy's right, covering this movement by a feint upon his left with General Granger's corps and the main portion of his cavalry."<sup>134</sup> Though bogged down by torrential rains and the lack of communication with his corps commanders, Rosecrans' plan of rapid movements and feints worked masterfully.<sup>135</sup> Bragg, turned-inside-out by the Federal deception and quick capture of Hoover's and Liberty Gaps, evacuated Manchester and subsequently Tullahoma by June 30<sup>th</sup>. With the Federal cavalry and infantry in hot pursuit, Bragg crossed the Elk River toward Chattanooga. Once more, Van Horne records proudly, "Middle Tennessee was again in possession of the Army of the Cumberland."<sup>136</sup>

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<sup>132</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 424.

<sup>133</sup> Van Horne, *Army of the Cumberland*, 223.

<sup>134</sup> Van Horne, *Army of the Cumberland*, 223.

<sup>135</sup> Daniel, *Days of Glory*, 269.

<sup>136</sup> Van Horne, *Army of the Cumberland*, 229.

## CONCLUSION

## MIDDLE TENNESSEE TO THE GATES OF GEORGIA

“These results were far more successful than was anticipated. . . .”<sup>1</sup>

-Major General William S. Rosecrans

General Rosecrans’ grand campaign, Daniels describes, “had advanced eighty miles in eleven days, despite the extraordinary rain, sweeping the Confederates from Middle Tennessee, the state’s breadbasket,” at the loss of 600 men.<sup>2</sup> Rosecrans, justifiably elated at his army’s movement from Murfreesboro to Tullahoma, reported that the “results were far more successful than was anticipated and could only have been obtained by a surprise as to the direction and force of our movement.”<sup>3</sup> In the interim, Rosecrans “brought to his army the old work of repairing the railroads and building bridges, and the long waiting for the accumulation of supplies.” Prior to the Confederate evacuation, Rosecrans stripped his rear garrisons, ordering units and supplies to the front as the main army advanced around Bragg. He ordered General Gordon Granger, commanding Reserve Corps, to advance forces from Nashville and La Vergne to Murfreesboro. The move was intended to strengthen his forward operating base as the army’s supply line stretched to Shelbyville and Tullahoma.<sup>4</sup> Rosecrans ordered rear-echelon commanders to repair both the telegraph and rail lines as the army’s forward movement outpaced its supplies. At the front, notes Van Horne, Federal “cavalry had the opportunity to revisit most of the places in Tennessee and Northern Alabama, from which the national forces had withdrawn

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<sup>1</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 408.

<sup>2</sup> Daniel, *Days of Glory*, 275.

<sup>3</sup> Van Horne, *Army of the Cumberland*, 229.

<sup>4</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 480.

the previous summer.”<sup>5</sup> But the army’s return placed even harsher conditions on the civilians. “And this was done to the intense annoyance of the citizen enemies of the national government, as in the second coming of the Army of the Cumberland supplies were to be drawn from the country.”<sup>6</sup> As 1862 proved, the army’s second arrival placed no barriers between soldiers and citizen enemies. In fact, explains Van Horne, the communities’ support of the enemy combatants meant that government and Union would not be “restored through mere kindness to the people whose property and aid had been freely given to the Confederate armies.”<sup>7</sup>

In his official report of the Middle Tennessee Campaign, General Rosecrans recalled the sympathetic sentiment from the citizens of Shelbyville as Federal soldiers reentered on June 26, 1863. “It was worthy of note that the waving of flags and cheers of welcome from the inhabitants of this unconquerable stronghold of loyalty doubtless gave added vigor and energy to the advance of our troops.”<sup>8</sup> Shelbyville was a Unionist oasis in the middle of a Confederate desert, a sentiment clearly recognized by the Federal high command. Upon his arrival to Tullahoma on July 1, General Thomas issued orders to a division commander “to secure all public property, particularly ammunition, guns, and subsistence stores.”<sup>9</sup> The Fourteenth Corps commander was motivated equally by the fear of Confederate guerrillas and of undisciplined Union bummers trolling behind lines. Because of soldier indiscretions, Thomas issued a stern circular to his commanders five days later.

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<sup>5</sup> Van Horne, *Army of the Cumberland*, 230.

<sup>6</sup> Van Horne, *Army of the Cumberland*, 230.

<sup>7</sup> Van Horne, *Army of the Cumberland*, 230.

<sup>8</sup> *Official Records*, Ser. 034, Vol. XXXV, Pt. 2, 408.

<sup>9</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 499.

On account of the depredations committed by the different divisions of this command, the general commanding directs that the most energetic measures be adopted to put a stop to them at once, and that hereafter, whenever this so-called impressment is resorted to, no means be spared to trace the guilty party to the division, regiment, and company, and that the amount for the property so taken be paid out of the company savings, by withholding the commutation of rations until the amount is fully paid. The general commanding is determined that pillaging shall be put down in his command, and hopes this circular will have the desired effect. If not, more strenuous measures will be adopted to arrest the guilty, and to make such examples of them as shall effectually put it down throughout the entire command.<sup>10</sup>

Rapid invasion and immediate occupation provided an open arena for unsupervised soldiers to pillage and depredate against the civilian populace, both Unionists and secessionists. Thomas's orders illustrate the Federal high command struggling to maintain discipline as the Army of the Cumberland began an extended repair and refit operation at Tullahoma. Once the army had captured Tullahoma, it was interested in enforcing discipline and protecting property, demonstrating that military necessity in response to guerilla and irregular warfare was really what inspired hard war in official policy, more than the punitive war others have asserted.

Before any forward movement by the army, Rosecrans needed to repair "the railroad to the Tennessee river, ripe corn in the fields, and support his flanks."<sup>11</sup> Rosecrans noted in his official report of the Chickamauga Campaign the procedures necessary before the army moved forward. The "first step was to repair the Nashville and Chattanooga Railroad, to bring forward to Tullahoma, McMinnville [sic], Decherd, and Winchester needful forage and subsistence, which it was impossible to transport from Murfreesborough [sic] to those points over the horrible roads which we encountered on our advance to Tullahoma."<sup>12</sup> Second, detailed the commander,

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<sup>10</sup> *Official Records*, Ser. 035, Vol. XXXV, Pt. 1, 517.

<sup>11</sup> Van Horne, *Army of the Cumberland*, 231.

<sup>12</sup> *Official Records*, Ser. 050, Vol. XLII, Pt. 2, 50.

“was to extend the repairs of the main stem to Stevenson and Bridgeport, and the Tracy City branch, so that we could place supplies in depot at those points, from which to draw after we had crossed the mountains.”<sup>13</sup> He therefore detached units from the main force to guard the army’s tenuous material and communication life-lines. Granger’s Reserve Corps “was in the rear occupying all the country north of the Duck river, with garrisons at Fort Donelson, Clarksville, Gallatin, Carthage, Nashville, Murfreesboro, Shelbyville, and Wartrace.”<sup>14</sup> The protection of the supply line, stretching from the state capital back to Louisville “required a force equal, at least, to one-fourth of the offensive strength of the army.”<sup>15</sup> It took nearly two full months before Rosecrans’ crossed the river and marched toward Chattanooga, which “had long been the objective of his army.”<sup>16</sup> In the meantime, the Federal presence in the southern Tennessee Valley became permanent as garrisons guarded and occupied strategic towns and transportation routes in the ever-expanding Department of the Cumberland.

For the Army of the Cumberland, the war did not alter dramatically upon its return to Middle Tennessee in summer 1863. Federal garrisons reappeared in the Tennessee River Valley, where they protected the army’s vulnerably supply and communication lines, and established forward operating bases. While Buell’s rose-water conciliatory policies had vanished the previous summer, general officers and detached commanders who remained were more than willing to punish enemy civilians and combatants for the violation of boundaries. Detached commanders took preemptive measures to ensure Federal authority in the reoccupied areas and

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<sup>13</sup> *Official Records*, Ser. 050, Vol. XLII, Pt. 2, 50.

<sup>14</sup> Van Horne, *Army of the Cumberland*, 232.

<sup>15</sup> Van Horne, *Army of the Cumberland*, 232.

<sup>16</sup> Van Horne, *Army of the Cumberland*, 233.

zones, adapting their previous experience to conditions on the ground, with mixed results. But in the larger context of the Federal war effort, the conflict evolved in direction and official policy that greatly affected the Union armies in the Western Theater.

Just a month prior to Rosecrans' Middle Tennessee Campaign, the War Department issued General Orders 100 [Instructions for the Government of Armies of the United States in the Field], 157 articles that established "rules to govern the conduct of the Union Army."<sup>17</sup> Federal commanders were counseled on their legal authority and the directives issued from headquarters or in the field as early as 1861, but these orders codified and made those policies universal.<sup>18</sup> Lower-level commanders' responses to the violations of boundaries fostered the creation and dissemination of G. O. 100, which reflected the orders and decrees issued from headquarters in the Western Theater. Commanders of detached forces, from Generals Mitchel and Negley in the Tennessee Valley to the infamous Paine in Gallatin, issued orders reflecting the articles later created in G. O. 100. The orders set firm the boundaries of war. "It announces a sharp distinction between men in arms and noncombatants. It disclaims tactics of bad faith and enjoins attacks motivated by revenge. It prohibits suffering for its own sake."<sup>19</sup> G. O. 100 codified the cause and effect of boundary violators and forced restraint from field commanders. Commanders of garrison and detached forces' interpretation of the laws of war, described by Witt as "open-ended . . . authorized any measure necessary to secure the end of the war and defend the country."<sup>20</sup> Their mandates and actions revealed the evolution of the Union war at the

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<sup>17</sup> Witt, *Lincoln's Code*, 2.

<sup>18</sup> Witt, *Lincoln's Code*, 2.

<sup>19</sup> Witt, *Lincoln's Code*, 2.

<sup>20</sup> Witt, *Lincoln's Code*, 4.

local level, one where occupation was significantly more complex than the assignment implied. Ultimately, G.O. 100 codified military necessity, allocating “both a broad limit on war’s violence and a robust license to destroy.”<sup>21</sup> Federal forces operating in the Western Theater had applied their broad understanding of military necessary as early as 1861 against irregulars, guerrillas, and hostile civilians. The order simply produced in written format the actions of Federal commanders and their soldiers for the past two years. Within weeks of Tullahoma’s capture, Rosecrans led the Army of the Cumberland to the gates of Georgia. Prior to his departure, he ordered rear-echelon forces from Nashville and Murfreesboro closer to the front. Federal garrisons sprung at the major towns conquered during the campaign and along vital transportation routes. Devolved command at the garrison level simply extended south, deep into Confederate territory.

Of more pertinent consequence to Union forces in the West was the raising of black regiments, United States Colored Troops, at the start of 1863. General Mitchel’s expedition into Northern Alabama the previous year saw the liberal use of freedmen for intelligence and labor operations. A year later, the Federal adoption of black regiments saw thousands swell the ranks in Tennessee. Many had fled to Union lines throughout the region after Rosecrans’ Tullahoma Campaign. As Van Horne notes, “arms were soon put into their hands.”<sup>22</sup> Many of the newly raised USCT regiments were assigned garrison duty, freeing veteran white units for service at the front. The raising of USCT units was perhaps the greatest hard war effort of the conflict. The Union army literally liberated the enemy’s labor force and turned that vital manpower against the rebellion. Not only did it acknowledge the humanity and manhood of an oppressed people, it actually turned a Confederate resource into an armed, uniformed fighting force. Devolved

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<sup>21</sup> Witt, *Lincoln’s Code*, 234.

<sup>22</sup> Van Horne, *Army of the Cumberland*, 345.

commanders in the West—from Frémont to Negley and Mitchel—looked for ways to make his happen, and often did so unofficially in war's first two years. But, 1863 was different. The Federal government fully authorized and funded the creation of black units, freeing thousands of veteran whites for active field service. Like Buell the previous year, Rosecrans assigned brigades and regiments to garrison the newly conquered towns in south-central Tennessee. With the remainder of the army, Rosecrans embarked on his final grand campaign across the Tennessee River, moving toward Chattanooga and Georgia at the end of August 1863.

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